

**\*\*Title:\*\*** People of the Philippines vs. Guillermo Lomaque

**\*\*Facts:\*\***

The case revolves around Guillermo Lomaque, accused of several counts of sexual offenses against his stepdaughter, identified only as “AAA” to protect her identity. These charges included seven counts of Rape by Sexual Intercourse, one count of Rape by Sexual Assault, and one count of Acts of Lasciviousness. The events purportedly occurred over a span from 1993 to 1999, starting when AAA was around eight years old. The Regional Trial Court (RTC) in Quezon City found Lomaque guilty on most counts, a decision later affirmed by the Court of Appeals (CA). Lomaque’s convictions were primarily based on the consistent and detailed testimonial evidence provided by the victim, AAA, which the courts found credible over Lomaque’s denial and alibi defense.

**\*\*Procedural Posture:\*\***

Lomaque appealed the RTC decision to the CA, arguing mainly against AAA’s credibility and the court’s acceptance of her testimony. The CA affirmed the RTC’s ruling, leading Lomaque to elevate the case to the Supreme Court (SC). The SC also affirmed the lower courts’ decisions, with modifications regarding the awarded damages and clarification on the qualification of the rapes as simple or aggravated due to the relationship issue not being properly established.

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

The main legal issue centers on whether the prosecution successfully proved Lomaque’s guilt beyond a reasonable doubt for the crimes charged. The assessment heavily relies on evaluating AAA’s credibility as a witness against Lomaque’s defenses of denial and alibi. Additionally, the SC delved into procedural matters regarding the qualification of the rapes and the variance in the mode of commission for the rape by sexual assault as charged versus what was proven at trial.

**\*\*Court’s Decision:\*\***

The SC affirmed the CA and RTC’s findings, endorsing their assessment of AAA’s credible and consistent testimony over Lomaque’s defense. However, the SC modified the qualifications of the rape charges due to insufficient evidence to establish the relationship aspect necessary for aggravated rape under Philippine law. Thus, Lomaque was found guilty

of simple rape for the pertinent charges. Also, the SC maintained Lomaque's conviction for Rape by Sexual Assault and Acts of Lasciviousness, considering the evidence presented and the lack of objection to variances in mode of commission from what's charged to what's proven.

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

The SC reiterated established principles regarding the evaluation of witness credibility, emphasizing deference to the trial court's factual findings unless significant facts and circumstances are overlooked that could affect the outcome. Moreover, it highlighted the stringent requirement to properly allege and prove qualifying circumstances, like the relationship between the victim and the offender, to elevate a crime's classification and corresponding penalty.

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

- **\*\*Credibility of Testimony:\*\*** The credibility of a witness, especially a rape victim's testimony, is gauged based on its consistency, candor, and sincerity. The factual findings of the trial court carry significant weight.
- **\*\*Legal Requirements for Rape Conviction:\*\*** For a rape conviction, the act must be proven beyond a reasonable doubt, with consideration given to the victim's testimony and the accused's defenses.
- **\*\*Qualifying Circumstances for Rape:\*\*** The relationship between the victim and the aggressor (stepfather-stepdaughter, in this case) must be explicitly alleged and convincingly proven to qualify the rape as aggravated, thereby affecting the penalty.
- **\*\*Doctrine on Variance on the Mode of Commission:\*\*** A variance between the allegations and proof regarding the mode of committing rape (i.e., sexual assault vs. sexual intercourse) does not automatically vitiate the conviction, especially in the absence of objection from the defense.

**\*\*Historical Background:\*\***

This decision showcases the complexities involved in legally proving sexual crimes, especially where intimate relationships and minor victims are involved. The Philippine legal system emphasizes the credibility and consistency of testimonies in adjudicating such sensitive cases, while also strictly interpreting laws regarding qualifying circumstances that elevate penalties for aggravated offenses.