

Title: Krizia Katrina Ty-De Zuzuarregui vs. Hon. Joselito C. Villarosa and Fannie Torres-Ty

****Facts:****

1. August 2000: Rosemary Torres Ty-Rasekhi filed a petition for letters of administration for the estate of Bella Torres in the RTC of Pasig City. Krizia Katrina Ty-De Zuzuarregui (Petitioner) initially opposed.
2. November 19, 2002: An amicable settlement and compromise agreement between Rosemary and Petitioner was approved by the RTC.
3. Subsequently, Peter Torres Ty and Catherine Torres Ty-Chavez, claiming to be Bella's biological children, filed a petition to annul the judgment approving the compromise agreement (CA-G.R. SP No. 87222).
4. Fannie Torres-Ty (Respondent), also claiming to be an heir, filed a petition-in-intervention supporting the annulment.
5. Petitioner and Rosemary responded, denying Peter, Catherine, and Fannie were biological children; they argued the three were taken in by Bella and Alejandro Ty but not legally adopted.
6. While the annulment was pending, Fannie filed falsification and perjury complaints against Petitioner and Rosemary for stating only they were the legal heirs.
7. The prosecutor found probable cause for falsification of public documents; informations were filed in the MeTC of Makati City.
8. Petitioner sought suspension of proceedings on prejudicial question grounds, arguing the pending civil case's outcome would affect the criminal case.
9. The DOJ dismissed Petitioner's appeal; motions to suspend proceedings were denied by MeTC, which believed the civil case's validity issue wouldn't determine criminal liability.
10. Petitioner filed for certiorari and prohibition with RTC, Branch 66, which upheld the MeTC's decision, denying prejudicial question presence.
11. Appeals to the Court of Appeals followed; dismissed due to non-forum shopping certification signed by counsel, not the petitioner.
12. Petitioner hence sought review from the Supreme Court.

****Issues:****

1. Whether the non-forum shopping certification signed by counsel could be cured by subsequent compliance.
2. Whether the RTC erred in not finding a prejudicial question between the civil and criminal cases.

Court's Decision:

1. **Certification of Non-Forum Shopping:**

- The Supreme Court found that certifications signed by counsel generally do not suffice. However, considering the merits of the case, subsequent compliance (petitioner's signed certification) after the Court of Appeals' resolution served substantial compliance. Dismissal for a technicality without addressing the substantive issues would be unjust.

2. **Prejudicial Question:**

- **Rule Set Out:** For a civil case to suspend criminal action, it must be determined that the civil case:

- Involves intimately related facts to the criminal case.

- Resolution would affect the criminal case outcome.

- Jurisdiction is in another tribunal.

- **Analysis:** The civil case (CA-G.R. SP No. 87222) involved determining whether Peter, Catherine, and Fannie were heirs, which directly influenced whether petitioner's statements in the compromised agreement were falsified. Resolution of the heirs' legal status would undeniably impact the criminality judgment.

- **Conclusion:** The Supreme Court found a prejudicial question existed, and thus, the criminal proceedings should be suspended until resolution of CA-G.R. SP No. 87222.

Doctrine:

1. **Certification of Non-Forum Shopping** can be cured by subsequent compliance when substantial justice is at stake, and procedural rules should not be misused to derail justice.

2. **Prejudicial Question** doctrine applied: Criminal proceedings can be suspended if civil case outcomes directly impact the criminal case determination, avoiding conflicting decisions.

Class Notes:

1. **Prejudicial Question (Rule 111, Sec. 6, Revised Rules of Criminal Procedure):**

- Civil action and criminal prosecution must be intimately related.

- Resolution of civil action must determine the criminal liability.

- Civil case must be under another tribunal's jurisdiction.

2. **Certification Against Forum Shopping (Rule 46, Sec. 3, 1997 Rules of Civil Procedure):**

- Intended to disclose similar actions filed.

- Signature of the party required for authenticity.

- Subsequent compliance possible when merits justify it.

****Historical Background:****

- The case exemplifies procedural intersections between civil and criminal law in the Philippines, highlighting the importance of family law implications on estate matters and the importance of precise procedural adherence in legal processes spanning multiple jurisdictions. The decision depicts the judiciary's balance between procedural technicalities and substantive justice particularly in succession disputes.