

### Title:

People of the Philippines vs. Rodel Lanuza y Bagaoisan, G.R. No. 31406, April 27, 2009

### Facts:

**\*\*Initial Incident:\*\***

- On April 1, 2007, in Laoag City, Rodel Lanuza, an incoming security guard, shot Joel G. Butay, the outgoing security guard, with a 12-gauge shotgun. The incident took place in the basement of the BIR office.
- Butay was confined for 12 days at the provincial hospital due to a gunshot wound.

**\*\*Arraignment and Preliminary Conference:\*\***

- Lanuza was charged with frustrated homicide.
- On July 11, 2007, he pleaded not guilty asserting the shooting was accidental.
- During a preliminary conference, facts were admitted but Lanuza claimed exemption under Article 12(4) of the Revised Penal Code for accidental injuries caused while performing a lawful act.

**\*\*Trial:\*\***

- A reverse trial was ordered by the RTC on July 26, 2007.
- Lanuza's defense contended that the shooting was an accident occurring during the routine handover of the shotgun when his hand slipped and caused the gun to fire.
- Butay claimed that Lanuza intentionally shot him, with circumstances indicating intent to kill.
- The evidence included testimonies about the scene and sequence of events from both parties.

**\*\*RTC Decision:\*\***

- On January 30, 2008, the RTC found Lanuza guilty of frustrated homicide, noting the mitigating circumstance of voluntary surrender.
- Lanuza was sentenced to 4 years of prision correccional (minimum) to 7 years of prision mayor (maximum).

**\*\*Appeal:\*\***

- Lanuza appealed to the Court of Appeals on July 23, 2008, maintaining his defense of accidental shooting, and alternatively, arguing for a lighter sentence or conviction for physical injuries.
- The Court of Appeals, on April 27, 2009, affirmed the RTC decision.

**\*\*Supreme Court:\*\***

- Lanuza further appealed to the Supreme Court, with the parties submitting respective briefs.

**### Issues:**

1. **\*\*Was the shooting accidental as claimed by Lanuza, exempting him from criminal liability under Article 12(4) of the Revised Penal Code?\***
2. **\*\*Did Lanuza demonstrate an intent to kill, thereby justifying a conviction for frustrated homicide?\***

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

**\*\*Accidental Shooting Argument:\*\***

- The Court ruled that Lanuza did not prove the shooting was accidental, emphasizing that due care was not observed.

**\*\*Intent to Kill:\*\***

- The Court upheld the prosecution's evidence indicating murder intent:
- Weapon used (shotgun).
- Shot at close range causing a severe injury almost fatal without medical aid.
- Lanuza's actions immediately after the shooting, raising doubts about the accidental nature of the crime.
- The Court concluded that Lanuza's actions showed deliberate intent to kill Butay.

**\*\*Penalty and Damages:\*\***

- The Court sustained the penalty range of 4 years of prision correccional (minimum) to 7 years of prision mayor (maximum) considering voluntary surrender.
- Damages awarded: P70,000.00 as actual damages and P25,000.00 as moral damages.

**### Doctrine:**

- **\*\*Intent to Kill\*\***: This case reiterates the importance of evidence showing intent to kill based on the means used, nature, location of wounds, and behavior immediately after the act.
- **\*\*Accident Exception\*\***: The ruling underlines that claiming accident requires proof of due care, which was not established by Lanuza.

**### Class Notes:**

- **\*\*Elements of Frustrated Homicide\*\***:

1. The accused had intent to kill.

2. The victim sustained mortal injuries but survived due to timely medical intervention.

3. Absence of murder-qualifying circumstances.

- **\*\*Accident Defense\*\***: Must show that the act was lawful, exercised with due care, and caused by mere accident without fault or intent.

- **\*\*Indeterminate Sentence Law\*\***: Applied to determine the range appropriate for mitigating circumstances.

**### Historical Background:**

- This case was decided against the backdrop of stringent enforcement of criminal laws, emphasizing the judiciary's focus on intent and due action by security personnel, especially concerning gun handling and public safety. The doctrine reinforces judicial scrutiny in cases involving firearms and accidental defense claims, ensuring rigorous evidence standards to substantiate claims exempting criminal liability.