

### Title: Dr. Leandro Carillo vs. People of the Philippines

### Facts:

The case revolves around the conviction of Dr. Leandro Carillo, an anesthesiologist, for the death of his 13-year-old patient, Catherine Acosta, following an appendectomy. The operation was performed on May 31, 1981, in Parañaque, Metro Manila, where Dr. Carillo and the surgeon, Dr. Emilio Madrid, were accused of negligence resulting in homicide. The prosecution's case was built on the testimonies of Catherine's parents, two expert witnesses, and the autopsy report indicating complications related to anesthesia leading to cardiac arrest and death. Despite being given the chance, the defense did not present evidence or file a demurrer to evidence within the reglementary period, leading to their conviction by the trial court and the affirmation of this decision by the Court of Appeals. Dr. Carillo appealed to the Supreme Court, questioning the factual conclusions drawn by the Court of Appeals regarding the cause of death and the administration of the drug Nubain.

### Issues:

1. Whether the Court of Appeals erred in determining the cause of Catherine Acosta's death.
2. Whether Dr. Carillo's right to due process was violated due to alleged incompetence of counsel.

### Court's Decision:

The Supreme Court affirmed the Court of Appeals' decision, upholding Dr. Carillo's conviction for simple negligence resulting in homicide. The Court rejected the claim of misapprehension of facts and found that both the trial court and the Court of Appeals correctly concluded that negligence on part of Dr. Carillo and Dr. Madrid led to Catherine Acosta's death. The Court noted the failure of the doctors to provide adequate post-operative care and monitor the patient's condition, as well as their failure to inform the patient's parents about her condition adequately. The ancillary claim of denial of due process due to incompetent counsel was dismissed as an afterthought, with the Court noting that the representation by counsel during the trial was reasonably competent.

### Doctrine:

The case reaffirmed the doctrine regarding simple negligence under Article 365 of the Revised Penal Code as a lack of foresight in situations where the threatened harm is not immediate, leading to unintended fatal consequences. Additionally, it emphasized the burden of proof in criminal negligence cases, especially when the negative ingredient of the offense lies within the control or knowledge of the accused.

### Class Notes:

- **Simple Negligence**: A failure to exercise the care that a reasonably prudent person would exercise in like circumstances.
- **Article 365 of the Revised Penal Code**: Defines and penalizes simple negligence.
- **Duty of Care in Medical Profession**: Medical practitioners are expected to adhere to a standard of care that reflects the expertise and diligence of reasonably competent practitioners in their field.
- **Doctrine of Informed Consent**: The obligation to explain the essential details of a medical procedure to patients or guardians, including risks and consequences.
- **Burden of Proof in Negligence Cases**: The prosecution must establish a prima facie case of negligence, shifting the burden to the defendant to disprove or counter the allegations, especially when the details of the negligence are within the specific knowledge or control of the accused.

### Historical Background:

This case provides insight into the Philippine legal system's approach to medical negligence, emphasizing accountability and the stringent duty of care expected from medical professionals. It underscores the importance of informed consent and the need for diligent post-operative care in ensuring patient safety. This is particularly relevant in the context of developing countries where hospital facilities may not always be equipped with modern or comprehensive medical infrastructure, thus imposing a higher standard of personal diligence on health care providers.