

**\*\*Title:\*\*** People of the Philippines vs. Alberto Opida y Quiambao and Virgilio Marcelo

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

On July 31, 1976, in Quezon City, an incident occurred involving several individuals who ganged up on Fabian Galvan, eventually leading to his death due to a single stab wound inflicted by Mario del Mundo. Although del Mundo was identified as the knife-wielder, Alberto Opida and Virgilio Marcelo were charged as conspirators in the murder. After the trial, they were sentenced to death based primarily on their extrajudicial confessions obtained without the assistance of counsel.

During the trial, the judge exhibited overt bias and hostility toward the accused and their witness, Lilian Layug. The interrogation by the judge was adversary, irrelevant, and at times malicious, focusing unduly on Opida's tattoos and criminal history, and Marcelo's drug addiction and gang membership. The judge's conduct included making irrelevant inquiries and degrading remarks.

Procedurally, the case reached the Supreme Court on automatic review due to the imposition of the death penalty by the Circuit Criminal Court, Seventh Judicial District. The appeal primarily questioned the impartiality of the trial judge and the admissibility of extrajudicial confessions obtained without legal counsel.

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

1. Whether the trial judge's conduct violated the accused's right to an impartial trial and due process.
2. Whether the extrajudicial confessions obtained without legal counsel were admissible.

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

1. **\*\*Impartiality of the Judge:\*\***

- The Supreme Court determined that the trial judge's conduct showed clear bias and partiality. The judge's derogatory remarks, adversarial questions, and apparent alliance with the prosecution undermined the accused's right to a fair trial. The Court underscored the constitutional guarantee of due process, asserting that justice requires not only impartiality but also the appearance of impartiality from the judge. This gross violation of judicial conduct justified reversing the conviction.

2. **\*\*Admissibility of Extrajudicial Confessions:\*\***

- The confessions of Opida and Marcelo were deemed inadmissible due to the lack of legal

counsel during their custodial investigation. The Supreme Court reiterated the necessity for the rights guaranteed under Article IV, Section 20 of the 1973 Constitution to be meticulously explained to the suspects, particularly the right to counsel. It stressed that any form of coercion or manhandling by authorities vitiates confessions, making them inadmissible.

Given these violations, the Supreme Court concluded that the accused's guilt could not be established beyond reasonable doubt. Consequently, the conviction was reversed, and the accused were ordered to be released immediately.

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

1. **\*\*Right to an Impartial Judge:\*\*** The constitutional right to due process requires judges to remain neutral and unbiased, both in fact and appearance.
2. **\*\*Custodial Confessions:\*\*** Extrajudicial confessions obtained without the presence of legal counsel, particularly when suspects are subject to coercion or manhandling, are inadmissible in court.

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

- **\*\*Impartial Judge:\*\***
  - Rule 137, Section 1, Rules of Court
  - Article IV, Section 19, 1973 Constitution
- **\*\*Custodial Investigation:\*\***
  - Rights must be thoroughly explained, especially the right to counsel.
  - Coercion or torture renders confessions inadmissible.
  - Key cases to recall:
    - People v. Caguioa (95 SCRA 2)
    - People v. Alde (64 SCRA 224)
    - People v. Holgado (85 Phil. 752)

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

This case occurred during a period marked by judicial and law enforcement scrutiny in the Philippines. The 1973 Constitution's robust due process clauses aimed at protecting individual freedoms were critical during the post-Martial Law era. This period called for stringent reinforcement of procedural rights to restrain abuses by authorities and ensure fair trials, making the ruling both a reflection and an assertion of these constitutional protections.