

**\*\*Title:\*\*** Al Dela Cruz v. Capt. Renato Octaviano and Wilma Octaviano, G.R. No. 93399.

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

On the night of April 1, 1999, Capt. Renato Octaviano, his mother Wilma, and his sister Janet were involved in a motor vehicle accident involving a tricycle they were riding and a car driven by Al Dela Cruz. The accident happened around 9:00 p.m. on Naga Road while they were heading to CAA and BF Homes. Renato was asking his mother for change when he noticed the lights of an oncoming car speeding towards them. The rear end of the tricycle was struck by Dela Cruz's vehicle, causing the tricycle to spin and land near the gutter. Renato was thrown from the tricycle, landed on the gutter, and sustained severe injuries requiring the amputation of his right leg below the knee. He subsequently spent nine months in rehabilitation and had several surgeries due to complications.

This event led Renato and Wilma to file a civil case for damages against Al Dela Cruz and the car owner. The testimony of Sgt. Joselito Lacuesta, who witnessed the incident, and Antonio Fernandez, corroborated the severity of the collision and indicated Dela Cruz appeared drunk at the time of the accident.

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

1. The Regional Trial Court (RTC) dismissed the claim of respondents, basing its decision on the supposedly reliable testimony provided by Dela Cruz and other witnesses, who suggested the tricycle driver and Renato's contributory negligence as the proximate causes of the accident.
2. Respondents appealed the RTC decision to the Court of Appeals (CA).
3. The CA reversed RTC's decision, stating that Dela Cruz exhibited negligence as evidenced by the police report and corroborated witness testimonies. The CA ordered Dela Cruz and the car owner to pay significant damages to the respondents.
4. Dela Cruz filed a Petition for Review on Certiorari under Rule 45 to the Supreme Court, contending negligence findings against him were unsupported and misrepresented by the CA.

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

1. Was Al Dela Cruz negligent while driving leading to the collision?
2. Were the findings of the Court of Appeals supported by sufficient evidence?
3. Did the tricycle driver's gross negligence cause or contribute to the incident?
4. Should contributory negligence on the part of Renato and the tricycle driver's actions be factored into the liability assessment?

**Court's Decision:**

The Supreme Court upheld the CA's findings and denied Al Dela Cruz's petition for lack of merit.

1. **Negligence of Dela Cruz:**

- The Court affirmed the decision of the CA that Dela Cruz was negligent, based on the police report identifying him with alcoholic breath, detailed witness testimonies of seeing him drunk, and his inability to exercise foresight and caution on the road.

2. **Supporting Evidence:**

- Verification of the police report by witness testimonies established reliability. The Supreme Court found the CA properly assessed the evidence in holding Dela Cruz was driving under influence.

3. **Contributory Negligence:**

- The argument of contributory negligence by the tricycle driver or Renato was found unconvincing without clear evidence that it directly caused the accident. The court found no causal link regarding contributory negligence purported by the petitioner.

4. **Responsibility and Liabilities:**

- The court denied the petition and reinforced that respondents were rightfully awarded damages due to physical injuries, emotional distress promptly seen in both actual moral damages, and legal expenses as necessary recompense.

**Doctrine:**

The decision reinforces the principle from **Article 2176** of the Civil Code that determines negligence based on the absence of the diligence required in the given circumstance and affirms liability when such negligence causes direct harm—emphasizing responsibility extends beyond personal conduct to ensure public safety on roadways. Additionally, it demonstrates the required pre-conditions for awarding moral and exemplary damages as stated **Articles 2208, 2219, and 2220** of the Civil Code.

**Class Notes:**

- **Elements of Negligence, Article 2176:** Damage/injury, wrongful act/omission due to neglect, direct causation between damage and negligence, and no prior contractual relations.

- **Moral Damages:** Physical suffering, serious anxiety, social humiliation.

- **Exemplary Damages:** Deterrence against serious wrongdoings borne out of willfulness,

wantonness, or gross negligence.

- **Rule 45 (Petition for Review)**: A focus on discerning if factual evidence supports legal conclusions, non-interference with factual findings unless exceptions arise.
- **Definition of Proximate Cause**: As per **Valenzuela v. Court of Appeals**, the causal relationship remains unbroken by new causes producing the event without which it wouldn't occur.
- **Article 2208 - Award of Attorney's Fees**: Justified when exemplary damages are awarded or the defendant's evident bad faith in refusal.

**Historical Background:**

In the late 1990s Philippines, road safety concerns escalated with increasing motor vehicle registrations. This case is emblematic of difficulties in balancing accountability between diversely-covered motor vehicles, especially with differing professional driving standards. It marked the necessity for stricter compliance with statutory provisions such as **Republic Act No. 4136** addressing drunk driving, highlighting proactive public traffic governance in ensuring diligent vigilance while in control of any motor vehicle.