

****Title:****

Arturo Alano vs. Court of Appeals, Hon. Enrico A. Lanzanas, Regional Trial Court Branch 37, and Roberto Carlos (347 Phil. 549 [1997])

****Facts:****

1. On June 10, 1986, Arturo Alano, pretending to be the owner of a parcel of land located in Bicutan, Taguig, Metro Manila (covered by Tax Declaration No. 120-004-00398) sold the same land, which he had already sold to Roberto Carlos for Php 30,000.00, to Erlinda B. Dandoy for Php 87,900.00. Alano's actions deprived Roberto Carlos of rightful ownership and possession, causing him damage of Php 30,000.00.
2. Consequently, Roberto Carlos filed a criminal complaint against Arturo Alano for estafa. This case was docketed as Criminal Case No. 90-84933 at the Regional Trial Court of Manila, Branch 37.
3. Simultaneously, a civil case was filed by Roberto Carlos and Trinidad M. Carlos against Arturo Alano in the Regional Trial Court, National Capital Region, Pasig, Branch 68, entitled Civil Case No. 55103. The civil case sought the annulment of the second sale, recovery of possession, and damages.
4. In Civil Case No. 55103, Alano claimed that his signature on the deed of absolute sale favoring Roberto Carlos was forged, thereby rendering the alleged sale fictitious and inexistent.
5. Alano moved to suspend the criminal proceedings on the ground that the civil case raised a prejudicial question that needed resolution first.
6. On October 3, 1991, the trial court denied Alano's motion to suspend proceedings, as well as his subsequent motion for reconsideration.
7. Alano filed a petition for certiorari and prohibition before the Court of Appeals, which was dismissed on July 26, 1993.

****Issues:****

1. Whether the pending Civil Case No. 55103 constituted a prejudicial question justifying the suspension of proceedings in Criminal Case No. 90-84933.

2. Whether Alano's judicial admissions during pre-trial in the criminal case constituted a waiver of his forgery defense in the civil case.

Court's Decision:

1. **Prejudicial Question:**

- The Supreme Court held that the civil action for the nullity of the deed of sale does touch upon an issue that could affect the determination of guilt or innocence in the criminal case of estafa. However, it upheld the Court of Appeals' affirmation of the trial court's order denying suspension, owing to petitioner Alano's judicial admissions.

2. **Judicial Admissions and Waiver:**

- It was noted that during pre-trial of the criminal case, Alano admitted his signature on the first deed of sale and acknowledged the transactions based on the same. By his conduct, he waived his right to raise the defense of forgery in the civil case. The court emphasized that such admissions are judicial in nature and are binding.

- The effect of these admissions was significant enough that Alano waived his defense of forgery, essentially nullifying his claim that the civil case presented a prejudicial question.

Doctrine:

1. **Prejudicial Question:**

- A prejudicial question exists when a civil issue must be resolved before a criminal action can proceed, primarily because the issue in the civil case would be determinative of the guilt or innocence in the criminal case.

2. **Judicial Admission:**

- Judicial admissions during pre-trial are binding upon the parties, and a waiver of the right to present evidence may result, which can be made explicitly or implicitly.

Class Notes:

1. **Prejudicial Question:**

- Defined under the concept where a civil case involves factual or legal questions that are determinative of the resolution in a criminal case.

2. **Judicial Admission:**

- Constitutes binding admissions made by parties during litigation, which may preclude further contrary arguments or necessity for additional proof.

3. **Waiver of Rights:**

- Acknowledgment and stipulation of facts during pre-trial can operate as a waiver of defenses or rights to contest the matter later in another form.

Historical Background:

- The context of the case reflects jurisprudential principles on the interplay between civil and criminal proceedings within the Philippine legal system. Historically, such cases underscore the necessity to balance procedural efficiency in resolving disputes pertaining to property rights against criminal liabilities. The decision reaffirms the judicial process in recognizing admissions made in the course of pre-trial as having consequential impacts on subsequent defenses and evidentiary burdens.