

Title: In re: The Writ of Habeas Corpus for Michael Labrador Abellana

Facts:

1. **Initial Charge and Arrest:**

- Michael Labrador Abellana (Petitioner) was charged at Branch 13, RTC Cebu City for violation of Sections 11 and 12, Article II of R.A. 9165 (Comprehensive Dangerous Drugs Act).
- On May 26, 2008, during a police search led by P/Supt. Labra at his residence in Bgy. Suba, Cebu City, shabu and related paraphernalia were found. Petitioner was charged under criminal information CBU-77150 and CBU-77151 for possession of shabu and paraphernalia.

2. **Pleadings and Motions Filed:**

- Petitioner pled not guilty.
- Filed a Motion to Quash Search Warrant (denied on September 15, 2006).
- Filed a Motion for Physical Re-examination and Re-weighing of Evidence (granted, revealing lesser weight of shabu).
- Filed a Petition for Bail (granted, leading to his temporary release).

3. **Trial Proceedings:**

- Represented by Atty. Dario Rama, Jr. initially.
- Filed a demurrer to evidence (denied).
- Atty. Raul Albura entered appearance on December 3, 2008.
- Case submitted for decision on April 30, 2009, due to failure to present defense evidence.
- Filed an Urgent Motion to Defer Promulgation of Judgment (denied).

4. **Conviction and Post-Conviction Motions:**

- Convicted on July 29, 2009, with various sentences for both charges.
- Filed a Motion for New Trial or Reconsideration (denied, arrest warrant issued).
- Petition for Relief from Judgment filed (denied as improper remedy and untimely).

5. **Court of Appeals:**

- CA dismissed the certiorari petition affirming RTC's decisions on procedural grounds.

6. **Petition for Habeas Corpus:**

- Filed on June 20, 2017, claiming deprivation of constitutional rights to due process and competent counsel.

****Issues:****

1. ****Whether there was a deprivation of Constitutional rights sufficient to warrant the writ of habeas corpus.****
2. ****Whether the petitioner was denied due process during the RTC proceedings.****
3. ****Whether petitioner was denied his right to competent counsel.****

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

1. ****Habeas Corpus Petition:****

- Determined not applicable as petitioner's detention stemmed from a judicially rendered decision.
- Writ may only be availed under exceptional circumstances which petitioner failed to meet.

2. ****Right to Due Process:****

- Court ruled petitioner was given multiple opportunities to be heard but failed to attend crucial hearings by choice or due negligence.
- The hearing on April 30, 2009 was procedurally appropriate and notice was established through various channels including counsel and bondsman.

3. ****Right to Competent Counsel:****

- Even assuming counsel's negligence, petitioner did not demonstrate the grossly negligent conduct sufficient to nullify proceedings.
- Petitioner himself was partly negligent for not attending and monitoring case developments.

****Doctrine:****

- ****Habeas Corpus Post-Conviction Remedy:**** The writ is only applicable under exceptional circumstances like violations resulting in void proceedings—deprivation of constitutional rights, lack of jurisdiction, or excessive penalty.
- ****Due Process in Judicial Proceedings:**** Opportunity to be heard equals due process—actual participation is not mandatory if opportunities exist and are ignored.
- ****Competent Counsel Rule:**** Clients are generally bound by their counsel's actions unless there is gross negligence accompanied by client's due diligence, both of which were missing here.

****Class Notes:****

1. **Habeas Corpus:** Remedy for illegal detention unless stemming from valid court proceedings.
2. **Due Process:** Procedural fairness equated to opportunities, not necessarily actual participation.
3. **Competent Counsel:** Client responsibility alongside counsel. No resetting cases based solely on the counsel's procedural lapses without client vigilance.

Historical Background:

- Context of R.A. 9165 enforcement showing tougher stances on drug-related offenses.
- Emphasizes judiciary's role in balancing rigorous law enforcement with safeguarding procedural rights.