

Title: Cua vs. People of the Philippines, G.R. No. 167186, March 5, 2013

Facts:

Guillermo E. Cua, a Revenue Collection Agent for the Bureau of Internal Revenue (BIR) in Olongapo City, was audited on June 29, 1994. Initially, the audit indicated no cash shortage, with all collections reportedly remitted to the Philippine National Bank (PNB). However, further verification from the PNB revealed discrepancies in the amounts stated in several official receipts. On August 24, 1994, PNB confirmed that certain deposit slips presented by Cua were void and others had discrepancies. A demand letter highlighting a shortage of P291,783.00 was issued on August 23, 1994. In response, Cua admitted to having caused the shortage due to frustration over not being promoted and promised to repay the amount. Despite payments through deductions from his salary, an Information for malversation was filed against him on March 6, 1996. Upon arraignment on August 9, 1996, Cua pleaded not guilty. At trial, the prosecution presented audits, testimonials, and documentary evidence. Cua did not testify but submitted evidence of salary deductions which offset the shortage. The Regional Trial Court (RTC) convicted him, considering restitution as a mitigating circumstance.

Procedural Posture:

Cua was found guilty by the RTC of malversation of public funds under Article 217 of the Revised Penal Code and sentenced to 17 years, 4 months, and 1 day to 20 years of reclusion temporal. On appeal, the Court of Appeals (CA) modified the sentence to an indeterminate term of 10 years and 1 day to 17 years, 4 months, and 1 day, along with a fine equal to the misappropriated amount. Cua's subsequent motion for reconsideration was denied. He then filed a petition for review before the Supreme Court.

Issues:

1. Whether the prosecution proved Cua's guilt beyond a reasonable doubt for malversation of public funds.
2. Whether the special arrangement to recover the shortage through salary deductions absolved Cua of criminal liability.
3. Whether the evidence before the trial court was properly evaluated by the CA.

Court's Decision:

The Supreme Court affirmed the CA's decision, finding the arguments raised by Cua devoid of merit.

1. Proof of Guilt:

The Court maintained that the prosecution established Cua's guilt beyond a reasonable doubt. The discrepancies and void deposit slips confirmed by the PNB, combined with Cua's own admission of the shortage and promise to repay, sufficiently proved the misappropriation of public funds.

2. Effect of Restitution:

The Court agreed with the CA that restitution extinguished Cua's civil liability but not his criminal liability. The special arrangement of applying salary deductions towards the shortage could not absolve him of criminal culpability for the misappropriated funds.

3. Evaluation of Evidence:

The Court rejected Cua's argument that the CA failed to properly sift through the evidence. The factual findings of the RTC, which were affirmed by the CA, were supported by ample evidence and were thus binding. The Court underscored that questions of fact are not reviewable under Rule 45, absent compelling exceptions.

Doctrine:

1. The principal elements of malversation of public funds include: (1) the offender is a public officer; (2) he has custody of funds by virtue of his office; (3) these funds are public; and (4) he misappropriates the funds.
2. Restitution of misappropriated funds might mitigate the penalty but does not absolve criminal liability for malversation.
3. Admissions and confirmatory evidence collectively establish the particular elements of the crime even if direct evidence of the act is not completely conclusive.

Class Notes:

- Elements of Malversation: Public officer, custody of public funds, accountability, misappropriation.
- Revised Penal Code, Article 217: Penalizes malversation with varying degrees of imprisonment based on the amount involved.
- Indeterminate Sentence Law: Court applied the law for appropriate sentencing, modifying the original RTC penalty.
- Burden of Proof: Prosecution's presentation of evidence must establish proof beyond a reasonable doubt.

Historical Background:

- The case underscores ongoing efforts in the Philippines to address and penalize corruption and financial misconduct within government agencies.
- It situates within broader judicial precedents reinforcing the principle that government officials are accountable for public resources and subject to stringent scrutiny and penalties for their misuse.