

### Title:

Alberto Garong y Villanueva v. People of the Philippines

### Facts:

Alberto Garong, a court interpreter, was charged with the crime of falsification as defined by Article 172, in relation to Article 171, of the Revised Penal Code. The charge stemmed from his act of causing, preparing, and issuing a simulated court order entitled “IN RE: PETITION FOR JUDICIAL RECONSTITUTION OF TRANSFER CERTIFICATE OF TITLE NO. T-40361, PETITION NO. 12,701” purportedly from the Regional Trial Court Branch 40, which did not actually exist. Silverio Rosales and Ricar Colocar, seeking reconstitution of Rosales’ title, approached Garong for assistance. Garong agreed to help for a fee, later delivering a fictitious court order to them which they unsuccessfully attempted to use for the reconstitution process. The anomaly was discovered, and a complaint was filed against Garong, leading to the criminal charge.

The Regional Trial Court (RTC) found Garong guilty, rejecting his defense that he merely facilitated the process without direct involvement and that he did not take advantage of his official position. The decision was appealed to the Court of Appeals (CA), which also affirmed Garong’s conviction but modified the appreciation of his role stressing that his position did not facilitate the crime since anyone with knowledge could commit such an act.

### Issues:

1. Whether the petitioner, Alberto Garong, was correctly found guilty of the crime of falsification.
2. Whether taking advantage of his official position should be considered an aggravating circumstance.
3. The correct characterization of the crime committed by Garong.

### Court’s Decision:

The Supreme Court upheld Garong’s conviction, modifying the characterization of the crime to falsification by a private individual, as defined and penalized by Article 172, in relation to paragraph 7 of Article 171, of the Revised Penal Code. The Court clarified that while Garong was a court employee, the crime could have been committed by anyone with knowledge of judicial processes, hence his official position did not facilitate the falsification. The Supreme Court determined Garong made falsehoods by simulating non-existent court proceedings, a clear act of falsification whether by a public officer or a private individual. As such, the crime was properly defined as falsification by a private individual.

### Doctrine:

This case reiterates the doctrine that falsification can be committed by both public officers and private individuals. The determination hinges on whether the accused used their official position to commit the crime. Moreover, it emphasizes that falsification is not limited to altering an existing document but includes making it appear that a document is something it is not, including simulating non-existent judicial proceedings.

### Class Notes:

1. **Elements of Falsification by a Private Individual (Under Article 172, RPC):** The individual commits any act of falsification as mentioned in Article 171, and the falsification involves a public, official, or commercial document.
2. **Role of Official Position in Falsification:** A public officer's official position is considered aggravating in falsification crimes if it facilitates the commission of the crime - wherein the officer has duty over or custody of the falsified document.
3. **Simulation of Documents:** Simulating a document—making a fictitious document appear as a true and genuine document—is an act of falsification.
4. **Subsidiary Imprisonment for Fines:** If the convict cannot pay the fine due to insolvency, subsidiary personal liability or imprisonment may be imposed as per Article 39 of the Revised Penal Code.

### Historical Background:

In the Philippine legal system, court personnel, including interpreters, are held to high ethical standards given their position within the judiciary. Despite the technical nature of their roles, any involvement in or facilitation of falsification of judicial documents seriously undermines judicial integrity and public trust. This case serves as a reminder of the judiciary's unyielding stance against any form of misconduct by its officers, stressing the importance of integrity and accountability within the system.