

****Title:**** Cunanan v. Arceo and Sunga, G.R. No. 116405 (1995)

****Facts:****

1. On April 5, 1991, an Information was filed against Ferdinand Cunanan, accusing him of murder. The case was lodged in Branch 46 of the Regional Trial Court (RTC) of San Fernando, Pampanga, presided over by Judge Norberto Ponce.
2. The Information stated that Cunanan was a member of the Philippine National Police but did not indicate that the alleged crime was committed in relation to his office.
3. Cunanan pled not guilty at arraignment, and trial proceeded, culminating in the submission of evidence and memoranda. The case was submitted for decision on November 4, 1993.
4. On March 11, 1994, the Supreme Court decided on *Republic v. Asuncion*, establishing that the Sandiganbayan has exclusive jurisdiction over crimes by public officers related to their duties with penalties exceeding six years of imprisonment.
5. Applying the *Asuncion* doctrine, Judge Hermin Arceo from Branch 43 conducted a hearing to determine whether Cunanan committed the offense in relation to his public office.
6. On April 21, 1994, Judge Arceo concluded that Cunanan committed the murder while performing his police duties, and thus forwarded the case to the Sandiganbayan, modifying his original order on May 23, 1994.
7. The case was subsequently assigned to Judge Pedro Sunga of Branch 42, who denied Cunanan's opposition regarding the case's transfer to the Sandiganbayan on August 18, 1994.
8. Cunanan filed a petition for certiorari with the Supreme Court, asserting that the RTC originally had jurisdiction based on the information and claimed double jeopardy from transfer at this stage of the proceedings.

****Issues:****

1. Did the RTC judges commit grave abuse of discretion in applying the *Asuncion* doctrine leading to the transfer of the case to the Sandiganbayan?
2. Was the jurisdiction of the RTC over Cunanan's case established at filing, and should that jurisdiction persist despite the absence of an averment connecting the crime to his public office?
3. Does transferring the case to the Sandiganbayan result in a situation of double jeopardy for Cunanan?

Court's Decision:

- Jurisdiction Over Transfer to Sandiganbayan:** The Supreme Court dismissed Cunanan's petition, affirming the RTC judges' orders. The Court clarified that jurisdiction rests with the Sandiganbayan if the crime is committed in relation to an official duty and carries a penalty exceeding six years. Here, jurisdiction lies with the Sandiganbayan due to the linkage established between Cunanan's police duties and the alleged offense.
- Jurisdiction and Information:** The initial lack of averment in the information didn't preclude the RTC from determining the absence of jurisdiction through subsequent hearings. Legal provisions permit such jurisdictional determination post-information filing.
- Double Jeopardy:** The Supreme Court ruled that double jeopardy was inapplicable as the RTC lacked jurisdiction in the first place; thus, any trial there didn't expose Cunanan to legal jeopardy. Consequently, proceedings in the Sandiganbayan do not amount to double jeopardy.

Doctrine:

The Court reiterated the principle from *Republic v. Asuncion* that for crimes committed by public officers linked to their duties, the Sandiganbayan holds original jurisdiction, notwithstanding whether the information initially states the offense as related to the office. Furthermore, it clarified that for double jeopardy to attach, initial proceedings must occur in a competent court with jurisdiction.

Class Notes:

- Jurisdiction:** The jurisdiction of a court over a crime involving a public officer is determined by whether the crime is related to official duties and exceeds a six-year penalty (Republic Act No. 1606 as amended).
- Double Jeopardy:** This defense requires an initial proceeding in a court of competent jurisdiction; thus, it does not apply if the initial court lacked jurisdiction.
- Amendment of Information:** Information can be amended post-filing to correct jurisdictional deficiencies without impacting the case's nature or the defendant's rights.

Historical Background:

The case is set against the backdrop of evolving jurisprudence concerning the Sandiganbayan's jurisdiction over criminal acts by public officials. It underscores a period of

rigorous legal interpretation following the landmark Asuncion case, which sought clarity on jurisdictional issues vis-à-vis public duties and related statutory penalties, fostering judicious governance.