

**\*\*Title:\*\*** People of the Philippines vs. Gregorio Javier

**\*\*Facts:\*\***

The case originated when Morley Lim's Ford Mustang, valued at P27,000.00, was stolen on August 8, 1971, from the parking lot of Saint Luke's Hospital. Following a tip, the car was found on August 10, 1971, in Mandaluyong being repainted by Orlando Sagun, who claimed he was hired by Manuel Navarro for the job. Navarro, upon interrogation, identified Gregorio Javier as the person who delivered the car for repainting. Javier, the brother of the then-mayor of Mandaluyong, was nowhere to be found upon the officers' attempt to locate him. Gregorio Javier was subsequently charged, convicted of theft of a motor vehicle, and sentenced to reclusion perpetua by the Court of First Instance of Quezon City. Only Javier appealed the decision to the Supreme Court, asserting his innocence and challenging the lower court's findings.

**\*\*Procedural Posture:\*\***

The prosecution's evidence was not disputed by Javier, who was convicted based on the presumption of guilt from unexplained possession of recently stolen property. Javier's defense attempted to explain his possession of the stolen vehicle, which the court found unsatisfactory. Upon appeal, the Supreme Court reviewed the lower court's application of the presumption and the appropriateness of the penalty imposed.

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

1. Whether Gregorio Javier satisfactorily explained his possession of the stolen vehicle to overcome the presumption of theft.
2. The proper imposition of penalties for the qualified theft of a motor vehicle and the consideration of mitigating circumstances.

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

The Supreme Court found Javier's explanation for his possession of the stolen vehicle unsatisfactory and unable to overcome the legal presumption of theft. However, the Court recognized the mitigating circumstance of voluntary surrender in Javier's favor. The Supreme Court modified the lower court's decision by re-evaluating the penalty based on the applicable legal provisions and reduced Javier's sentence to an indeterminate penalty of eleven years of prision mayor as minimum to eighteen years, two months, and twenty-one days of reclusion temporal as maximum.

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

1. Unexplained possession of recently stolen property is prima facie evidence of guilt of theft.
2. In qualified theft of a motor vehicle, the penalty is two degrees higher than the penalty prescribed for simple theft, but when considering mitigating circumstances, the imposed penalty must be appropriately adjusted within the legal range.

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

- **\*\*Presumption of Theft:\*\*** Unexplained possession of recently stolen property constitutes prima facie evidence of theft.
- **\*\*Qualified Theft:\*\*** Theft of a motor vehicle is penalized two degrees higher than simple theft.
- **\*\*Mitigating Circumstances:\*\*** The voluntary surrender of an accused can mitigate the penalty, even if the surrender occurs after a warrant of arrest has been issued.
- **\*\*Penalty Calculation in Theft:\*\*** The value of stolen property influences the severity of the penalty, and additional penalties are imposed for every additional ten thousand pesos value.
- **\*\*Indeterminate Sentence Law Application:\*\*** In adjusting penalties, mitigating circumstances and the value of the stolen item play crucial roles in determining the minimum and maximum terms.

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

This case illuminates the Philippine judicial system's approach to handling theft of motor vehicles, emphasizing the significance of possession as evidence of guilt and showcasing the process of determining and adjusting penalties based on the nuances of the crime and the presence of mitigating factors. It demonstrates the balance between presumption-based convictions and the allowance for mitigating circumstances in sentencing.