

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. RODRIGO MENDOZA Y CARAS, DEFENDANT-APPELLANT.

G.R. No. L-32944. December 14, 1981

Ponente: ABAD SANTOS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/01ce68863b3c/>

ABAD SANTOS, J.:

This is an automatic review of a death sentence imposed on RODRIGO MENDOZA.

In an Amended Information filed on November 17, 1970 in the Criminal Circuit Court at Pasig, Rizal, presided by then Judge Onofre A. Villaluz, CESAR CAÑEGA Y NARIDO, RODRIGO MENDOZA Y CARAS and a JOHN DOE were accused of the Crime of Robbery with Homicide said to have been committed as follows:

"That on or about the 18th day of August, 1970, in Pasay City, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, conspiring and confederating together and mutually helping one another, with intent of gain and against the will of the owner thereof, by means of violence and intimidation, did then and there wilfully, unlaw-fully and feloniously take, rob and carry away from one Tito Narvasa, some suiting materials valued at P200.00, to the damage and prejudice of the said owner in the said amount of P200.00; that in the course of or by reason of said robbery the said accused pursuant to the said conspiracy, with evident premeditation and treachery, and with abuse of superior strength, did then and there willfully, unlawfully and feloniously attack, assault and stab with sharp pointed instrument (ice-pick type) one Tito Narvasa thereby causing directly his death. "

When Rodrigo Mendoza was arraigned on November 18, 1970, he pleaded NOT GUILTY. However, during the continuation of the trial on November 25, 1970, the following took place:

"ATTY. GALVAN: [Counsel de oficio]

Your Honor please, after a lengthy conference with the accused in connection with the of-fense charged against him, he is withdrawing now his former plea of not guilty to the of-fense charge and to be substituted with a plea of guilty.

COURT:

Apprise the accused.

ATTY. AGUSTIN: [Deputy Clerk of Court] (to the accused)

Q Do you confirm the manifestation of your lawyer that you are withdrawing your former plea of not guilty to that of guilty?

A Yes, sir.

Q Are you aware that by withdrawing your plea of not guilty to that of guilty, you will be punished by death, that there is no other penalty except death?

A Yes, sir.

Q And notwithstanding that fact, you insist on pleading guilty?

A Yes, sir.

ATTY. AGUSTIN:

Guilty Your Honor.

(At this juncture, the Court promulgated its sentence to the accused)."

In this Court, the appellant's counsel de oficio, former Justice Francisco R. Capistrano assigned two errors against the trial judge but only one of them is necessary for the disposition of the appeal and it is the allegation that:

"THE LOWER COURT ERRED IN NOT REQUIRING THE PRESENTATION OF EVIDENCE IN SUPPORT OF THE ALLEGATIONS OF THE INFORMATION TO RE-MOVE ALL REASONABLE DOUBT THAT THE AC-CUSED ENTERED HIS PLEA OF 'GUILTY' IMPRO-VIDENTLY OR WITHOUT CLEAR AND PRECISE UNDERSTANDING OF ITS MEANING AND EFFECT."

Former Justice Felix Q. Antonio who was then Solicitor General said in the People's brief: "We are constrained to agree with appellant on this score." And elaborated as follows:

"From the decision of the trial court, it appears that on November 18, 1970, accused, duly assisted by counsel de oficio, Atty. Ruben Lacre, pleaded not guilty of the crime charged. On November 25, 1970, accused assisted this time by another counsel de oficio, Atty. Jose O. Galvan, withdrew his former plea of 'not guilty' and entered instead a plea of guilty. The court then asked the accused if he was confirming the manifestation of his counsel de oficio that accused was withdrawing his former plea of 'not guilty' and entering a plea of guilty (p. 6, rec.). Accused was then apprised that there can be no other penalty than death as a consequence of his plea of guilty and asked if he was insisting on his change of plea. He was not, however, apprised of the meaning and nature of the aforementioned aggravating circumstances (p. 6, rec.).

"It is the essence of the plea of guilty in criminal trial that the accused admits his guilt freely, voluntarily and with full knowledge of the consequences and meaning of his act, and with a clear understanding of the precise nature of the crime charged in the complaint or information (U. S. vs. Jamad, 37 Phil., 305). The record in this case, however, does not disclose that the accused Rodrigo Mendoza y Caras had a clear understanding of the technical terms 'with evident premeditation', 'treachery', and "with abuse of superior strength" alleged in the information.

"It is of common knowledge that laymen do not know the true meaning and nature of the aforementioned aggravating circumstances for even members of the bar will differ in opinion, in a given set of circumstances, as to whether the aforementioned aggravating circumstances are present or not in a given case. So in all probability, herein accused might have entered his plea of 'guilty' improvidently, or without a clear idea and precise understanding of its meaning and effect, especially considering that accused was represented merely by counsel de oficio.

