

### Title:

**People of the Philippines vs. Lino Alejandro y Pimentel, G.R. No. 226594, Supreme Court of the Philippines (2017)**

### Facts:

- Incident 1**: Lino Alejandro y Pimentel (accused-appellant) followed AAA (a 12-year-old minor), grabbed her, and brought her to the back of a school where he raped her by inserting his penis into her vagina.
- Incident 2**: Two months later, Alejandro entered AAA's house through a window, undressed both himself and AAA, and raped her again. He threatened to kill AAA if she disclosed the incidents.
- Disclosure**: AAA reported the incidents to her mother, BBB, who took her to the Municipal Health Office. Dr. CCC examined AAA and confirmed that the lacerations indicated sexual intercourse.
- Arraignment and Trial**: Alejandro was charged with two counts of rape under Article 266-A, paragraph 1(a) of the Revised Penal Code. He pleaded not guilty. During the trial, AAA testified to the occurrences of both rapes.
- Initial RTC Decision**: On July 26, 2011, the RTC initially acquitted Alejandro.
- Recall of Acquittal**: On the same day, the RTC recalled the acquittal, noting that AAA had testified, contradicting the initial verdict based on the prosecutor's manifestation of an error in the records.
- Subsequent RTC Decision**: The RTC then convicted Alejandro of two counts of rape.
- Appeal to CA**: Alejandro appealed to the CA, arguing double jeopardy. The CA dismissed the appeal and affirmed the RTC's conviction, modifying the damages awarded.

### Issues:

- Double Jeopardy**: Whether the RTC's recall of its initial judgment of acquittal violated the principle of double jeopardy.
- Validity of the Recall**: Whether the RTC's recall of the acquittal judgment on the same day constitutes a valid exercise of judicial power.
- Finality of Acquittal**: The final and unassailable nature of an RTC judgment that has been promulgated.

### Court's Decision:

- Double Jeopardy**: The Supreme Court (SC) ruled that the initial acquittal was final and unassailable, thus establishing that any recall and subsequent conviction violated Alejandro's protection against double jeopardy. Thus, the RTC's move to recall the judgment

of acquittal and subsequent conviction violated Alejandro's constitutional right against double jeopardy.

2. **Recall Invalidity**: The court maintained that a judgment of acquittal is immediately final and immutable upon promulgation and cannot be revised or recalled due to later acknowledgment of an oversight. Procedural slips, like the acknowledged misplacement of testimony or clerical errors in case files, do not grant the court authority to change or recall a decision once it has been duly promulgated.

3. **Exception to Double Jeopardy was Not Applicable**: The exceptions to double jeopardy were not applicable in this case as there was no deprivation of due process, nor was the trial deemed a mistrial caused by official negligence.

The SC reversed the CA's decision, acquitted Alejandro, and ordered his immediate release.

### ### Doctrine:

1. **Finality of Acquittal**: A judgment of acquittal in a criminal case is immediately final and unappealable. Once acquitted, retrials or reconsideration are generally barred to protect against double jeopardy except in exceptional cases involving deprivation of due process or mistrials.

2. **Double Jeopardy**: Protected under Section 7, Rule 117 of the 1985 and 2000 Rules on Criminal Procedure, emphasizing that once an acquittal is rendered, it is immutable.

### ### Class Notes:

1. **Double Jeopardy**:

- Article III, Section 21 of the 1987 Constitution provides that no person shall be twice put in jeopardy of punishment for the same offense.

- Elements:

- A sufficient and valid information

- A court of competent jurisdiction

- An arraignment with a plea

- A conviction, acquittal, or case dismissal without express consent

2. **Exceptions to Double Jeopardy**:

- Deprivation of due process

- Mistrial

- Grave abuse of discretion (though not applied in this case)

### ### Historical Background:

This case is emblematic of the judiciary's emphasis on the finality of judgments as an embodiment of justice and a vital safeguard against state overreach into personal liberties, specifically to prevent individuals from facing multiple prosecutions for the same offense. The case underscores how procedural diligence and accurate record-keeping are critical in the dispensation of justice. This ruling reiterates the historical context where protection against double jeopardy has been ingrained in the Philippine legal system through its constitution.