

****Title:****

People of the Philippines v. Pablo Samonte, Jr.

****Facts:****

On the night of July 25, 1969, during a wake in Pasay City for Pablo Samonte Sr., Pablo Samonte Jr., a Metrocom member, fatally shot Agustin Santiago Jr. Arriving to pay respects, Santiago and his group did not immediately view the remains but stayed outside. After thirty minutes, as they were leaving, shouts of “Ambot, huwag!” were heard followed by a gunshot, and Santiago fell. Witnesses saw Samonte holding a .45 caliber pistol, and he fled immediately thereafter. Santiago was pronounced dead upon arrival at the Philippine General Hospital.

Pasay police investigated the scene, confirming Pablo Samonte Jr. was the shooter. Autopsy revealed Santiago died from a gunshot wound to the chest. Samonte, a Metrocom member assigned to the CAA, was reported to have gone on leave and was unaccounted for. Despite the issuance of an arrest warrant on September 16, 1969, Samonte returned only on September 25, 1969, claiming to complete a mission order.

Samonte defended himself, claiming he shot Santiago in self-defense when the latter, allegedly intoxicated and brandishing a gun, failed to fire at him. The Circuit Criminal Court of the Seventh Judicial District, however, sentenced Samonte to death for murder, finding insufficient evidence of treachery or premeditation but rejecting self-defense.

****Issues:****

1. Whether the crime was murder or homicide considering the absence of proven treachery and evident premeditation.
2. Whether the justifying circumstance of self-defense was applicable in this case.
3. What should be the appropriate penalty given the circumstances.

****Court’s Decision:****

1. ****Crime Classification:****

- ****Murder vs. Homicide:**** The court ruled out treachery and evident premeditation, given that the manner of attack was not proven and the shooting appeared more spontaneous than premeditated. Without these qualifying circumstances, the act amounted to homicide rather than murder.

2. ****Self-defense:****

- **Exclusion of Self-defense:** The court meticulously examined testimonies and the forensic evidence. Despite Samonte's claim that Santiago aimed a gun that misfired, witnesses, including the state and defense, did not corroborate that Santiago had a gun or pointed it at Samonte. Moreover, the physical evidence showed the bullet trajectory did not support Samonte's story of facing Santiago. The court also noted Samonte's flight from the scene and failure to report the incident weakened his self-defense claim, thus rejecting self-defense as sufficient grounds for acquittal.

3. **Appropriate Penalty:**

- **Penalty Imposition:** Considering Santiago's provocation and state of inebriation, which could have reasonably incensed Samonte, the court recognized passion or obfuscation as mitigating circumstances. Thus, they modified the sentence to an indeterminate imprisonment term from six years and one day of prision mayor to twelve years and one day of reclusion temporal, coupled with a fine.

Doctrine:

1. **Treachery:** Must be established beyond reasonable doubt through clear evidence of means, method, or form of execution that ensures the offender's safety and lack of opportunity for the victim to defend or retaliate.
2. **Evident Premeditation:** Requires proof of deliberation and persistence in the criminal intent prior to the act.
3. **Self-defense:** The accused bears the burden to prove it with clear and convincing evidence; lack of corroborative evidence and subsequent evasion weaken the plea.

Class Notes:

1. **Homicide vs. Murder:** Absence of treachery and premeditation relegates the crime to homicide.
2. **Self-defense elements:** Unlawful aggression, reasonable necessity of the means used to prevent/repel aggression, and lack of sufficient provocation by the defender.
 - **Article 11, Revised Penal Code:** Justifying circumstances such as self-defense require corroboration.
3. **Mitigating Circumstances:** Passion or obfuscation - acts done in heat of the moment due to provocation.

Historical Background:

This case is set against a backdrop of martial law and political unrest in the Philippines during the late 1960s. Law enforcement officers, such as members of the Metrocom (a unit

of the Philippine Constabulary), often walked a thin line between maintaining order and the abuse of power. Such cases reflect the complexities and societal impacts of armed authority figures employing lethal force in non-combat situations, emphasizing the judicial scrutiny required to ensure justice and uphold legal standards.