

****Title:**** Romeo P. Nazareno vs. Hon. Court of Appeals, et al.

****Facts:**** This case revolves around the conviction of Romeo Nazareno for serious physical injuries, the subsequent appeal process, and the legal complexities therein. Initially charged on December 1, 1983, alongside his wife, Elisa Nazareno, both pleaded not guilty. After the trial, a decision for promulgation set on April 24, 1986, was postponed due to Nazareno's motion to reopen the case on grounds of a vital witness's non-presentation. This motion was later denied by Acting Municipal Trial Court Judge Aurelio Icasiano, Jr., after which Nazareno elevated the matter to the Court of Appeals via certiorari, docketed as CA-G.R. SP No. 14329.

While awaiting appellate court's decision, Acting Judge Icasiano, Jr., proceeded with the judgment promulgation on April 15, 1988, leading to Nazareno's conviction. However, the decision was contested by Nazareno, arguing its nullity since it was promulgated by a retiring judge, different from the one who penned it—an issue eventually reaching the Supreme Court in a petition for review on certiorari, which was dismissed due to late filing. Subsequent attempts to challenge this in both appellate and regional courts failed, citing the timeliness of the appeal's filing.

****Issues:****

1. Whether the appeal by Nazareno was filed within the allowable period.
2. If the filing interruptions by Nazareno in the appellate and supreme courts affected the appeal period.
3. If the appellate and regional trial courts exceeded their jurisdiction in dismissing Nazareno's appeal.
4. The legality of a decision promulgated by a judge different from the one who originally penned it, especially if the latter had retired.

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

The Supreme Court addressed the pivotal issue of the decision's validity promulgated post-retirement of the signing judge. It underscored a longstanding doctrine that a judgment cannot be promulgated by a judge who has already retired, invalidating such proceedings. The decision by Judge Icasiano, Jr. to promulgate a ruling penned by the retired Judge Diosomito was declared void. Consequently, the earlier dismissal of Nazareno's appeal due to perceived tardiness was overridden by the realization that the initial judgment itself held no legal binding.

****Doctrine:****

A judgment promulgated after the judge who signed it has ceased to hold office is not valid and binding. This reiterates a foundational legal principle stretching back to the 1917 Lino Luna v. Rodriguez case, affirming that for a judgment to be valid, it must be duly signed and promulgated during the judge's incumbency who signed it.

****Class Notes:****

- ****Void Judgment:**** A judgment deemed void has no legal effect, cannot confer rights, nor bind parties. It never achieves finality.
- ****Promulgation by Another Judge:**** A decision cannot be validly promulgated by another judge if the original judge has retired or otherwise ceased to be a member of the judiciary.
- ****Timeliness of Appeal:**** While procedural rules are crucial, the supreme goal of achieving substantive justice can warrant the relaxation of technicalities, especially when it does not impede the fair administration of justice.

****Historical Background:****

This case highlights the critical balance between procedural formalities and substantive justice within the Philippine legal system. It underscores the judiciary's prerogative to relax procedural rules in the service of justice, reflecting a jurisprudential commitment to fairness over procedural rigidity. The doctrinal reaffirmation that a judicial decision must be promulgated by the incumbent judge who penned it aligns with a broader principle of legal accountability and judicial integrity essential in maintaining public trust in the legal process.