

Title:

In the Matter of the Intestate Estate of Deceased Andres Eusebio vs. Eugenio Eusebio, Petitioner and Appellee, vs. Amanda Eusebio, Virginia Eusebio, Juan Eusebio, Delpin Eusebio, Vicente Eusebio, and Carlos Eusebio, Oppositors and Appellants

Facts:

On November 16, 1953, Eugenio Eusebio filed a petition for his appointment as the administrator of the estate of his late father, Andres Eusebio, with the Court of First Instance of Rizal. Andres Eusebio had died on November 28, 1952, and Eugenio asserted that Andres was residing in Quezon City at the time of his death.

However, on December 4, 1953, Amanda, Virginia, Juan, Delfin, Vicente, and Carlos Eusebio, who claimed to be the decedent's illegitimate children, opposed this petition. They argued that Andres had been domiciled in San Fernando, Pampanga, and thus asserted that the venue was improperly laid, requesting the petition be dismissed. The court overruled this objection on March 10, 1954, granting Eugenio's petition for administration.

The oppositors appealed this decision, leading to the current issue before the Supreme Court of determining the proper domicile of the deceased at the time of death.

Issues:

The primary legal issue was to determine the domicile of Andres Eusebio at the time of his death, critical for establishing whether the Court of First Instance of Rizal had proper jurisdiction to adjudicate the intestate estate proceedings.

Sub-issues included:

1. Whether the domicile of origin (San Fernando, Pampanga) remained Andres Eusebio's domicile until his death.
2. Whether the evidence presented could establish a new domicile of choice in Quezon City.
3. Whether the refusal to admit certain evidence by the trial court was correct.
4. Whether the oppositors had the right ("personality") to intervene in the case.

Court's Decision:

The Supreme Court ruled that Andres Eusebio retained his domicile of origin in San Fernando, Pampanga, at the time of his death, finding that there was no sufficient proof of an intent to change domicile to Quezon City.

Resolution Analysis by Issue:

1. **Domicile of Origin:**

- The Court concluded that since Andres lived in San Fernando, Pampanga, for over 70 years, the presumption was strong in favor of this continuing as his domicile. Under the principles of domicile law, once established, a domicile is presumed to continue until a new one is firmly established with sufficient intent and evidence.

2. **Domicile of Choice in Quezon City:**

- The Court found insufficient evidence that Andres intended to permanently move to Quezon City. Although he purchased property there on medical advice and moved some belongings, there was no clear intention to establish permanent residence. The property purchase was linked to health reasons for proximity to his treating physician, and his presence in Quezon City was seen as temporary.

3. **Evidence Rejection:**

- The Court found the trial court's exclusion of Exhibits 1 and 2 (which indicated Pampanga as the decedent's residence) was incorrect. Such evidence was materially significant in determining domicile.

4. **Personality to Intervene:**

- The Court rejected the trial's reasoning that the oppositors could not introduce crucial evidence unless first establishing their filiation. The appellants had the right to contest the domicile issue independently of establishing their legitimacy as heirs at this stage.

Doctrine:

Domicile of Origin Doctrine:

A domicile once acquired is retained until a new domicile is gained, a presumption that holds particularly strong for domiciles of origin. When determining a permanent change of residence, evidence must clearly show intent to establish a new permanent home.

Class Notes:

- **Domicile Continuation:** One retains their domicile until a new one is clearly established.

- **Factors for New Domicile:** Capacity to choose, physical presence in the new location, and intent to stay permanently.

- **Burden of Proof:** Lies upon those alleging a change in domicile.

- **Rules of Court - Section 75:** Venue for estate settlement is based on the decedent's residence at the time of death; objections to venue based on alleged residential facts must

be clear and unambiguous.

Historical Background:

This case took place in the early 1950s, a period when Philippine courts were consolidating and clarifying rules on issues of domicile and jurisdiction, influenced by principles from both local laws and wider principles of conflict of laws (Private International Law). This period was essential for shaping modern procedural standards in estate administration and jurisdiction determinations in the Philippines.