

****Title:**** Salvador Marzalado, Jr. vs. People of the Philippines: A Case of Questionable Entry and the Bounds of Justified Trespass

****Facts:****

Cristina N. Albano, a tenant in a property owned by Luz Marzalado, became embroiled in an ejectment case filed by the latter. Despite a judgment ordering her to vacate and settle unpaid rentals, Albano appealed and remained in the premises. The electricity was cut off in September 1993, and in November of the same year, Albano discovered that her unit had been forcibly entered, with changes to locks and removal of belongings, which she attributed to Salvador Marzalado, Jr., Luz's son.

Marzalado, Jr. was accused of trespass to dwelling. He contended that his entry into the unit was to address an emergency—a faucet left running—after finding the unit abandoned due to electricity disconnection. His defense was rejected at the MeTC, which convicted him. The RTC and the Court of Appeals affirmed this decision, leading Marzalado, Jr. to petition the Supreme Court for review on certiorari.

****Issues:****

1. Whether the Court of Appeals erred in upholding the conviction for qualified trespass to dwelling despite Marzalado, Jr.'s justification for entering the premises.
2. Whether the information filed against Marzalado, Jr. was defective due to an incorrect date of the alleged trespass.

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

The Supreme Court reversed the decisions of the lower courts, acquitting Marzalado, Jr. It held that his entry into the unit, though without the tenant's consent, was justified under the circumstances—to prevent damage from an open faucet. The Court highlighted that criminal intent was not evident in Marzalado Jr.'s actions, as he sought to mitigate damage to the property. Furthermore, the discrepancy in the date of trespass cited in the Information was deemed not material to the offense charged, and therefore not a ground to invalidate the Information or the proceedings.

****Doctrine:****

The case reiterated that the elements of trespass to dwelling are (1) the offender is a private person, (2) he enters the dwelling of another, and (3) such entrance is against the latter's will. However, an entry made for the purpose of preventing imminent harm to property may be justified, and the exact date of the entry is not a material element of the offense.

****Class Notes:****

- Key Elements of Trespass to Dwelling: Offender's status as a private person, unconsented entry into another's dwelling.
- Justifying Circumstances: An act causing damage to avert a greater harm; presence and assessment of imminent danger to property can justify entry into another's dwelling without consent (refer to Article 11, Paragraph 4 of the Revised Penal Code).
- Importance of Criminal Intent: Absence of criminal intent can lead to acquittal; the intent behind actions significantly affects the determination of criminal liability.
- Material Elements of an Offense: The significance of specific details like the date of offense in the Information; materiality varies by the nature of the crime, with time being generally non-material unless it is an essential ingredient.

****Historical Background:****

The case underscores the nuanced interpretation of lawful versus unlawful entry, balancing property rights against the necessity to avert harm. It highlights the Philippine legal system's approach to justifying circumstances, emphasizing the importance of intent and context in evaluating criminal actions. This case also illustrates the procedural journey of criminal cases through the Philippine judicial system, from trial courts to the Supreme Court, and the pivotal role of appellate review in ensuring justice.