

Title: People of the Philippines vs. Edwin Morial, Leonardo Morial alias “Carding”, and Nonelito Abiñon alias “Noly”

Facts:

On January 6, 1996, at around 6:30 p.m., in Barangay Cagnituan, Municipality of Maasin, Province of Southern Leyte, Edwin Morial, Leonardo Morial alias “Carding”, and Nonelito Abiñon alias “Noly” were accused of entering the house of Paula Bandibas and Benjamin Morial with the intent to rob. They assaulted Paula Bandibas and her three-year-old grandson, Albert Bandibas, leading to their deaths. The accused then stole Cash amounting to Eleven Thousand Pesos (P11,000.00).

The crime unfolded as Gabriel Guilao witnessed the accused attacking Paula Bandibas and heard her plea for mercy. Edwin Morial stabbed Paula while Nonelito Abiñon slapped her, with Leonardo Morial standing guard. After committing the crime, they stayed in the house briefly before fleeing towards nearby houses. Benjamin Morial discovered the bodies upon his return and, with neighbors’ help, reported the incident to the police who later arrested Edwin and Leonardo Morial based on Benjamin’s suspicion and Gabriel Guilao’s eyewitness account.

The prosecution’s evidence included testimonies from eyewitness Gabriel Guilao, victim Benjamin Morial, SPO4 Antonio Macion, and Dr. Teodulo Salas who conducted the victims’ autopsy. The defense contested the charges with alibis and an alibi from each accused stating they were elsewhere when the crime happened.

Upon review by the Regional Trial Court (RTC) of Southern Leyte, all three accused were found guilty. Leonardo Morial and Nonelito Abiñon were sentenced to death by lethal injection due to the aggravating circumstance of dwelling, while Edwin Morial, being a minor at the time of the crime, was sentenced to reclusion perpetua. The case was automatically reviewed by the Supreme Court due to the death penalty imposition.

Issues:

1. Whether the extra-judicial confession of Leonardo Morial is admissible.
2. Whether the eyewitness testimony of Gabriel Guilao is credible.
3. Whether the alibis presented by the accused are sufficient to exonerate them.
4. The proper appreciation of aggravating and mitigating circumstances in the imposition of penalties.

Court's Decision:

1. The Supreme Court found Leonardo Morial's extra-judicial confession inadmissible due to deprivation of his right to counsel during the custodial investigation.
2. The Court deemed Gabriel Guilao's eyewitness testimony credible, underscoring his relationship with both the victims and the accused which presented no motive for false testimony.
3. The Court found the alibis of the accused insufficient to override the strong evidence of their presence at the crime scene.
4. Dwelling was considered an aggravating circumstance while the minority of Edwin Morial was considered a privileged mitigating circumstance.

Doctrine:

The Supreme Court reiterated that for an extra-judicial confession to be admissible, a competent and independent counsel must be continuously present during custodial interrogation, from start until its termination. Furthermore, eyewitness testimonies, when found credible and backed up by consistent and coherent evidence, can be the basis for conviction even without corroborative physical evidence.

Class Notes:

- **Right to Counsel:** An accused's right to counsel during custodial investigation is indispensable. The counsel must be competent, independent, and continuously present from the beginning until the end of the investigation.
- **Eyewitness Testimony:** The credibility of an eyewitness is paramount and can be solely sufficient for conviction if it is deemed reliable, consistent, and corroborated by the circumstances of the case.
- **Alibi and Denial:** These defenses hold no ground against credible and positive identification and evidence of actual participation in the crime.
- **Aggravating and Mitigating Circumstances:** The presence of aggravating circumstances without any lawful mitigating circumstance warrants the imposition of the higher penalty in the range provided by law. Conversely, provable mitigating circumstances can lead to the application of a lesser penalty.

Historical Background:

This case exemplifies the complex interplay between procedural safeguards in custodial

investigations and the evidentiary weight of eyewitness testimony in criminal proceedings in the Philippines. It also underscores the Supreme Court's commitment to ensuring that the rights of the accused during criminal proceedings are protected while maintaining the integrity of the judicial process in seeking justice for crime victims.