

****Title:**** Corazon Macapagal vs. People of the Philippines, G.R. No. 728 PHIL. 182 (2014)

****Facts:****

Corazon Macapagal was charged with the crime of estafa under Article 315 of the Revised Penal Code for allegedly misappropriating P800,000.00, the value of unreturned and unsold pieces of jewelry entrusted to her. The procedural history is as follows:

1. ****Initial Trial:**** The Regional Trial Court (RTC) of Manila, Branch 9, convicted Corazon Macapagal on November 25, 2008.
2. ****Motion for Reconsideration:**** Macapagal received the RTC decision on January 13, 2009, and filed a Motion for Reconsideration, which was denied on May 20, 2009.
3. ****Notice of Appeal:**** Macapagal filed a Notice of Appeal on August 3, 2009, which was denied on June 29, 2010, for being filed out of time.
4. ****Petition to the Supreme Court:**** Displeased, Macapagal filed a petition for review on certiorari under Rule 45 of the Rules of Court directly to the Supreme Court, seeking to overturn both her conviction and the denial of her notice of appeal.

****Issues:****

1. Did the RTC err in denying Macapagal's Notice of Appeal?
2. Was Macapagal's conviction for estafa valid?
3. Was the denial of the Motion for Reconsideration and/or New Trial proper?

****Court's Decision:****

The Supreme Court denied the petition for the following reasons:

1. ****Wrong Mode of Appeal:**** The Court determined that Macapagal used the incorrect procedural remedy to challenge the RTC's order denying her Notice of Appeal. According to the Revised Rules of Criminal Procedure, a petition for review on certiorari under Rule 45 is inappropriate to question such an order. Instead, a special civil action under Rule 65 should have been utilized.
2. ****Violation of Hierarchy of Courts:**** Even if the petition were considered under Rule 65, it would still be dismissible for bypassing the lower courts. The hierarchical structure of courts necessitates that applications for extraordinary writs generally be entertained by lower courts before reaching the Supreme Court.
3. ****Lack of Essential Attachments:**** The petitioner failed to attach duplicate originals or certified true copies of the pivotal documents: the decision convicting her of estafa, and the

order denying her motion for reconsideration. This deficiency in the submission of essential documents warranted dismissal.

4. **Repeated Disregard of Court Orders:** The Supreme Court noted the petitioner's repeated failure to comply with procedural requirements and court orders, including requirements specified in the Resolution dated September 15, 2010, and subsequent resolutions for further compliance.

Doctrine:

1. **Proper Mode of Appeal:** The correct mode of elevating an order denying a notice of appeal is through a special civil action under Rule 65, rather than a petition for review on certiorari under Rule 45.
2. **Hierarchy of Courts:** Direct resort to the Supreme Court can only be allowed for compelling reasons.
3. **Submission of Essential Documents:** The submission of a certified true copy or duplicate original of the judgment or order appealed from is critical and its absence is ground for dismissal.

Class Notes:

Elements of Estafa under Article 315:

1. **Deceit or abuse of confidence:** Misappropriation or conversion of personal property received in trust.
2. **Prejudice:** The misappropriation caused loss or damage.
3. **Receipt of Property:** Initial lawful possession of the property.

Rules of Procedure:

1. **Proper Mode of Appeal:** Use Rule 65 for special civil actions and Rule 45 for direct appeals.
2. **Hierarchy of Courts:** Respect the appellate structure, starting from lower courts to the Supreme Court.
3. **Compliance with Orders:** Courts require strict compliance with procedural rules, including timely filing and proper documentation.

Historical Background:

The procedural safeguards and rules emphasized in this case reflect the Philippine judiciary's ongoing efforts to enhance the efficiency and effectiveness of the judicial process by discouraging frivolous or improperly filed petitions and reinforcing the imperative of

adhering to procedural rules and the hierarchy of courts.