

**Title:** Celso Pablo y Guimbuayan vs. People of the Philippines, G.R. No. 224679

**Facts:**

- **November 2, 2012:** Traffic rerouting due to All Soul's Day; road near Loyola Memorial Park in Marikina City closed.
- **6:40 PM:** TE George Barrios and TE Rolando Belmonte (CTMDO Traffic Enforcers) in uniform flag down Pablo's taxi for entering a closed road. Pablo refuses to hand over his driver's license, instead drawing and pointing a .45 caliber pistol at the enforcers.
- **December 6, 2012:** Two Informations filed against Pablo:
  - **Criminal Case No. 12-61941:** Direct Assault under Art. 148 of the RPC.
  - **Criminal Case No. 12-61942:** Violation of Sec. 9(c) of Marikina Ordinance No. 133.
- **January 3, 2013:** Warrant of arrest issued, later lifted after Pablo's release on recognizance.
- **March 21, 2013:** Pre-trial and joint trial commenced.
- **Prosecution:** TE Barrios testifies on the events, including Pablo's defiance and use of firearm.
- **Defense:** Pablo denies seeing "No Entry" sign, asserts he was merely asking for directions, claims self-defense, and alleges theft by enforcers.
- **August 5, 2015:** MeTC finds Pablo guilty of Resistance and Serious Disobedience under Art. 151, but not of Direct Assault; acquits him of the violation of city ordinance.
- **February 28, 2016:** RTC reverses MeTC decision, convicts Pablo of Direct Assault under Art. 148, imposes prison term and fine.
- **January 31, 2017:** CA affirms RTC's decision upon appeal.

**Issues:**

1. Did the prosecution prove all elements of Direct Assault under Art. 148 beyond reasonable doubt?
2. Was Pablo's defense of denial sufficient to acquit him?

**Court's Decision:**

- **Element of Authority:**
  - TE Barrios and TE Belmonte, as traffic enforcers, deemed agents of persons in authority per Art. 152 of the RPC, responsible for public order and traffic enforcement by direct provision of law.
- **Performance of Duties:**
  - Both enforcers were in uniform, executing their duties under the law at the time of the incident.

- **Nature of the Offense:**

- Pablo's act of pointing a gun while uttering threatening words constituted serious intimidation.

- The force used (aiming a gun) was sufficient to qualify as Direct Assault under Art. 148.

- **Denial of Defense:**

- Court found Pablo's denial insufficient against the weight of the prosecution's evidence.

**Doctrine:**

- **Direct Assault Elements:**

- Attack, force, serious intimidation or resistance.

- Victim is a person in authority or their agent.

- Assault occurs while engaging in or due to past official duty performance.

- Offender knows the victim's authority/agent status.

- No public uprising.

- **Agent of Authority Definition (Art. 152):**

- Traffic enforcers are agents of authority by reason of their duties.

**Class Notes:**

- **Direct Assault:** Defined in Art. 148, elements clarified in *Mallari v. People*.

- **Agent of Authority:** Per Art. 152, traffic enforcers classify due to public order duties.

- **Pablo's Conviction:** Emphasized the seriousness of intimidation by firearm constitutes Direct Assault.

- **Key Statutes:**

- Art. 148 and 151, RPC: Differentiation between serious force (Direct Assault) and lesser disobedience.

- BP Blg. 873: Amendment defining agents of persons in authority.

**Historical Background:**

This case arose in the context of strict law enforcement and public order in urban areas. Traffic rerouting in Marikina during a significant local event led to an incident testing legal boundaries of authority resistance. The decision underscores the judiciary's emphasis on maintaining respect for law enforcement agents and stringent consequences for serious resistance.