

### ### Title

**\*\*Dennis Oliver Castronuevo Luna v. People of the Philippines\*\***

### ### Facts

**\*\*September 23, 2005:\*\*** An Information was filed against Dennis Oliver Castronuevo Luna (Luna) for violation of Section 11, Article II of R.A. No. 9165 (Comprehensive Dangerous Drugs Act of 2002).

**\*\*July 10, 2005:\*\*** Police Superintendent Acierto received information about Peter Angeles and his group's involvement in drug trafficking. Surveillance was conducted, leading to a planned buy-bust operation.

**\*\*July 28, 2005 (2 PM):\*\*** "Sexy," a negotiator for Peter Angeles, called a confidential informant about delivering "shabu" to Kowloon House in Quezon City. Later, "Sexy" changed the delivery location to Hap Chan Restaurant and directed the undercover team to a silver-colored Toyota Revo.

**\*\*4:30 PM:\*\*** The buy-bust team, including SPO3 Parreño acting as a poseur-buyer, spotted the Revo. Luna, who was driving the Revo, instructed Parreño to retrieve a blue bag containing white crystalline substances suspected to be "shabu" and leave the payment.

**\*\*Arrest:\*\*** Following the exchange, the police arrested Luna, seized the substances confirmed to be "shabu," and Luna was subjected to various procedural checks.

During the trial, Luna denied knowledge of the drugs, stating he was merely a driver for a woman known as "Sexy" and that the car belonged to Susan Lagman.

### ### Procedural Posture

**\*\*RTC (September 14, 2015):\*\*** Luna was found guilty beyond reasonable doubt and sentenced to life imprisonment and a fine of PHP 1,000,000. Luna appealed to the CA.

**\*\*CA (January 5, 2017, and May 29, 2017):\*\*** The CA affirmed the RTC's decision. Luna then filed a Petition for Review on Certiorari under Rule 45 to the Supreme Court.

### ### Issues

- \*\*Whether the RTC and CA erred in convicting Luna of violating Section 11, Article II of R.A. No. 9165.\*\***
- \*\*Whether the prosecution failed to prove that Luna knowingly and intentionally possessed the illegal drugs.\*\***

3. **Whether the procedural lapses in handling and custody of the seized drugs affected the integrity and evidentiary value of the corpus delicti.**

### ### Court's Decision

#### #### **1. Knowledge and Intent in Possession of Drugs**

- The Supreme Court highlighted the necessity of proving *animus possidendi*—intent to possess illegal drugs.
- During the trial, it was established that Luna was a mere driver and had no knowledge of the drugs in Sexy's bag. The bag and its contents were not under Luna's effective control or dominion.
- Key admissions by SPO3 Parreño reinforced the lack of evidence supporting Luna's knowledge or intent to possess the drugs, contradicting the presumption of *animus possidendi* by mere possession.

#### #### **2. Integrity and Evidentiary Value of Seized Drugs**

- The Court scrutinized the adherence to the chain of custody rule in drug cases.
- It found substantial procedural lapses: the immediate inventory and marking of the drugs were not conducted at the place of seizure, and no required witnesses were present during the inventory, casting doubt on the integrity of the evidence.
- SPO3 Parreño's excuses for not following procedural mandates undermined the prosecution's case.

Based on these issues, the Supreme Court concluded that there was reasonable doubt regarding Luna's guilt. Thus, Luna was acquitted.

### ### Doctrine

1. **Animus Possidendi:** In cases of illegal drug possession, it must be proven that the accused knowingly, freely, consciously, and intentionally possessed the illegal drugs.
2. **Chain of Custody:** Compliance with the chain of custody rule under Section 21 of R.A. No. 9165 is mandatory unless justified under exceptional circumstances.

### ### Class Notes

1. **Elements of Illegal Possession of Dangerous Drugs:** Possession must be intentional and with full awareness.
2. **Section 21 of R.A. No. 9165:** The mandatory presence of representatives from the media, DOJ, and an elected official during drug seizure and inventory.
3. **Burden of Proof in Criminal Cases:** The prosecution must establish each element of

the crime beyond reasonable doubt and must account for any procedural lapses.

### ### Historical Background

The case emerged in the context of the Philippines' intensified war against illegal drugs, where law enforcement practices and adherence to procedural safeguards have been critically examined to prevent wrongful convictions and uphold human rights. This ruling reinforces strict adherence to legal procedures to safeguard rights against unlawful prosecution.