

Title: **Calub and Valencia v. Court of Appeals and Babalcon**, G.R. No. 112581

Facts:

1. **Initial Seizure of Vehicles (January 28, 1992)**:

- DENR's Forest Protection and Law Enforcement Team apprehended two motor vehicles carrying illegally sourced lumber.
- Motor Vehicle Plate No. HAK-733 and FCN-143 were loaded with 1,026 and 1,224.97 board feet of lumber respectively.
- Drivers (Pio Gabon and Constancio Abuganda) failed to present necessary documents, leading to the seizure.

2. **Filing of Criminal Complaints**:

- Felipe Calub, DENR officer, filed a criminal complaint against Constancio Abuganda for violation of Sec. 68, PD 705, Revised Forestry Code.
- Post-seizure, the vehicles were forcibly taken from DENR custody. Calub filed a criminal complaint for grave coercion against Gabon and Abuganda, which was dismissed.

3. **Second Seizure (February 11, 1992)**:

- Vehicle with Plate No. FCN-143 was apprehended again, loaded with 1,005.47 board feet of lumber.
- Calub filed another criminal complaint against Abuganda and others for the same violation.

4. **Acquittal in Criminal Cases**:

- In Criminal Cases Nos. 3795 and 3625, Abegonia and Abuganda were acquitted due to reasonable doubt, but the trial court recommended further action against Noe Pagarao and others involved.

5. **Filing of Replevin Suit**:

- Manuela Babalcon and Constancio Abuganda filed a replevin suit to recover the seized vehicles.
- The RTC of Catbalogan granted the replevin application and issued a writ in an Order dated April 24, 1992.
- Petitioners filed a motion to dismiss, which was denied by the trial court.

6. **Petition for Certiorari, Prohibition, and Mandamus**:

- Petitioners filed with the Supreme Court. The Supreme Court issued a TRO against the RTC proceedings and directed the security of the seized properties.

- The case was referred to the Court of Appeals, which denied the petition, leading to the present Supreme Court case.

Issues:

1. Whether the seizure of the motor vehicles under Section 68-A of PD 705 placed them in custodia legis.
2. Whether the replevin suit filed by private respondents Babalcon and Abuganda was effectively a suit against the State.

Court's Decision:

1. **Custodia Legis**:

- The Court found that seizures under Section 68-A of PD 705 and Sections 78 and 89 of the Revised Forestry Code were validly placing the vehicles in custodia legis.
- The Court likened the validity of this seizure to past rulings (e.g., *Mamanteo v. Deputy Sheriff Magumun*) where seized property was under legal custody and not subject to replevin.
- Petitioners acted within their official duties, and the vehicles were in lawful custody under legal process.

2. **Replevin Suit as a Suit Against the State**:

- The suit against DENR officials was deemed a suit against the State as it questioned actions done in an official capacity.
- Since the actions performed by the petitioners were within their legal scope and duty, the suit could not proceed without the State's consent.
- The State's immunity shielded petitioners performing their official functions from such suits.

Doctrine:

- **Officers' Acts Within Legal Authority**: Actions by public officers within their scope of duty and authority without malice or corruption are shielded by state immunity, making related suits against them de facto suits against the State.
- **Custodia Legis of Seized Property**: Property lawfully seized under legal provisions (such as the Revised Forestry Code) and custody cannot be subject to replevin while in custody and pending legal determination.

Class Notes:

- **Custodia Legis Doctrine**: Important in proceedings involving seized property. Valid

seizure by authorities under legal regulations places the property in judicial custody, barring replevin.

- ****State Immunity****: Reflects the principle that public officials performing their duties, unless acting with malice or beyond authority, are protected from personal liability in civil suits.

- ****Exhaustion of Administrative Remedies****: The principle that administrative procedures and remedies must be exhausted before resorting to courts, here highlighted even if waived due to non-invocation at the proper stage.

Historical Background:

This case demonstrates the rigorous enforcement mechanisms within the Philippines' environmental protection laws and the judicial system's role in balancing enforcement with due process. Amidst rising issues of illegal logging and deforestation in the early 1990s, these rulings aimed to empower environmental authorities while ensuring legal processes safeguarded property rights and administrative accountability.