

**### Title:**

Delia Ines Ringor vs. People of the Philippines: A Case of Qualified Theft

**### Facts:**

Delia Ines Ringor was initially charged with estafa for allegedly failing to remit P66,860.90 she collected on behalf of Peoples Consumer Store (PCS) from L.A. Currimao Store (LACS). Ringor, a sales clerk/agent for PCS, was tasked with sourcing orders, delivery, and subsequently collecting payments which were to be remitted to PCS. After claiming to have lost the collected amount to a robbery and later changing her story to having lost it in a minibus, she ceased reporting for work and failed to remit the amount.

Upon filing a case against her, the Regional Trial Court (RTC) of Cabugao, Ilocos Sur found Ringor guilty of estafa under Article 315 of the Revised Penal Code (RPC) and sentenced her to an indeterminate penalty of 4 years and 2 months of prision correccional as minimum to 10 years, 8 months, and 21 days of prision mayor as maximum, and ordered her to indemnify PCS the amount involved.

On appeal, the Court of Appeals (CA) modified the RTC decision, convicting Ringor of qualified theft under Article 310 of the RPC instead, with a higher indeterminate penalty of 10 years and 1 day of prision mayor as minimum to 20 years of reclusion temporal as maximum.

The modification by CA was based on the determination that Ringor, having only physical possession and not juridical possession of the collected funds, could not be convicted of estafa but could be for qualified theft given the employment relation amounting to grave abuse of confidence.

Ringor's appeal to the Supreme Court was grounded on the claim of error in her conviction for qualified theft, arguing failure on the prosecution's part to establish the necessary elements for qualified theft.

**### Issues:**

Whether the Court of Appeals erred in convicting Delia Ines Ringor for the felony of qualified theft under Article 310 in relation to Article 308 of the RPC.

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

The Supreme Court denied the petition, affirming the Court of Appeals' decision. The Court found all elements of qualified theft present, including the grave abuse of confidence due to

Ringor's employment position, which allowed her to take the money paid by LACS without remitting it to PCS. The intent to gain was inferred from Ringor's actions and failure to remit the funds.

**### Doctrine:**

In the crime of qualified theft, grave abuse of confidence is critical and arises from the relationship between the offender and the offended party, highlighting an expectation of trust due to the offender's position, which, when abused, constitutes qualified theft.

**### Class Notes:**

- **Qualified Theft (Article 310 in relation to Article 308 of the RPC):** Requires (1) taking of personal property, (2) property belonging to another, (3) taking done without the owner's consent, (4) intent to gain, (5) done without violence or intimidation against persons or force upon things, and (6) under circumstances indicating grave abuse of confidence.
- **Grave Abuse of Confidence:** An essential element in qualified theft that must derive from a relationship that fosters a high degree of trust and confidence, which the offender exploits to commit the theft.
- **Intent to Gain (Animus Lucrandi):** Presumed from the unlawful taking; actual gain is irrelevant, as the key is the offender's intent.

**### Historical Background:**

This case situates within the Philippine legal framework's handling of offenses involving property and trust violations. The transition from charging the petitioner under estafa to qualified theft based on the nuances of possession and the nature of the offender's role underscores the intricacies of criminal liability and the importance of matching the charge to the crime's circumstances and the offender's specific actions.