

Title: People of the Philippines v. Hon. Enrique C. Asis and Jaime Abordo

Facts:

This case highlights the complexity of the judicial process involving a dispute over the legal character of an act committed by respondent Jaime Abordo, which was ultimately addressed by the Philippine Supreme Court. The incident occurred on October 7, 2002, when Abordo, during an altercation, shot Kennard Majait and Joeniel Calvez, while Jose Montes remained unharmed. Subsequently, Abordo faced charges of two counts of attempted murder and one count of frustrated murder. However, the Regional Trial Court (RTC) of Biliran Province, in its decision dated August 29, 2005, convicted Abordo of lesser crimes — Serious Physical Injuries and Less Serious Physical Injuries — citing absence of treachery, evident premeditation, and appreciating four mitigating circumstances in his favor. Disagreeing with the RTC's ruling, particularly on issues of legal characterization and the appreciation of circumstance, the Office of the Solicitor General (OSG) pursued a petition for certiorari under Rule 65 before the Court of Appeals (CA), which was subsequently dismissed. The CA held that certiorari was inappropriate, suggesting an appeal as the proper remedy despite the potential for double jeopardy. Unsatisfied with the CA's disposition, the OSG then escalated the matter to the Supreme Court through a petition for review under Rule 45.

Issues:

1. Whether the Court of Appeals erred in dismissing the petition for certiorari under Rule 65 filed by the OSG.
2. Whether the CA committed a grave mistake by not considering the petition on its merits based on the premise of double jeopardy.
3. Whether the OSG's petition before the CA showcased a grave abuse of discretion or lack of jurisdiction by the RTC in its ruling.

Court's Decision:

The Supreme Court partly granted the petition by setting aside the CA's dismissal resolution, emphasizing that a petition for certiorari under Rule 65 is an acceptable recourse to challenge a verdict of acquittal when asserting grave abuse of discretion amounting to lack, or excess of jurisdiction by the trial court. However, the Court also highlighted that for such a challenging petition to prosper, it must clearly exhibit that the trial court's acquittal verdict or dismissal of the case involved grave abuse of discretion tantamount to a denial of due process, thus rendering the judgment void. In this case, the Supreme Court found the OSG's petition wanting in merit for failing to substantiate such grave abuse of discretion by the RTC. Therefore, while procedural dismissal by the CA was

reversed, the petition for certiorari was ultimately denied due to lack of substantive merit.

Doctrine:

The Supreme Court reiterates the finality-of-acquittal doctrine which posits that a judgment of acquittal is final and unappealable. However, exceptions to this rule include instances where the acquittal can be challenged via certiorari under Rule 65 but only upon a clear demonstration that the trial court committed grave abuse of discretion amounting to lack or in excess of jurisdiction, or a denial of due process. This principle underscores the balance between finality of judgments, the right against double jeopardy, and the appellate courts' oversight roles through extraordinary writs like certiorari in instances of jurisdictional errors or grave abuse of discretion.

Class Notes:

- ****Finality-of-acquittal Doctrine****: Once acquitted, a decision cannot be appealed as it would subject the accused to double jeopardy. Exceptions include cases of jurisdictional errors or grave abuse of discretion amounting to lack or excess of jurisdiction.
- ****Petition for Certiorari under Rule 65****: Utilized to challenge judicial errors amounting to lack or in excess of jurisdiction or grave abuse of discretion, not as a vehicle for appealing judgment errors.
- ****Double Jeopardy****: Protects an accused from being tried or penalized twice for the same offense. It does not apply in case the initial judgment was void due to jurisdictional errors or lack thereof.

Historical Background:

The significance of this case lies in its illumination of the intricacies surrounding the procedural pathways for challenging verdicts within the Philippine legal system. It highlights the judiciary's commitment to upholding procedural justice while safeguarding constitutional rights, such as protection against double jeopardy. This case becomes a reference point for subsequent jurisprudence on the acceptable use of certiorari in criminal cases, especially in disputes concerning verdicts of acquittal and the proper characterization of criminal actions under the complex landscape of Philippine criminal law.