

****Title:**** People of the Philippines vs. Gregorio Sumaya y Dalogdog

****Facts:****

1. On October 30, 1989, Gregorio Sumaya y Dalogdog was charged with rape and attempted rape in four separate informations before the Regional Trial Court (RTC) of Iligan City, Branch 6. The cases were docketed as Criminal Cases Nos. 06-2298, 2304, 2306, and 2305.
2. Upon arraignment, Sumaya pleaded not guilty to all charges.
3. The trial on the merits took place, after which the RTC rendered a judgment finding Sumaya guilty of the charges.
4. Sumaya appealed the conviction to the Supreme Court (SC).
5. During the pendency of the appeal, Sumaya died of cardio-pulmonary arrest on May 22, 1993, while detained at the San Ramon Prison and Penal Farm in Zamboanga City.
6. On July 26, 1993, the SC issued a resolution requiring the plaintiff-appellee to comment on the death of the accused-appellant.
7. The plaintiff-appellee filed a comment citing the ruling in *People vs. Sendaydiego*, arguing that while Sumaya's death extinguished his criminal liability, the civil liability remained.

****Issues:****

1. Whether the criminal liability of Sumaya was extinguished by his death pending appeal.
2. Whether the civil liability arising from the criminal cases was also extinguished upon Sumaya's death.

****Court's Decision:****

1. ****Extinguishment of Criminal Liability:****

- The SC referred to its precedent in *People vs. Rogelio Bayotas* which held that upon the death of the accused pending appeal of his conviction, the criminal action is extinguished since there is no longer a defendant to stand trial. The criminal liability of Sumaya was therefore extinguished by his death.

2. ****Civil Liability:****

- The SC clarified that civil liability *ex delicto*, which arises directly from the criminal offenses charged, was also extinguished upon the death of the accused if the death occurred pending appeal. The rationale offered was that once the criminal action is extinguished, the civil action founded on it has no leg to stand on.

- The records did not disclose any other civil liability possibly arising from other sources such as contract, quasi-contract, quasi-delict, or law, hence, there were no other civil claims

to adjudicate.

****Doctrine:****

- The case reiterated the doctrine in *People vs. Rogelio Bayotas* that both criminal liability and civil liability *ex delicto* are extinguished when an accused dies pending an appeal of their conviction.
- “Upon the death of the accused pending appeal of his conviction, the criminal action is extinguished and the civil action instituted therein for recovery of civil liability *ex delicto* is *ipso facto* extinguished, grounded as it is on the criminal.”

****Class Notes:****

- ****Key Elements/Concepts:****

- Death of accused : Results in the extinguishment of criminal liability.
- Civil liability *ex delicto* : Extinguished upon death of the accused if death occurs pending appeal of the conviction.
- Relevant Statutes : Article 89 of the Revised Penal Code (RPC) (Extinguishment of criminal liability).

- ****Application/Interpretation:****

- When the accused dies during the pendency of the appeal, the appeal and the criminal case are terminated. There is no longer any necessity to discuss the merits of the appeal.
- The civil liability directly arising from the crime (civil liability *ex delicto*) is also extinguished, whereas, civil liabilities arising from other sources would need to be separately pursued.

****Historical Background:****

- The case contextually fits into the Philippine judiciary’s long-standing approach to issues of criminal and civil liabilities in the face of an accused person’s death during the appeal. The ruling aligns with prior significant cases like *People vs. Sendaydiego* and *People vs. Rogelio Bayotas*, maintaining legal consistency over decades regarding the extinguishment of liabilities.