

****Title:****

Engr. Anthony V. Zapanta vs. People of the Philippines

****Facts:****

In October 2001, Engr. Anthony V. Zapanta, Project Manager of Anmar Inc., subcontracted for the Porta Vaga Building project in Baguio City, allegedly stole wide flange steel beams valued at PHP 2,269,731.69. Zapanta's duties included the receipt, audit, and checking of construction materials.

****Series of Events:****

1. *October 2001:* Zapanta instructed the unloading of steel beams to unauthorized locations, allegedly under the guise of a new Anmar project.
2. *November 2001:* Further instructions were given by Zapanta for unloading beams at Marcos Highway and Mabini Street.
3. *January 2002:* Engr. Nella Aquino notified Engr. Marigondon of suspicious returns of construction materials.
4. *January 2002:* Investigation revealed some of the beams were missing and had been moved without authorization.
5. *January 12, 2004:* RTC of Baguio City found Zapanta guilty of qualified theft.
6. *June 27, 2005:* CA upheld RTC's conviction.
7. *November 24, 2005:* CA denied Zapanta's motion for reconsideration.
8. *Rule 45 Petition:* Filed by Zapanta to the Supreme Court asserting deprivation of constitutional rights due to discrepancies in dates and insufficient factual identification of the stolen goods.

****Issues:****

1. Was the approximation of the date in the charge sufficient under criminal procedural rules?
2. Did the failure to produce the alleged stolen steel beams (corpus delicti) affect the validity of Zapanta's conviction?
3. Was the appropriate penalty for qualified theft correctly imposed?

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

1. ****Sufficiency of Date Allegation:****

- The information's approximation of "sometime in October 2001" was sufficient under Section 11, Rule 110 of Criminal Procedure, providing that exact dates are non-essential unless key to the crime. Given that Zapanta had adequate notice, the mentioned time frame

meets procedural sufficiency.

2. **Corpus Delicti:**

- The court held that corpus delicti relates to the fact of the crime rather than the physical evidence of the stolen items. Therefore, credible testimonies of witnesses were sufficient to establish crime commission and loss of property. Photographs, logbook entries, and delivery receipts supported witness testimonies and circumstantial evidence.

3. **Appropriate Penalty:**

- The crime of qualified theft, given the sizable value of stolen items, mandates reclusion perpetua as per Article 310 in relation to Articles 308 and 309 of the Revised Penal Code. This conclusion was reached after recalculating the statutory penalties aligned with the value of the stolen beams.

Doctrine:

- **Approximate Date Sufficiency:** Complaints need not specify exact dates when immaterial; stating a close approximation suffices for legal sufficiency.
- **Corpus Delicti:** Does not require physical production of stolen goods; credible witness testimony can substantiate the crime's occurrence.
- **Appropriate Penalty Naming:** Courts must use accurate legal terms in penalties as prescribed in the Revised Penal Code.

Class Notes:

- **Qualified Theft Elements:**

1. Taking personal property.
2. Property belonging to another.
3. Intent to gain.
4. Without the owner's consent.
5. Without violence or force.
6. Grave abuse of confidence.

- **Key Statutes:**

- Article 310, RPC: Higher penalties for qualified theft.
- Article 309, RPC: Penalties tied to value of stolen property.
- Section 6 & 11, Rule 110, Rules of Criminal Procedure: Complaint sufficiency regarding offence date and required details.

Historical Background:

The case underscores longstanding issues of trust and fidelity in employment roles, particularly in managerial positions where oversight of valuable resources is concerned. The emphasis on securing workplace integrity against white-collar crimes remains significantly prominent in both judicial interpretations and legislative developments. This criminal aspect within the civil domain addresses the systemic risk poised by trusted employees exploiting resources for personal means.