

### Title: Zenaida E. Silver and Nelson Salcedo vs. Judge Marivic Trabajo Daray, et al.

### Facts:

This case involves petitioner Zenaida E. Silver, engaged in the “buy and sell” of motor vehicles under “ZSH Commercial,” and petitioner Nelson Salcedo, implicated in a legal battle surrounding the auction sale of vehicles and subsequent criminal charges of violation against RA 6539 or the “Anti-Carnapping Act of 1972.” The series of events initiated on February 10, 2005, when Silver participated and won an auction held by the Bureau of Customs (BOC) in General Santos City, with a bid financed by Loreto Hao. The arrangement turned sour when disputed transactions and ownership led to legal confrontations, including affidavits, counter-affidavits, complaints, and counter-charges filed by both parties in different legal forums. The legal journey saw proceedings from the Office of the City Prosecutor to the Department of Justice (DOJ), and various branches of the Regional Trial Court (RTC) in Davao City, culminating in the involvement of the Court of Appeals which sustained the trial court’s finding of probable cause for the violation against Silver and Salcedo.

### Issues:

1. Whether the Court of Appeals erred in sustaining the trial court’s finding of probable cause for the violation of RA 6539 against petitioners Silver and Salcedo.
2. Whether the determination of probable cause was in accordance with legal standards.
3. Whether the issuance of the warrants of arrest was justified.

### Court’s Decision:

The Supreme Court denied the petition, affirming the Court of Appeals’ decision and sustaining the trial court’s finding of probable cause for the violation of RA 6539 against the petitioners. The High Court underscored that the judge must personally evaluate the prosecutor’s report and its supporting evidence to determine probable cause for the issuance of a warrant of arrest. It held that both the judges of the RTC properly reviewed the documents and conducted necessary hearings, acting within their discretion to find probable cause and issue warrants of arrest against the petitioners.

### Doctrine:

The determination of probable cause for the issuance of a warrant of arrest requires the judge to personally evaluate the prosecutor’s report along with its supporting documents. The standard for probable cause is whether a reasonably discreet and prudent person would believe that an offense has been committed by the person sought to be arrested.

### Class Notes:

- **Probable Cause for Arrest:** Facts and circumstances that would lead a reasonably discreet and prudent person to believe an offense has been committed by the person to be arrested.
- **Personal Evaluation by Judge:** Judges must personally review the prosecutor's report and supporting evidence to determine probable cause, not solely rely on the prosecutor's certification.
- **Warrant of Arrest Issuance:** Based on personal determination of probable cause, reflecting that it's less stringent than establishing guilt.
- **RA 6539 (Anti-Carnapping Act of 1972):** Defines carnapping and outlines elements such as taking of a vehicle belonging to another without consent, with intent to gain.

### Historical Background:

This case provides a reflective view of the legal processes involved in the determination of probable cause and issuance of warrants of arrest in the Philippines. It underscores the judiciary's role in scrutinizing allegations and evidence before depriving individuals of liberty, within the contours of RA 6539 or the "Anti-Carnapping Act of 1972," illustrating the legal mechanics in disputes involving property rights, allegations of criminal acts, and procedural legal battles through various judicial organs from local prosecutor's offices up to the Supreme Court.