

Title: **People of the Philippines vs. CAFGU Francisco Baltar, Jr., CAFGU Primo Villanueva alias "Espok," and Rolly Baltar**

Facts:

On January 30, 1994, about 5:30 pm, Mariano Celino, Jr. was attending a basketball game at Barangay Sto. Niño, President Roxas, Capiz, along with approximately 30 others. A cargo truck stopped nearby and CAFGU-member Francisco Baltar, Jr. fell off as he jumped, firing his rifle twice adversarially once on his feet. Rolly Baltar, his brother atop the truck, identified Mariano Celino and directed Baltar's attention to him.

Rolly then engaged Mariano physically, while Primo Villanueva, also a CAFGU member, stood holding a rifle. Francisco approached and shot Mariano multiple times, causing lethal injuries. Villanueva kept others at bay with warning shots, including thwarting the victim's brother, Virgilio, from helping Mariano. Despite attempts to report Mariano to the hospital, he succumbed to his injuries. The defense presented an alternative account where Francisco accidentally discharged his firearm due to a struggle with Mariano.

In procedural terms, the defendants were arraigned, pleaded not guilty, and were tried for murder. They were convicted by the Regional Trial Court and sentenced to reclusion perpetua alongside payments for damages. Only Primo Villanueva appealed this decision, challenging the ruling on grounds of alleged conspiracy and the nature of the crime as murder.

Issues:

1. **Conspiracy:** Whether Primo Villanueva was in conspiracy with the other accused in committing the crime.
2. **Qualifying Circumstances:** Whether the killing was attended by the qualifying circumstances of treachery, taking advantage of superior strength, and evident premeditation, elevating the crime to murder.

Court's Decision:

1. **Conspiracy:**
 - **Resolution:** The Court found a conspiracy among the accused from their coordinated actions before, during, and after the crime. Villanueva, although did not inflict harm directly, supported the aggression by employing a strategic deterrent against potential

interveners, affirming his complicity.

2. **Qualifying Circumstances of Murder:**

- **Treachery:** The Court found no treachery since the victim had an opportunity to defend himself.
- **Superior Strength:** While the accused outnumbered the victim, the attack's alternated nature did not exhibit abuse of superior strength.
- **Evident Premeditation:** Lacked evidence for a preconceived plan to kill Mariano beyond reasonable fear provocation.
- **Verdict:** Reduced the charge from murder to homicide due to absence of qualifying circumstances. Penalty was revised per the Indeterminate Sentence Law.

Doctrine:

The Supreme Court reiterated the principles concerning conspiracy and liability, emphasizing that "the act of one conspirator is the act of all." Similarly, it emphasized rigorous proof equal to the crime itself for qualifying circumstances to upgrade a crime to murder.

Class Notes:

- **Conspiracy:** Need not show explicit agreement; inferable from collective actions.
- **Treachery:** Requires methods ensuring lack of defense or retaliation by the victim.
- **Qualifying vs. Generic Circumstances:** Clear distinctions required; proving a circumstance as qualifying alters the nature of charges and penalties.
- **Indeterminate Sentence Law:** Allows sentencing range adjustments when no aggravating or mitigating factors apply.

Historical Background:

The case is set against the backdrop of the latter years of the 20th century when civil unrest, marked by active insurgency groups in the Philippines like the New People's Army, often necessitated the deployment of Civilian Armed Forces Geographical Unit (CAFGU) members for security. This period was marked by widespread violence and conflicting narratives often reaching the courts, highlighting intricacies within Philippine justice and law enforcement.