

Title:

People of the Philippines vs. Francisco Hapa y Ebasco, Claro Feratero y Encinares, Amador Español y Ofalsa, and Conrado Entereso y Hapa

Facts:

On June 14, 1977, in Casiguran, Sorsogon, Leoniso Hermo was killed by being stabbed in the chest with a bladed instrument. He was held by two men, while another stood guard behind him, and Francisco Hapa stabbed him. Witnesses Delfina Gratil and Benerando Hitosis provided testimonies regarding the incident. Delfina Gratil saw the events unfold from the window of her house, 2.5 meters away from the crime scene, despite the darkness of the night illuminated by a nearby lamppost. Benerando Hitosis, also a neighbor, corroborated the events by identifying the accused as the perpetrators. Further testimonies were provided by Evelyn Hadap and the victim's mother, Fidela Hermo.

The prosecution presented an autopsy report indicating that the victim died of shock due to severe hemorrhage from the stab wound. Fidela Hermo testified to the emotional and financial impact of her son's death. The accused all denied participation in the crime, with various alibis on the night of the killing.

The trial court found Francisco Hapa, Claro Feratero, Amador Español, and Conrado Entereso guilty of murder and sentenced them to reclusion perpetua.

Issues:

1. **Whether the trial court err in finding appellants guilty of murder instead of homicide.**
2. **Whether the judge who rendered the decision had the proper authority, noting he did not hear the testimonies of the witnesses.**
3. **Whether the trial court deprived accused-appellant Francisco Hapa of the opportunity to testify, violating his right to due process.**
4. **Whether the prosecution witnesses' credibility was compromised due to inconsistencies in their testimonies.**

Court's Decision:

1. **Murder Charge - The argument that posting bail indicated only guilt for homicide was rejected. Evidence of strong guilt was sufficient for a murder charge. The determination for bail is separate from final judgment and doesn't predict trial outcomes.**
2. **Authority of the Judge - The judge who rendered the decision relied on the transcript of stenographic notes from the trial, ensuring that the decision was based on the records. The

physical absence of the judge who heard the case did not invalidate the decision as the findings were correctly supported by the evidence on record.**

3. **Opportunity for Testimony** - The court found that accused Francisco Hapa was given ample opportunity to testify. Multiple trial dates were set, with due notices given, but Francisco failed to appear in court, waiving his right to present evidence. The trial proceeded legitimately.**

4. **Credibility of Witnesses** - The court upheld the credibility of prosecution witnesses Delfina Gratil and Fidela Hermo. Minor inconsistencies did not undermine the overall truth of their testimonies. Delfina Gratil's detailed and consistent account was deemed credible. The testimonies were found consistent on material aspects of the incident.**

Doctrine:

- **Witness Credibility**: Minor inconsistencies in witness testimonies do not necessarily discredit their truthfulness; material points more significantly affect their credibility.
- **Judicial Authority**: A judge who was not present during trial hearings can still render a valid decision based on the official records and transcripts.
- **Due Process**: Being repeatedly absent, despite reasonable efforts by the court to reschedule, can amount to waiving the right to testify.
- **Conspiracy in Crime**: When multiple participants are involved in carrying out a crime with a unified criminal intent, all are equally culpable regardless of who inflicted the fatal act.

Class Notes:

- **Elements of Murder**: Under Article 248 of the Revised Penal Code, murder is characterized by qualifying circumstances such as treachery, evident premeditation, or cruelty. The penalty ranges from reclusion temporal to death.
- **Conspiracy**: Under Article 8 of the Revised Penal Code, conspiracy exists when two or more persons agree to commit a felony and act on it. Even if an individual did not commit the fatal act, they are culpable if a conspiracy is established.
- **Reclusion Perpetua**: Defined under Article 27 of the Revised Penal Code, this entails imprisonment for 20 years and 1 day to 40 years.

Historical Background:

This 1920 case elucidates legal principles about conspiracy, witness credibility, and judicial authority in the Philippines. Amidst the broader historical context of violent crime in rural

communities, it highlights the judiciary's efforts to ensure fair trial procedures despite logistical challenges, such as the rotation and absence of trial judges, and underlines the importance of reliable witness testimony in securing convictions for heinous crimes.