

Title:

****Merlina R. Diaz vs. People of the Philippines, G.R. No. 209116****

Facts:

- ****April 27, 2012:**** Police Officer 2 Pio P. Avila (PO2 Avila) applied for and obtained Search Warrant No. 97 (12) from RTC Judge Agripino Morga of San Pablo City, Laguna, alleging probable cause for violation of RA 9165 (Comprehensive Dangerous Drugs Act). The warrant authorized a search for Methamphetamine Hydrochloride (shabu) in Merlina R. Diaz's house in Gitna, Brgy. Cuyab, San Pedro, Laguna.
- ****Execution of Warrant:**** Members of San Pedro Police Station executed the warrant, searched Diaz's house, and found approximately nine grams of shabu. Diaz was immediately arrested for violating Section 11 of RA 9165.
- ****Post-Arrest Information:**** It was found that Diaz's residence, located at No. 972 Gitna, Brgy. Cuyab, San Pedro, Laguna, was divided into five units, each occupied by Diaz and her siblings' families.
- ****Inquest Proceedings:**** Conducted on May 2, 2012, by Assistant Provincial Prosecutor Clarence R. Gaito, resulting in an Information being filed against Diaz in Criminal Case No. 12-8358-SPL.
- ****Motion to Quash:**** On May 22, 2012, Diaz filed a Motion to Quash Search Warrant No. 97 (12) arguing it was a general warrant failing to describe the specific unit within the multi-unit dwelling where she resided.
- ****RTC Referral and Denial:**** RTC of San Pablo City, Laguna, Branch 32, forwarded the motion to RTC of San Pedro, Laguna, Branch 93. The RTC, later denying it on July 16, 2013, found the warrant's description sufficient. Diaz's Motion for Reconsideration was also denied.
- ****Certiorari Petition to CA:**** Diaz filed a Petition for Certiorari before the CA, reiterating the same issues, which was dismissed. Her subsequent Motion for Reconsideration was denied in August 2014.
- ****Supreme Court Petition:**** Undeterred, Diaz filed a Petition for Review on Certiorari before the Supreme Court.

Issues:

1. ****Whether Search Warrant No. 97 (12) constituted a general warrant due to insufficient description of the place to be searched.****
2. ****Whether the orders denying Diaz's Motion to Quash and Motion for Reconsideration constituted grave abuse of discretion by the RTC.****
3. ****Whether the Court of Appeals erred in dismissing Diaz's Petition for Certiorari.****

Court's Decision:

1. **Specific Description of the Place to be Searched:**

- The Supreme Court held that Search Warrant No. 97 (12) was not a general warrant. It validated that the description "house at Gitna, Brgy. Cuyab, San Pedro, Laguna" was specific enough for the officers to accurately identify Diaz's house. The sketches provided by the informant and the identification by the police officers further defined the particularity required.

2. **Grave Abuse of Discretion:**

- The Court determined that there was no grave abuse of discretion by the RTC in denying the Motion to Quash. The determination of probable cause and the description of the premises were procedurally adequate.

3. **Court of Appeals' Decision:**

- The Court upheld the CA's dismissal of the Petition for Certiorari. The CA correctly found that the police officers executed the warrant correctly, and the description provided was sufficiently detailed to prevent unauthorized searches of other premises.

Doctrine:

Particularity in Search Warrants: A search warrant must particularly describe the place to be searched and the items to be seized. The description is sufficient if the officers can, with reasonable effort, ascertain and identify the specific location to prevent a general search.

Class Notes:

- **Particularity Requirement (Article III, Section 2, 1987 Constitution; Rule 126, Section 4, Rules of Court):** Ensures that search warrants are specific to avoid officers' discretion in selecting which locations to search.

- **Multiple-Occupancy Structures:** A search warrant targeting a single structure containing multiple units must describe the specific unit if such information is available and known.

- **Grave Abuse of Discretion in Issuing Warrants:** Courts assess the totality of circumstances at the moment the warrant is issued, rather than information discovered post-issuance.

Historical Background:

The case situates within the enhanced efforts against illegal drugs in the Philippines under

RA 9165. It underscores the judiciary's role in balancing law enforcement objectives with constitutional safeguards against unreasonable searches and seizures.