

**\*\*Title:\*\*** People of the Philippines vs. Felix Ortoa y Obia

**\*\*Facts:\*\*** This case involves Felix Ortoa y Obia, who was found guilty of raping his thirteen-year-old daughter, referred to as AAA. The incident occurred on April 3, 2001, in Mandaluyong City, Philippines. The case was elevated to the Supreme Court for review after the Court of Appeals and the Regional Trial Court (RTC) of Mandaluyong City found Ortoa guilty. The prosecution's evidence included testimonies from the victim AAA, her mother, a medico-legal officer, and a police officer. AAA detailed how Ortoa took advantage of the family's cramped living conditions to commit the crime. Ortoa defended himself by claiming he was at work at the time of the incident and suggested that the charges were conjured by his common-law wife and daughter due to a personal vendetta.

**\*\*Issues:\*\***

1. Whether the testimony of the victim, AAA, is credible and sufficient to establish the guilt of Ortoa beyond reasonable doubt.
2. The validity of Ortoa's defense of alibi and denial.
3. The applicability of psychological manipulation and moral ascendancy in incestuous rape.
4. The appropriate penalty under the legal stipulations of the crime committed.

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

The Supreme Court affirmed the decisions of the lower courts with modifications concerning the penalties imposed due to the enactment of Republic Act No. 9346 which prohibits the imposition of the death penalty. The court found AAA's detailed testimony credible, emphasizing the severe psychological impact and moral ascendancy a father has over his daughter. It dismissed Ortoa's defense of denial and alibi as weak and insufficient against the positive identification and testimony of the victim. The court highlighted the improbability of a daughter and mother fabricating such accusations, considering the societal and familial consequences that follow. Consequently, Ortoa was found guilty beyond reasonable doubt of qualified rape and sentenced to reclusion perpetua without the possibility of parole.

**\*\*Doctrine:\*\***

- In cases of rape, especially incestuous rape, the moral ascendancy or influence of the accused over the victim substitutes for violence or intimidation.
- The testimony of a rape victim, particularly a minor, is given significant weight and credibility.
- Defenses of denial and alibi hold little merit against positive identification and credible

testimony from the prosecution's witnesses.

- In the imposition of penalties for rape convictions where the accused is a parent of the victim, and if the victim is a minor, the penalty of reclusion perpetua shall apply, following the prohibition of the death penalty under Republic Act No. 9346.

**\*\*Class Notes:\*\***

- Rape can be proven beyond reasonable doubt primarily based on the solitary testimony of the victim, provided it is credible and trustworthy.
- Moral ascendancy replaces the need to establish force or intimidation in incestuous rape.
- An accused's defense of alibi must be so airtight that it leaves no doubt that they could not have been physically present at the crime scene.
- Emotional manipulation and threats are commonly used to silence victims of incestuous rape.
- Legal statutes referenced: Article 266-B of the Revised Penal Code, Republic Act No. 9346.

**\*\*Historical Background:\*\*** The case is reflective of the Philippine judiciary's stance on crimes involving sexual abuse within the family, emphasizing the gravity of trust and power violations. It also underscores the legal shift away from the death penalty towards life imprisonment without parole for heinous crimes, marking a significant moment in the country's criminal justice system regarding capital punishment.