

****Title:**** People of the Philippines vs. Alejandro Rellota y Tadeo

****Facts:**** AAA, a minor born on July 16, 1981, lived with her siblings and her aunt DDD and DDD's second husband, Alejandro Rellota (the appellant), in Antipolo City from September 1992 to January 1994. During this period, the appellant allegedly engaged in multiple sexual assaults against AAA, including consummated rapes in September 1993 and December 1993, and an attempted rape in January 1994.

The procedural history began with the filing of three separate complaints for rape against Rellota in February 1994, which were later consolidated for trial. The Regional Trial Court (RTC) of Antipolo City, in its decision dated August 8, 2002, found Rellota guilty of three counts of rape and sentenced him to reclusion perpetua for each count. Rellota appealed to the Supreme Court, which transferred the case to the Court of Appeals (CA) in accordance with *People of the Philippines v. Efren Mateo y Garcia*. The CA, in a decision dated April 14, 2005, affirmed the RTC's ruling with modification, convicting Rellota of two counts of consummated rape and one count of attempted rape.

****Issues:****

1. Whether Rellota's acts constituted rape and attempted rape.
2. The credibility of the victim's testimony.
3. The proper imposition of penalties for the crimes charged.

****Court's Decision:****

The Supreme Court affirmed Rellota's conviction for two counts of consummated rape. However, it modified the CA's finding of attempted rape in January 1994 to acts of lasciviousness as defined in the Revised Penal Code, in relation to Section 5, Article III of Republic Act No. 7610, sentencing him to an indeterminate penalty of imprisonment from 8 years and 1 day of prision mayor, as minimum, to 17 years, 4 months, and 1 day of reclusion temporal, as maximum. The decision reiterated the gravity of the accusations and the need for careful analysis, underscoring the principles guiding the review of rape cases and the high value placed on the credibility of the victim's testimony.

****Doctrine:**** This case reiterates the principle that in the review of rape convictions, the testimony of the victim is scrutinized with extreme caution, and the findings of the trial court regarding credibility are given high respect unless overlooked, substantial facts could affect the outcome. It also highlights the application of the variance doctrine in charging offenses included or which necessarily include the offense proved.

****Class Notes:****

- Rape convictions hinge on the credibility of the victim's testimony, with the trial court's evaluation given high deference.
- Denial, without convincing evidence, is considered weak against affirmative testimonies.
- Legal provisions relevant to this case include Sections 3 and 10 of Rule 122, Section 13 of Rule 124, and Section 3 of Rule 125 of the Revised Rules on Criminal Procedure, and Section 5 of the Constitution regarding the appellate jurisdiction in cases involving reclusion perpetua or higher penalties.
- The doctrine of variance applies, allowing for conviction of an offense proved that is included within the offense charged if elements match.

****Historical Background:**** The procedural journey of this case reflects changes in appellate procedures for serious criminal cases introduced by the Supreme Court's decision in *People v. Mateo*, which mandated intermediate review by the Court of Appeals for cases with penalties of reclusion perpetua or higher. This procedural shift aimed to enhance due process and streamline the review process in the hierarchy of courts.