

### Title:

Gerry S. Fegarido and Linalie A. Milan vs. Heirs of Cristina S. Alcantara

### Facts:

On the evening of October 15, 2008, Cristina S. Alcantara was crossing the road on 25th Street, East Bajac-Bajac, Olongapo City when she was struck by a jeepney driven by Gerry S. Fegarido. The collision caused Cristina to be thrown a few meters away, resulting in severe injuries that led to her being declared brain dead and subsequently dying three days later.

Fegarido was charged with reckless imprudence resulting in homicide. The Municipal Trial Court in Cities (MTCC) acquitted him of the criminal charge on June 19, 2012, citing insufficient evidence to establish his recklessness beyond a reasonable doubt.

Meanwhile, Alcantara's heirs filed a civil case for damages against Fegarido and the jeepney's registered owner, Linalie A. Milan, in the Regional Trial Court (RTC). The RTC ruled in favor of Alcantara's heirs, holding Fegarido and Milan solidarily liable for damages. The decision was primarily based on witness testimonies that indicated Fegarido was driving negligently.

Fegarido and Milan appealed to the Court of Appeals (CA), which affirmed the RTC's ruling. They then filed a petition for review on certiorari before the Supreme Court of the Philippines.

### Issues:

1. Whether Fegarido was negligent in causing Cristina Alcantara's death.
2. Whether Milan was vicariously liable for Fegarido's negligence.
3. Whether the Court of Appeals correctly awarded damages to the heirs of Alcantara.

### Court's Decision:

The Supreme Court denied the petition and affirmed the ruling of the Court of Appeals.

#### Issue 1: Fegarido's Negligence

The SC held that determining whether Fegarido acted negligently is a question of fact, which is conclusive unless there are compelling reasons to review the evidence. Both the RTC and CA found Fegarido grossly negligent based on testimonies from witnesses, including a traffic enforcer, a doctor, and a security guard. The SC noted that the evidence sufficed to establish negligence on Fegarido's part by a preponderance of evidence, despite

his acquittal in the criminal case, where the standard is “beyond reasonable doubt.”

#### #### Issue 2: Milan’s Vicarious Liability

The SC found Milan vicariously liable for Fegarido’s negligence. Under Article 2180 of the Civil Code, employers are liable for damages caused by their employees if acting within the scope of their assigned tasks. Milan failed to show the diligence required of her in hiring and supervising Fegarido. The court also noted that her husband, who tested Fegarido’s driving skills only once, inadequately performed these duties.

#### #### Issue 3: Award of Damages

The SC upheld the CA’s damages award based on the sufficiency of evidence presented by the heirs. The breakdown included:

- Actual damages amounting to PHP 138,591.00.
- Moral damages of PHP 100,000.00.
- Exemplary damages of PHP 50,000.00.
- Attorney’s fees and litigation expenses of PHP 40,000.00.

#### ### Doctrine:

**\*\*Independent Civil Action for Damages in Quasi-Delict:\*\***

- The acquittal in a criminal case does not preclude civil liability based on quasi-delict under Article 2176 of the Civil Code. The standard of proof for civil liability (preponderance of evidence) differs from that in criminal cases (beyond reasonable doubt), allowing concurrent civil action independent of criminal proceedings.

#### ### Class Notes:

Key Concepts:

- **\*\*Quasi-Delict:\*\*** Civil liability arises independently of criminal liability when an act results in damages due to negligence.
- **\*\*Standard of Proof:\*\*** Preponderance of evidence is sufficient in civil cases, unlike the higher standard of beyond reasonable doubt required in criminal cases.
- **\*\*Article 2180 Civil Code:\*\*** Establishes employer liability for the negligent acts of employees if within the scope of their duties, barring proof of due diligence.

Statutory Provisions:

- **\*\*Article 2176 Civil Code:\*\*** Quasi-delicts create obligations but are distinct from criminal or contractual liabilities.
- **\*\*Article 2180 Civil Code:\*\*** Specifies employer liability for employee actions and the

diligence required to prevent damage.

### Historical Background:

The case underscores a significant point in Philippine jurisprudence regarding the separation of civil liability from criminal culpability. The 2000 Rules of Criminal Procedure, aligning with the principle discussed, enable independent civil actions for quasi-delicts without the need for reservation, reflecting a shift towards plaintiff-friendly avenues for seeking compensation in tortious circumstances. This case exemplifies the judiciary's adherence to this doctrine, emphasizing protection and remedy to the aggrieved, independent of the complexities and outcomes of criminal litigation.