

**\*\*Title:\*\*** Mayor Amado “Jong” Corpus, Jr. and Carlito Samonte vs. Hon. Judge Ramon D. Pamular, Mrs. Priscilla Espinosa, and Nueva Ecija Provincial Public Prosecutor Floro Florendo

**\*\*Facts:\*\*** This case emanated from a murder charge related to the shooting and death of Angelito Espinosa on June 4, 2008, in Nueva Ecija, perpetrated by Carlito Samonte. Initially, only Samonte was indicted. After subsequent affidavits and a reinvestigation prompted by Angelito’s widow, Priscilla Espinosa, an amended information was filed including Mayor Amado “Jong” Corpus as a co-accused based on conspiracy to commit murder. Samonte was already arraigned and pleaded self-defense, but the filing of the amended information sought to include Corpus and allege their conspiracy, which led to the issuance of a warrant of arrest against Corpus. Corpus and Samonte then pursued a series of legal motions opposing this amendment and the arrest warrant, culminating in a petition for certiorari to the Supreme Court, alleging grave abuse of discretion by Judge Pamular in admitting the amended information and issuing the arrest warrant.

**\*\*Issues:\*\***

1. Whether Judge Pamular committed grave abuse of discretion in conducting proceedings on the amended information and issuing a warrant of arrest against Corpus despite the pendency of the petition for review before the Department of Justice.
2. Whether the arraignment of Corpus may proceed after the lapse of the maximum 60-day suspension period provided under Rule 116, Section 11(c) of the Revised Rules of Criminal Procedure.
3. Whether admitting the amended information, which included the charge of conspiracy against Corpus after Samonte’s arraignment, constituted a substantial amendment prejudicial to the rights of the accused.
4. Whether Judge Pamular personally determined the existence of probable cause for the issuance of a warrant of arrest against Corpus.

**\*\*Court’s Decision:\*\***

The Supreme Court partially granted the petition. It affirmed the trial court’s actions, given that:

1. Judge Pamular had the discretion to proceed with issuing a warrant of arrest, as the court had jurisdiction over the case and was not bound by the proceedings at the Department of Justice.
2. The 60-day period for suspension of arraignment had lapsed; thus, proceeding with Corpus’s arraignment was within due process.

3. The amendment to include an allegation of conspiracy without prejudice to the rights of Samonte was deemed a formal amendment, not substantive; thus, it did not warrant the dismissal of the amended information.

4. The judge had evaluated the evidence and conducted a hearing to determine probable cause for the issuance of the warrant against Corpus.

**\*\*Doctrine:\*\***

The Supreme Court reiterates that a judge must personally evaluate the evidence before issuing a warrant of arrest but may rely on the prosecutor's findings when such evidence is part of the records. Formal amendments to the information, which do not prejudice the rights of the accused or alter the essence of the original charge, are permissible even after arraignment.

**\*\*Class Notes:\*\***

- **\*\*Personal Determination of Probable Cause:\*\*** A judge must personally determine probable cause for the issuance of a warrant of arrest based on evaluation of evidence presented by the prosecution.

- **\*\*Amendment of Information:\*\*** Formal amendments that do not prejudice the accused's ability to prepare a defense or change the nature of the original charge can be made with the court's permission after arraignment.

- **\*\*Suspension of Arraignment:\*\*** The arraignment may be suspended for a maximum of 60 days pending a petition for review by the Department of Justice, after which the court may proceed unless substantial rights of the accused are at risk.

- **\*\*Right to Information:\*\*** An accused's right to be informed of the charges requires that any amendments to the charge must not introduce elements that would deprive the defense of the opportunity to prepare adequately.

**\*\*Historical Background:\*\***

This case underscores the delicate balance between the procedural mechanisms in criminal prosecutions and the substantive rights of the accused under Philippine jurisprudence. It highlights the judiciary's role in safeguarding these rights while ensuring that the wheels of justice continue to turn. The evolving interpretations of what constitutes a "personal determination" of probable cause and the criteria for amending informations after arraignment reflect the dynamic nature of Philippine legal jurisprudence in response to practical and constitutional considerations.