

****Title: People of the Philippines vs. Sergio Lagarde****

****Facts:****

1. ****Incident and Charge****: On December 27, 2001, around noon, AAA (a minor), her mother, and Sergio Lagarde were at Lolita Lagarde-Sarsosa's house for a death anniversary celebration. After lunch, AAA's mother and guests, including Lagarde, drank tuba. At around 4:00 p.m., AAA went to pick a jackfruit under her mother's instruction.
2. ****Abduction and Assault****: Lagarde surprised AAA near the jackfruit tree, placed his hand over her mouth, and dragged her to a copra dryer. There, he undressed and raped her while brandishing a seven-inch knife.
3. ****Post-Assault****: AAA returned to the house, reported the incident to her mother, and they notified local authorities. Lagarde was arrested the same day.
4. ****Medical Findings****: On December 28, 2001, AAA was examined by physicians who found healed lacerations on her hymen, indicating past sexual intercourse.
5. ****Defense's Testimony****: Lagarde and his aunt Lolita claimed he did not leave the house during the afternoon and denied the rape allegations.
6. ****Trial Court Proceedings****: Lagarde pleaded not guilty and stood trial. The RTC convicted him of rape, noting the credible testimony of AAA and corroborative medical findings, despite Lagarde's denial and alibi. He was sentenced to death.
7. ****Appeal to the Court of Appeals****: The CA affirmed the conviction but modified the sentence to reclusion perpetua due to procedural errors concerning aggravating circumstances in the information and the abolition of the death penalty.

****Issues:****

1. Whether the guilt of Sergio Lagarde was proven beyond a reasonable doubt.
2. Whether the death penalty was justified considering the circumstances surrounding the crime.

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

1. ****Guilt Beyond Reasonable Doubt****: The Supreme Court held that Lagarde's guilt was established beyond reasonable doubt. AAA's direct testimony was found credible, clear, and convincing, showing consistent and natural behavior for a child victim. The Court noted that AAA had no motive to lie and her prompt reporting of the incident supported her credibility.
2. ****Alibi****: Lagarde's alibi was not convincing. He failed to establish the physical impossibility of his presence at the crime scene. The distance between the house and the

copra dryer (150 meters) was not considerable enough to negate his possible presence at both locations.

3. **Death Penalty and Aggravating Circumstances**: The Supreme Court agreed with the CA that the death penalty was improperly imposed. Aggravating circumstances like the use of a bladed weapon and the crime occurring in an uninhabited place were not alleged in the information. More importantly, under Republic Act No. 9346, the death penalty had been abolished. Hence, the appropriate penalty was reclusion perpetua.

4. **Financial Penalties**: The civil indemnity was adjusted from PhP 75,000 to PhP 50,000, aligning with the trial court's revision. The awarded moral damages of PhP 50,000 were maintained.

Doctrine:

- **Credibility of Child-Witnesses**: Testimonies of child-victims in sexual assault cases hold significant weight. Their straightforward and consistent recounting of the incident, especially without ulterior motives, can singularly uphold a conviction where medical evidence corroborates the act of rape.

- **Special Allegation and Due Process**: The information against an accused must clearly state aggravating circumstances to justify an enhanced penalty. The absence of specific allegations results in a denial of due process, thus preventing the imposition of a higher penalty like death.

- **Weak Defense of Alibi**: For alibi to succeed, the defense must robustly prove the impossibility of the accused's presence at the crime scene, which is rarely established.

Class Notes:

- **Rape under Article 266-A**:

- **Elements**: (1) Sexual intercourse; (2) By force, threat, or intimidation; (3) Victim is under twelve years old (even without force or intimidation).

- **Reclusion Perpetua**:

- Imposed when aggravating circumstances are not adequately alleged.

- **Child Testimonies**:

- Given significant weight in establishing sexual crimes due to their credible, untainted nature.

- **Defense of Alibi**:

- Must demonstrate clear evidence of physical impossibility for the defense to succeed.

- **Procedural Requirements**:

- Information must detail qualifying/aggravating circumstances to meet constitutional due process guarantees.

****Historical Background:****

The case underscores judicial protection for minor victims of rape within the Philippine judicial system. It highlights procedural adherence to ensure due process, particularly in capital offenses, post the abolition of the death penalty under RA 9346 in June 2006. The case also reflects the judiciary's reliance on credible child testimonies for convictions in rape cases involving minors, reinforcing principles of child protection and justice.