

Title: People of the Philippines vs. Norberto Delim, et al., G.R. No. 153543

Facts:

On the evening of January 23, 1999, in Barangay Bila, Sison, Pangasinan, Modesto Delim was abducted by Marlon Delim, Ronald Delim, and the appellant Norberto Delim. The perpetrators, armed with short firearms, forcibly took Modesto from his home in front of his family. Leon Delim and Manuel Delim acted as lookouts, guarding the family to prevent them from intervening. Four days later, Modesto's body was found bearing gunshot and stab wounds.

Procedural Posture:

- **Trial Court:** Norberto Delim, indicted for murder along with his co-accused, was found guilty by the Regional Trial Court (RTC) of Urdaneta City, Pangasinan, and sentenced to death.
- **Supreme Court:** Due to the death penalty, the case was automatically elevated for review to the Supreme Court.
- **Court of Appeals:** In line with the decision in People v. Mateo, the Supreme Court referred the case to the Court of Appeals, which affirmed the RTC's ruling but modified it to homicide. Norberto appealed this decision to the Supreme Court.

Issues:

1. Whether the circumstantial evidence presented was sufficient for conviction.
2. Whether conspiracy was sufficiently established.
3. Whether appellant's guilt was proved beyond reasonable doubt.
4. Whether treachery, qualifying the killing as murder, was established.

Court's Decision:

1. **Circumstantial Evidence:**
 - The Supreme Court held that the circumstantial evidence was sufficient for conviction. The testimonies of the victim's family directly linked Norberto to the abduction. The subsequent discovery of the victim's lifeless body solidified the chain of circumstances leading to Norberto's culpability.
2. **Conspiracy:**
 - The Court affirmed the existence of a conspiracy. The actions of the accused, from the abduction to the lookout roles played by Leon and Manuel Delim, were collective and demonstrated a unified plan to commit the crime. The Court emphasized that each

participant's actions were interwoven, thereby establishing conspiracy.

3. **Guilt Beyond Reasonable Doubt:**

- Appellant's guilt was proven beyond reasonable doubt. The direct testimonies of the witnesses, coupled with the findings of the autopsy, formed an unbroken chain pointing to Norberto's responsibility for the killing. The defense of alibi and denial was weak in comparison to the positive identification and corroborative evidence.

4. **Treachery:**

- The Court concurred with the CA that treachery was not proven. There was no evidence showing the specific circumstances under which the victim was killed that fulfilled the legal requisites of treachery. The abduction alone did not suffice to establish that the killing itself was perpetrated with treachery.

Doctrine:

1. **Circumstantial Evidence:** Circumstantial evidence can constitute sufficient proof for conviction if the combination of proven circumstances forms an unbroken chain leading to culpability.

2. **Conspiracy:** Conspiracy can be established through concerted acts indicating a common plan to commit a crime; direct evidence isn't always necessary.

3. **Treachery:** Must be specifically proven at the time of killing to qualify the crime as murder. It requires that the victim was defenseless and that the method was consciously adopted to ensure the crime's execution without risk to the perpetrator.

Class Notes:

- **Circumstantial Evidence (Rule 133, Section 4, Rules of Court):** Requires multiple corroborative facts leading to conviction.

- **Conspiracy:** Explained by joint participation in the offense, creating shared liability (Art. 8, RPC).

- **Homicide vs. Murder (Arts. 249 & 248, RPC):** Differentiated by the presence of qualifying circumstances like treachery.

- **Treachery:** Deliberate and conscious act ensuring no risk to the perpetrator from the victim's retaliation.

Historical Background:

The case highlights the application of the decision in *People v. Mateo*, requiring cases with the death penalty to undergo review by the Court of Appeals before the Supreme Court. It

also showcases the dynamics of family-involved crimes and the challenges in prosecuting such cases due to the interplay of direct and circumstantial evidence.