

Title: ****Macasiray, Gonzales, and Gonzales vs. People of the Philippines****

****Facts:****

This case involves Melecio Macasiray, Virgilio Gonzales, and Benedicto Gonzales, accused of the murder of Johnny Villanueva on February 9, 1986. The prosecution offered an extrajudicial confession by Benedicto Gonzales, implicating all three in the crime, and a transcript of the preliminary investigation affirming the confession's contents. The trial court, however, declared these documents inadmissible due to lack of counsel during their making. This decision was contested, leading to a successful appeal by the private respondent in the Court of Appeals, which declared the documents admissible, prompting the current review petition to the Supreme Court.

****Procedural Posture:****

1. Murder case initiated against the petitioners in the Regional Trial Court of San Jose City.
2. Trial court ruled the extrajudicial confession and preliminary investigation transcript inadmissible due to lack of counsel.
3. Upon defense using these documents to question Gonzales, the prosecution sought their admission as rebuttal evidence, which was denied.
4. The private respondent's appeal to the Court of Appeals succeeded, reversing the trial court's decision.
5. The petitioners then sought review from the Supreme Court.

****Issues:****

1. Whether the petitioners waived their objection to the admissibility of the extrajudicial confession and the preliminary investigation transcript by failure to object when these documents were introduced during the trial.
2. Whether the use of said documents by the defense constituted a waiver of any objection to their admissibility.
3. Whether these documents can be used for impeachment purposes.

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

The Supreme Court found the Court of Appeals in error, asserting that objection to evidence is properly made when it is formally offered, not when initially introduced or marked for identification. Consequently, the petitioners did not waive their objection by failing to challenge the introduction of the documents during trial or by questioning Gonzales on those documents. The documents were initially deemed inadmissible due to lack of counsel during their creation, and using them for impeachment was deemed unnecessary since they

were already excluded from evidence. The Supreme Court reinstated the trial court's orders, declaring the confession and transcript inadmissible.

****Doctrine:****

The exclusion of evidence obtained without the assistance of counsel reaffirms the constitutional guarantee against self-incrimination and the requirement for counsel during custodial investigations. This case also clarifies the procedure for objecting to the admissibility of evidence, emphasizing that objections must be made when the evidence is formally offered.

****Class Notes:****

- ****Key Legal Concept:**** Objection to documentary evidence must be made at the time it is formally offered, not earlier.
- ****Application:**** In cases involving extrajudicial confessions, the absence of counsel during the making of such confessions renders them inadmissible unless the waiver of such right is done knowingly and willingly with counsel's advice.
- ****Relevant Statute/Citation:**** Art. IV, §20 of the 1973 Constitution and Sec. 12, Art. III of the 1987 Constitution on rights during custodial investigations.
- ****Simplification for Memorization:**** Always object to the admissibility of evidence at the formal offer stage; extrajudicial confessions without counsel are inadmissible.

****Historical Background:****

This case underscores the evolution of procedural law in the Philippines, particularly the legal safeguards against coerced confessions and improper evidence admission. It also illustrates the judiciary's role in interpreting constitutional guarantees in custodial investigations, aligning with broader historical movements towards bolstering human rights protections within the legal system.