

Title:

Combate v. Hon. San Jose, Jr.: A Case of Constitutional Violations in Summary Procedure

Facts:

1. **Initial Charge**:

- Alex Combate was charged with theft of a rooster worth P200, belonging to Romeo Posada.

2. **Court Proceedings**:

- The case was filed in the Municipal Circuit Trial Court (MCTC) of Magarao-Canaman, Camarines Sur, presided over by Judge Geronimo R. San Jose, Jr.

- The case was processed following the Rule on Summary Procedure in Special Cases.

3. **Submission of Affidavits**:

- Combate and his witnesses were required to submit counter-affidavits to the supporting affidavits submitted by the complainant.

- Combate complied within the designated period.

4. **Arraignment**:

- On June 5, 1984, Combate was subpoenaed and arraigned without assistance of counsel and pleaded not guilty.

5. **Submission for Resolution**:

- By July 5, 1984, the case was deemed submitted for resolution by Judge San Jose without conducting a trial.

6. **Conviction**:

- On July 16, 1984, Combate was convicted and sentenced to six months' imprisonment and ordered to pay P200, without benefit of trial.

7. **Appeal to the Supreme Court**:

- Combate sought to annul the decision of the MCTC through a petition for certiorari, citing violation of his constitutional rights, specifically arraignment without counsel and conviction without trial.

Issues:

1. **Applicability of the Rule on Summary Procedure**:

- Whether the Rule on Summary Procedure applies to a case punishable by a term of imprisonment exceeding six months.

2. **Right to Counsel**:

- Whether Combate's right to counsel was violated during his arraignment.

3. **Right to Due Process**:

- Whether Combate was denied due process by not being given a trial and the chance to confront or cross-examine witnesses.

Court's Decision:

1. Applicability of Rule on Summary Procedure:

- The crime of theft charged against Combate carries a penalty that exceeds the jurisdictional limitations of the Summary Procedure (arresto mayor to prision correccional, from 2 months and 1 day to 2 years and 4 months).

- Thus, the Rule on Summary Procedure does not apply.

2. Right to Counsel:

- During arraignment, Combate was not assisted by counsel, violating his constitutional right to counsel as required under Sections 17 and 19 of Article IV of the 1973 Constitution.

3. Right to Due Process:

- Even under Summary Procedure, trial was obligatory as stated in Sections 11 and 14 of the Rules.

- Summary judgment based solely on affidavits without allowing cross-examination or confrontation of witnesses is a gross violation of due process.

- Judge San Jose's decision constituted grave abuse of discretion as it disregarded procedural norms, making the entire proceeding void.

The Supreme Court granted the petition for certiorari, annulled the conviction, and remanded the case for trial following proper legal procedures.

Doctrine:

- **Right to Due Process**: Even under expedited rules like Summary Procedure, fundamental rights such as fair trial and the right to counsel cannot be disregarded.

- **Inapplicability of Summary Procedure**: Cases punishable by imprisonment beyond the Summary Procedure's scope require the usual procedural safeguards, including a full trial.

Class Notes:

1. **Key Legal Principles**:

- Right to Counsel (1973 Constitution, Sections 17 and 19, Article IV).
- Right to Due Process (Sections 11 and 14, Rule on Summary Procedure).
- Inapplicability of Summary Procedure for crimes punishable by more than six months' imprisonment.

2. **Statutory Provisions**:

- Revised Penal Code, Article 309 (Penalty for theft).
- Sections 17 & 19, Article IV, 1973 Constitution (Right to counsel and due process).

3. **Applicability**:

- These principles are essential in both civil and criminal law, emphasizing the sanctity of legal representation and fair trial regardless of procedural streamlining.

Historical Background:

- **Summary Procedure Introduction**: The Rule on Summary Procedure was created to expedite litigation and alleviate court docket congestion for minor offenses, but it was never intended to override constitutional protections.
- **Judicial Context**: The case highlights the constitutional evolution in ensuring due process and proper legal representation, especially during the early 1980s under the 1973 Constitution, emphasizing judicial adherence to procedural fairness.