

****Title:**** Tomas H. Cosep vs. People of the Philippines and Sandiganbayan

****Facts:****

Tomas Cosep, the Municipal Planning and Development Coordination Officer of Olutanga, Zamboanga del Sur, oversaw the construction of an artesian well in 1987. The municipality contracted Angelino E. Alegre under a “pakyaw” arrangement for P5,000, payable upon project completion. Upon the project’s completion, Cosep secured the P5,000 from the Municipal Treasurer but only gave Alegre P4,500, allegedly withholding P500 for expenses related to processing payments at the Municipal Treasurer’s Office.

Alegre filed a complaint against Cosep for violating Section 3(b) of R.A. No. 3019 (Anti-Graft and Corrupt Practices Act), resulting in Criminal Case No. 17503 before the Sandiganbayan. Cosep pled not guilty on April 10, 1992. He contended Alegre was a laborer, not a contractor, and thus only entitled to a share of the total P4,500 along with thirteen other workers. Cosep presented the Time Book, Payroll Sheet, and a mayoral memorandum to support his claims. Nevertheless, the Sandiganbayan convicted Cosep on April 15, 1993, sentencing him to imprisonment and ordering the payment of P500 to Alegre.

Cosep petitioned, arguing he was not accorded an impartial trial and that his guilt was not proven beyond reasonable doubt.

****Issues:****

1. Was Cosep denied a fair trial due to alleged partiality of the Sandiganbayan Justices?
2. Did the prosecution prove Cosep’s guilt beyond reasonable doubt?

****Court’s Decision:****

1. ***Impartiality of the Sandiganbayan:***

- The Court found no merit in Cosep’s claim of partiality by the Sandiganbayan Justices. It ruled that judicial intervention to clarify issues or expedite proceedings does not constitute partiality. The questions asked were deemed proper and aligned with seeking truth. Since Cosep answered freely without objection from his counsel, there was no indication of unfairness.

2. ***Proof Beyond Reasonable Doubt:***

- The Court scrutinized the evidence and found the prosecution’s case lacking. Alegre’s inconsistencies, his failure to remember worker names, and the absence of supporting documents cast significant doubt on his credibility. Furthermore, the Time Book and Payroll Sheet indicated Alegre was a laborer, not a contractor. Without contrary evidence, the

municipal payroll's recitals were accepted as factual. The Court concluded that Alegre was only entitled to P4,475 for the wages of 13 workers, rendering the P4,500 paid by Cosep fair. Thus, Cosep's conviction was reversed due to reasonable doubt, and his acquittal was warranted.

****Doctrine:****

- ****Presumption of Innocence:**** An accused's guilt must be proven beyond reasonable doubt by the prosecution. Any reasonable doubt should result in acquittal.
- ****Judicial Impartiality:**** Judges may actively participate in trials to clarify facts and expedite proceedings without demonstrating partiality, provided their conduct is fair and aimed at truth-seeking.

****Class Notes:****

- ****Elements of Violation of R.A. No. 3019, Section 3(b):****
 - A public officer
 - Demanding or receiving a gift or benefit
 - In connection with a government contract or transaction
 - In which the public officer has the duty to act.
- ****Judicial Conduct:**** Judges have the prerogative to engage during the trial to ensure justice and prevent the unnecessary waste of time.
- ****Burden of Proof:**** The prosecution must prove the defendant's guilt beyond a reasonable doubt; the defense does not need to prove innocence but can rely on the prosecution's failure to meet this standard.

****Historical Background:****

In the late 1980s, the Philippine government under President Corazon Aquino was tackling widespread corruption. The Sandiganbayan, an anti-graft court, was actively adjudicating numerous cases involving public officials to restore integrity in public service. This case typifies efforts to enforce anti-corruption laws like R.A. No. 3019 during that era of reform and transparency.