

**\*\*Title\*\*:** **\*\*Republic of the Philippines vs. Ferdinand R. Marcos II and Imelda R. Marcos (G.R. No. 130371)\*\***

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

On January 11, 1996, the RTC of Pasig City, Branch 156, acting as a probate court, issued an order in Special Proceeding No. 10279 granting letters testamentary to Ferdinand R. Marcos II and Imelda Trinidad Romualdez-Marcos as executors of the late Ferdinand E. Marcos's will. The order was based on the court's finding that the will was duly executed according to law. They were to be issued letters testamentary upon filing a bond of P50,000.00 and taking an oath.

The Republic of the Philippines filed a motion for partial reconsideration on January 15, 1996, arguing against the grant of letters testamentary to the respondents. Additionally, Imelda Marcos also filed a motion for reconsideration, claiming the will was lost and unproven. On February 5, 1996, Ferdinand Marcos II complied with the bond filing, and on March 13, 1996, the RTC issued Letters of Administration to BIR Commissioner Liwayway Vinzons-Chato.

Ferdinand Marcos II filed a motion to revoke these letters on April 1, 1996. However, both motions for reconsideration, from the Republic and Imelda Marcos, were denied by the RTC on April 26, 1996. The Republic then petitioned for a review on certiorari under Rule 45 of the Rules of Court on June 6, 1996.

On February 5, 1997, the Supreme Court referred the petition to the CA, which dismissed it on March 13, 1997, for a wrong mode of appeal. A motion for reconsideration by the Republic was denied by the CA on August 27, 1997. This led to the petition before the Supreme Court, with the Republic raising several errors, including the disqualification of respondents as executors and procedural errors by the probate court.

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

1. Whether the CA erred in dismissing the petition on technical grounds despite the Supreme Court's referral for a decision on the merits.
2. Whether respondents Imelda R. Marcos and Ferdinand R. Marcos II should be disqualified from serving as executors.
3. Whether respondents' denial of the will's validity disclaims their eligibility to serve as executors.
4. Whether the probate court's order was solely based on the Republic's evidence.

5. Whether respondents obstructed the transfer of Marcos assets from Swiss Banks.

**Court's Decision:**

1. **Dismissal by CA on Technical Grounds:**

- The Supreme Court found the CA correctly dismissed the petition for being filed in the wrong mode. Section 4 of Supreme Court Circular No. 2-90 dictates such erroneous appeals should be dismissed.

2. **Disqualification of Executors:**

- The court stressed that the testator's right to choose an executor should be respected unless statutory grounds of incompetency exist. The RTC's determination of respondents' fitness, and the lack of evidence of want of integrity or moral turpitude, was upheld.

3. **Denial and Disclaimer of Will's Validity:**

- The respondents' opposition stemmed from procedural and legal grounds rather than a denial of the will's existence. Hence, their actions did not demonstrate a lack of competency or integrity.

4. **Probate Court's Decision Solely Based on Republic's Evidence:**

- It was emphasized that the burden of proof lies on the party alleging incompetency. The Republic failed to substantiate their claims; thus, the RTC's findings were affirmed.

5. **Obstruction of Asset Transfer:**

- Allegations against the respondents regarding obstructing asset transfers were unproven and given no merit. The RTC's findings on this issue were supported.

**Doctrine:**

- The hierarchy of courts must be respected, emphasizing that proper procedural channels need to be followed for appeals.

- The testator's choice for an executor is a vital prerogative that should be upheld barring statutory grounds of incompetency, such as lack of integrity or convictions involving moral turpitude.

- Mere allegations without substantive proof are insufficient to disqualify an executor.

**Class Notes:**

- **Hierarchy of Courts:** Appeals must follow the correct procedural channel; failure means dismissal of the appeal.

- **Executor's Qualification:** Defined under Rule 78 Section 1(c) of the Rules of Court.

Grounds include drunkenness, improvidence, lack of understanding or integrity, or convictions involving moral turpitude.

- **\*\*Substantiation of Claims\*\***: Allegations must be supported by evidence, and decisions should not be based purely on procedural technicalities.

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

- This case occurred in a historical context marked by the aftermath of Ferdinand Marcos's regime, dealing with long-standing issues over his estate and the implications of his family's assets and legal status. The legal saga reflects ongoing attempts to clarify and resolve the entitlement and administration of the Marcos estate, set against a backdrop of wide-ranging political and social implications involving the Marcos family in Philippine history.