

People of the Philippines vs. Vicente Temblor alias "Ronald"

Facts

On December 30, 1980, at around 7:30 PM, Julius Cagampang, his wife Victorina, and their two children were at their store adjacent to their residence in Talo-ao, Buenavista, Agusan del Norte, Philippines. Vicente Temblor, alias Ronald, asked to buy a half pack of Hope cigarettes. As Cagampang was opening the pack, multiple gunshots were fired, hitting Cagampang in the head and causing him to fall, bleeding. Victorina shouted her husband's name, and two men, one being the accused, forcibly entered the store, demanding Cagampang's firearm. The assailant continued to shoot the victim, and Victorina handed over a suitcase containing her husband's .38 caliber revolver. The perpetrators fled afterward.

Months later, in 1981, Victorina identified Temblor at the Buenavista police station as one of the men involved in her husband's murder.

The accused and his defense claimed he was elsewhere. From the afternoon of December 30 until the morning of December 31, 1980, he was with his father at Silverio Perol's house in Barangay Camagong, Nasipit, Agusan del Norte, drinking. Temblor contended that he could not have been at the scene of the crime due to the distance and timing. However, the prosecution presented evidence, including a certification from the Nasipit Lumber Company, indicating that Perol was at work at the time in question, discrediting Temblor's alibi.

During the trial, another witness, Claudio Sabanal, identified Temblor at the crime scene and testified to hearing gunshots and seeing people fleeing.

Dr. Alfredo Salanga, who conducted the post-mortem examination, confirmed that the victim sustained three gunshot wounds.

The trial court found Temblor guilty and sentenced him to reclusion perpetua, together with a civil indemnity to the victim's heirs amounting to P12,000. Temblor appealed, challenging the credibility of the identification by witnesses and the rejection of his alibi.

Issues

1. Whether the identification of Temblor by the prosecution witnesses as the perpetrator of the murder of Julius Cagampang was credible.
2. Whether the trial court erred in rejecting the alibi defense put forth by Temblor.

Court's Decision

Issue 1: Credibility of Identification

The Supreme Court upheld the trial court's assessment of the credibility of witnesses, emphasizing that minor inconsistencies in testimony do not necessarily affect credibility. The Court noted that Victorina was less than a meter away from the perpetrators in a well-lit store when the incident happened, allowing a reliable identification. Furthermore, Sabanal's corroborating testimony reinforced the identification of Temblor. The Court affirmed that factual findings and credibility assessments by the trial court should generally be respected unless there is a clear error.

Issue 2: Rejection of Alibi Defense

The Court reiterated the settled rule that alibi as a defense must be substantiated by clear and convincing evidence. It emphasized that the accused must demonstrate it was physically impossible for him to be present at the scene of the crime. The alibi presented by Temblor was deemed insufficient as the prosecutor's evidence showed his purported location at the time could have allowed his presence at the crime scene. Additionally, the lack of corroboration and the rebuttal evidence weakened his defense. The Court also noted that flight implies guilty conscience, further undermining Temblor's alibi.

Therefore, the Supreme Court affirmed the conviction and raised the civil indemnity to P30,000.

Doctrine

1. **Credibility of Witnesses**: The trial court's assessment of witness credibility, based on their conduct and demeanor during the trial, is given significant weight and deference on appeal.
2. **Alibi as a Defense**: Alibi must be shown by clear and convincing evidence and must demonstrate physical impossibility for the accused to be at the crime scene.
3. **Positive Identification**: Positive identification by credible witnesses can outweigh an alibi.
4. **Flight as Evidence of Guilt**: The accused's flight from the scene is often construed as consciousness of guilt.

Class Notes

- **Key Elements of Murder (Article 248, Revised Penal Code)**:
- Killing was done with treachery and evident premeditation.
- Intent to kill accompanies the act.

- Positive identification of assailant by credible witnesses.
- ****Elements of Alibi****:
 - Proof of physical impossibility to be at the crime scene.
 - Corroborative evidence supporting the alibi.
- ****Credibility and Demeanor of Witnesses****:
 - Minor inconsistencies do not disqualify credible testimony.
 - Deference to trial court's observations.
- ****Flight as Implied Admission of Guilt****:
 - Indicative of consciousness of guilt post-crime.

Historical Background

During the late 1970s to early 1980s, the Philippines experienced significant political and social unrest, marked by the rise of insurgent groups such as the New People's Army (NPA). This case is set against the backdrop of the NPA's "agaw armas" campaign, aiming to amass weapons for their cause, which led to numerous violent incidents. The identification of the accused as an NPA member aligns with common narratives of the time involving politically-motivated violence and insurgent tactics.