

### Title:

People of the Philippines vs. Javier Morilla y Avellano

### Facts:

On October 13, 2001, police officers at a checkpoint in Barangay Kiloloran, Real, Quezon intercepted two vehicles suspected of transporting illegal drugs. The vehicles, a Starex van with plate number RWT-888 and a municipal ambulance with plate number SFK-372, were being driven by Mayor Ronnie Mitra of Panukulan, Quezon, and Javier Morilla, an ambulance driver, respectively. Upon inspection, police discovered 503.68 kilos of methamphetamine hydrochloride (shabu) in both vehicles.

The vehicles were flagged based on specific intelligence regarding the transportation of illegal drugs. Mitra's van initially passed through the checkpoint, but Morilla's ambulance was stopped. Upon further inspection of the ambulance, police found white crystalline granules and several sacks of methamphetamine hydrochloride. Morilla attempted to leverage his association with Mayor Mitra to evade arrest, but this failed. The discovery led to a chase and the subsequent interception of Mitra's van, which also contained similar sacks of methamphetamine hydrochloride.

Mayor Mitra, Javier Morilla, Willie Yang, and Ruel Dequilla were charged with transporting illegal drugs as part of a syndicate. Mayor Mitra and Morilla were convicted by the Regional Trial Court of Quezon on August 1, 2007. Dequilla and Yang were acquitted due to insufficient evidence.

### Issues:

1. **\*\*Whether accused-appellant Morilla can be convicted for conspiracy to transport illegal drugs absent a specific allegation of conspiracy in the Information.\*\***
2. **\*\*Whether the prosecution sufficiently proved Morilla's culpability as alleged in the Information.\*\***

### Court's Decision:

The Supreme Court affirmed the lower court's decision with modification in the penalties.

**\*\*Issue 1: Conspiracy Allegation\*\***

- The Court held that while the Information did not explicitly use the word "conspiracy," it sufficiently described actions indicating a cooperative effort to transport drugs. Since Morilla did not raise any objections to the sufficiency of the Information before entering his plea, this issue was deemed waived.

- Conspiracy was inferred from the coordinated actions of the accused - both vehicles traveled in convoy, both contained similar illicit substances, and Morilla's own admission of his association with Mayor Mitra during apprehension.

**\*\*Issue 2: Proof of Culpability\*\***

- The Court concluded that the factual circumstances presented, including the apprehension of the accused in flagrante delicto and the incriminating evidence found in both vehicles, adequately proved Morilla's involvement in the crime.

- Morilla's argument that he lacked knowledge about the contents of the sacks was dismissed. The nature of methamphetamine hydrochloride as a dangerous drug, *malum prohibitum*, means that ignorance of the illegal nature of the operation is inconsequential. The fact remained that Morilla was transporting a prohibited substance as per the Dangerous Drugs Act.

**\*\*Modification of Penalty\*\***

- The trial court's original penalty of life imprisonment and a fine was modified to reclusion perpetua and a fine of ₱10,000,000, in adherence to Republic Act No. 7659, which prescribes reclusion perpetua to death and a fine for such offenses. Reclusion perpetua was noted to be more favorable as it has a fixed duration of imprisonment with the possibility of pardon, and includes accessory penalties.

**### Doctrine:**

- **\*\*Conspiracy:\*\*** Conspiracy need not be explicitly stated in the charge if actions indicating a mutual agreement to commit an offense are described. It can be inferred from the coordinated conduct of the accused.

- **\*\*Malum Prohibitum:\*\*** Under the Dangerous Drugs Act, the act of transporting illegal drugs is punishable irrespective of knowledge or intent. The mere fact of transport suffices for criminal liability.

**### Class Notes:**

- **\*\*Elements of Conspiracy:\*\*** Agreement to commit a crime and an overt act towards its commission. Direct evidence of an agreement is not necessary; it can be inferred from the acts of the conspirators.

- **\*\*Dangerous Drugs Act (R.A. 6425 as amended by P.D. 1683 and R.A. 7659):\*\*** Transporting regulated drugs carries severe penalties, including reclusion perpetua or death and substantial fines.

- **\*\*Procedural Timeliness:\*\*** Objections regarding the sufficiency of the charge must be

raised before entering a plea; failure to do so results in waiver.

- **Definition of 'Transport'**: To carry or convey from one place to another; strict liability applies under malum prohibitum offenses.

**Historical Background:**

This case reflects the stringent measures in place under Philippine law to curb the illegal drug trade, showcasing the government's commitment to high penalties for drug-related offenses. The procedural and substantive rulings aim to ensure that individuals involved in such trades are held accountable, reinforcing the judiciary's stern stance against drug crimes.