

## # People of the Philippines vs. Jomar Doca y Villaluna

### ## Facts

On July 1, 2007, around 4:00 p.m., in Villa Salud, Barangay Gadu, Solana, Cagayan, eyewitness Rogelio Castro observed appellant Jomar Doca, who was standing in a waiting shed, drunk, and appearing angry with a Rambo knife strapped around his waist. Roger Celestino, a 17-year-old boy, walked past the appellant. Suddenly, Doca stabbed Roger in the left breast with the knife. Roger fell and died immediately from the blood loss.

#### \*\*Procedural Posture:\*\*

1. **Arrest and Charge:** Jomar Doca was arrested and charged with murder under an Information dated July 3, 2007.
2. **Trial Court Proceedings:** The case was assigned to the Regional Trial Court (RTC), Branch 4 in Tuguegarao City, Cagayan. Doca pleaded not guilty, leading to a trial where various witnesses testified.
3. **Trial Court's Verdict:** On February 4, 2016, the RTC convicted Doca of murder and sentenced him to reclusion perpetua. The court also ordered Doca to pay civil indemnity, moral, exemplary, and actual damages.
4. **Court of Appeals Ruling:** Doca appealed, but the Court of Appeals affirmed the RTC's decision with modifications, deleting the award for actual damages and instead granting temperate damages.
5. **Supreme Court Appeal:** Doca appealed the Court of Appeals decision to the Supreme Court, maintaining his defense of self-defense and disputing the presence of treachery.

### ## Issues

1. **Was the defense of self-defense validly invoked by the appellant?**
2. **Did treachery qualify the killing to murder?**
3. **Should Doca's voluntary surrender be considered as a mitigating circumstance?**

### ## Court's Decision

#### ### 1. Self-Defense:

The Supreme Court upheld that for self-defense to be valid, three elements must be present: (a) unlawful aggression by the victim, (b) reasonable necessity of the means employed to prevent or repel it, and (c) lack of provocation on the part of the person defending himself. The court held that Doca did not provide credible evidence of unlawful aggression from

Roger. Doca's own testimony was deemed self-serving and uncorroborated, failing to prove lawful self-defense.

### ### 2. Treachery:

The Supreme Court found that treachery was not sufficiently established. For treachery to qualify the killing to murder, it must appear that the mode of attack was deliberately chosen to ensure the execution without risk to the attacker. Since Roger was aware of Doca's angry disposition and the visible knife, he could have anticipated an attack. Thus, the killing lacked the essential elements of a treacherous attack.

### ### 3. Voluntary Surrender:

The Supreme Court recognized that Doca voluntarily surrendered to Barangay Captain Palattao the day after the incident, meeting the requirements of spontaneity and intent to save the authorities' efforts.

### ### Reclassification of Crime and Sentence:

The Supreme Court reclassified the crime to homicide, concluding the evidence did not support murder. Doca was sentenced to eight (8) years of prision mayor to twelve (12) years and six (6) months of reclusion temporal due to the mitigating circumstance of voluntary surrender.

## ## Doctrine

- **Self-Defense Burden of Proof:** The accused must provide credible, clear, and convincing evidence to support a claim of self-defense.
- **Treachery in Killing:** For treachery to exist, the means of execution must be deliberately chosen to remove any risk to the attacker.
- **Voluntary Surrender as Mitigating Circumstance:** Voluntary surrender must be spontaneous and indicate the accused's intent to submit to authorities without compelling circumstances.

## ## Class Notes

### Key Legal Concepts:

1. **Self-Defense Elements:**
  - Unlawful aggression by the victim.
  - Reasonable necessity of the means employed.
  - Lack of sufficient provocation by the defender.

\*Reference: People v. Ocdol, 741 Phil. 701 (2014).\*

2. **Treachery:**

- Means, methods, or forms employed to ensure execution without risk to the offender.
- Deliberate and unexpected attack.

\*Reference: People v. Manzano, G.R. No. 217974 (2018).\*

3. **Voluntary Surrender:**

- Not arrested.
- Surrenders to a person in authority.
- Surrender is voluntary.

\*Reference: Section 1, Act No. 4225, Indeterminate Sentence Law.\*

## ## Historical Background

This case illustrates the complexities surrounding self-defense and qualifying circumstances like treachery within the Philippine judicial system. The distinction between homicide and murder lies crucially in the interpretation and evident proof of qualifying circumstances, shaping the nature of convictions and penalties. Such jurisprudence emphasizes the importance of substantiating claims within the framework of the Revised Penal Code.