"As stated by this Honorable Court in case of People vs. Gungab (64 Phil., 779, 782-783).

'. . . It is true that the aggravating circumstances in question are alleged in the information but, judging from the testimony of the accused, the latter must not have understood the true extent of his plea of guilty in the sense that he admitted not only having hacked his wife with a bolo but also having done so with premeditation and treachery. Taking into consideration the ignorance of the accused, it is neither just nor reasonable to assume that he had understood the allegation that 'the aggravating circumstances of treachery and premeditation were present in the commission of the crime', inasmuch as 'treachery' and 'pre-meditation' are highly technical terms the juridical meaning of which is beyond the understanding not of the illiterates alone but even of those who, being educated, are not lawyers. Under the circumstances of the present case, this court cannot, without being unjust,

hold that the accused- appellant in pleading guilty upon arraignment admitted not only having killed his wife but also having done so with premeditation and treachery.'

Likewise, in *People vs. Bulalake* (106 Phil., 767, 770-771), this Honorable Court stated:

' . . . while it appears that the accused, with the assistance of his counsel de oficio, pleaded guilty to the information, voluntarily and spontaneously, the records do not disclose that its contents enumerating several aggravating circumstances, were read and translated or clearly explained to him. Neither does it appear that he fully and completely understood the precise nature of the charges preferred against him and the consequences of his plea. No inquiry whatsoever was made by the trial judge in this respect notwithstanding the fact that the accused was assisted only by an attorney de oficio whose appointment by the court for this purpose might have been extended only on the date of the arraignment. . . . '

And in *U.S. vs. Agcaoili* (31 Phil., 91, 92), this Honorable Court likewise said:

'We are inclined to think that while he un-doubtedly intended on that occasion, as also when he entered his plea of guilty, to confess and ad-mit that he took the lives of the persons mentioned in the information, he did not intend to admit that he committed the offense with the aggravating cir-cumstances mentioned therein. . . . '

To the same effect is *People vs. Salacito*, (L-29209, Aug. 25, 1969, 29 SCRA. 61, 69) where Chief Justice Roberto Concepcion, speaking for the Supreme Court, ruled:

'Under the circumstances, we are inclined to agree with Atty. Bargas -- whose earnestness and sense of responsibility as counsel de oficio and as an officer of the Court should be complimented and deserve emulation - that there is no reasonable certainty that, in pleading guilty to the charge against him, the defendant did not in-tend to admit merely that he had killed the offended party, overlooking the qualifying and aggravating circumstances alleged in the information or, at least, without a fair notion of the implications thereof. '

So also in *People vs. Epifanio Flores*, G.R. L-32692, pro-mulgated July 30, 1971 this Honorable Court after pointing out that 'the term 'nocturnity' and 'superior strength' have each a legal significance not ordinarily understandable to a common man unless explained to him' admonished:

'The norm that should be followed where a plea of guilty is entered by the defendant, especially in cases where the capital penalty may be imposed, is that the court should be sure that defendant fully understood the nature of the charges pre-ferred against him and the character of the punishment provided by law before it is imposed. While there is no law requiring it, yet where the penalty may be death, it is advisable for the court to call witnesses for the purpose of establishing the guilt and the degree of culpability of the defendant (*People vs. Virgilio Solacito*, G. R. No. L-29209, August 25, 1969, Citing *U.S. vs. Talbanos*, 6 Phil., 541; *U. S. vs. Rota*, 9 Phil., 426; *U. S. vs. Agcaoili*, 31 Phil., 91). The latest decision on this point is in the case of *People vs. Remegio Estebia*, G.R. No. L-26868, July 31, 1971, where this Court, speaking through Mr. Justice Enrique Fernando, stated: 'inasmuch as judgments of conviction imposing the extreme penalty of death are subject to review by the Supreme Court as law and justice shall dictate, whether the defendant appeals or not, which automatic review neither the Court nor the accused could waive or evade, it would seem that the proper and prudent course to follow where the accused enters a plea of guilty to capital offenses especially where he is an ignorant per-son with little or no education, is to take testimony not only to satisfy the trial judge but to aid the Supreme Court in determining whether accused really and truly understood and com-prehended the meaning, full significance and consequences of his plea.'

"In the light of the foregoing, it is believed that the accused's plea of guilty was made improvidently."

WHEREFORE, as prayed for by both the appellant and the appellee, this case is hereby remanded to the court a quo for further proceedings with the expectation that the new judge thereof will be more punctilious in obeying

the elementary safeguards which the law has erected to protect the rights of persons who face deprivation of life, liberty or property. No costs.

SO ORDERED.

Fernando, C.J., Teehankee, Barredo, Makasiar, Aquino, Concepcion, Jr., Fernandez, Guerrero, De Castro, Melencio-Herrera, Ericta, Plana, and Escolin, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.