

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS.
NICANOR ACOSTA Y PALA ALIAS MATA, ET AL., DEFENDANTS,
NICANOR ACOSTA Y PALA ALIAS MATA, DEFENDANT AND
APPELLANT.**

G.R. No. L-7449. March 23, 1956

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PER CURIAM:

This case has been elevated to this Court as prescribed by the Rules so that we may review the sentence of death passed upon the accused Nicanor Acosta y Pala by the Court of First Instance of Manila.

It appears that the said accused was, together with four others, charged in the court below with the crime of robbery with homicide, committed, according to the information, as follows:

"That on or about the 21st day of, October, 1953, in the City of Manila, Philippines, the said accused, conspiring and confederating together and helping- one another, did then and there wilfully, unlawfully and feloniously, with ah."use of superior strength, the use of' motor vehicle, and by means of violence against or intimidation of persons, to wit: by treacherously shooting one Olimpia Francisco de Guzman Santos six times with a firearm, take steal and carry away, with intent of gain and against the consent of the owner thereof, a handbag containing the sum of P10,000 in cash belonging to the said Olimpia Francisco de Guzman to. her damage and prejudice in the said sum of P10,000, Philippine currency and thereby inflicting upon her multiple (6) gunshot wounds lacerating the heart, inferior vena cava, lung and kidney, which injuries were the direct and natural cause of her death of a few moments thereafter;"

the information further alleging—

"That the accused Nicanor Acosta y Pala alias Mata is a habitual delinquent, having been previously convicted by final judgment of competent courts as follows-:

B-58172 Theft 1 mo. & 1 day 2-14-52 4-16-52

B-77275 Estafa 1 mo. & 1 day 6-30-50 7-31-50

Upon arraignment, the accused pleaded not guilty. But when the case came up for trial about a month later, he withdrew his plea of not guilty and, upon the information being read to him, entered, that of guilty. After satisfying itself that the accused, who was. then represented by counsel, was aware of the consequences of his plea, the court pronounced its judgment, declaring him guilty as charged and, in view of the aggravating circumstances alleged in the information with only the plea of guilty to mitigate the offense, sentencing him to death.

The attorney de oficio recommends that.the sentence be set aside and the case remanded to the court below for a new trial, contending that it "Was error to "mete out so grave a penalty, on a mere plea of guilty, without first fully explaining to the accused the consequences of such plea in view of the aggravating circumstances alleged in the information.

This Court has already declared that the essence of the plea of guilty in a criminal trial is that the accused, on arraignment, 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 information; that when formally entered, such a plea is sufficient to sustain a conviction of any offense charged in the information, even a capital offense, without the introduction of further evidence, the defendant having himself supplied the necessary proof; and that while it may be prudent and advisable in some cases, especially where grave crimes are charged, to take additional evidence as to the guilt of the accused and the circumstances attendant upon the commission of the crime nevertheless it lies, in the sound discretion of the court whether to take evidence or not in any case where it is satisfied that the plea of guilty has been entered by the accused with full knowledge of the meaning and consequences of his act. U. S. vs. Jamad, 37 Phil., 305; U. S. vs. Burlado, 42 Phil., 72; People vs. Sta. Rosa, 88 Phil., 487; People vs. Sabilul, 89 Phil., 283.)

In the present case, the decision below states:

"Asked by the Court whether he is fully aware of the consequences of his voluntary plea of guilty in view of the aggravating circumstances alleged in the information namely, abuse of superior strength, use of motor vehicle, treachery, and habitual delinquency, the accused maintained his plea of guilty.

It thus appears that, before passing sentence, the court must satisfy itself that the accused "was well aware of the consequences of his plea of guilty, the full import of which, in view of the aggravating circumstances alleged, must have been brought home to him by his lawyer, who must then with him and must be supposed to have duly performed his duty as such. Undoubtedly aware that there were no mitigating circumstances—for he made no offer to prove any—counsel must have figured that defendant's only chance to obtain leniency was for him to attenuate his liability with a frank admission of guilt and throw himself upon the mercy of the court. In the circumstances, the trial court was not bound to take evidence since the plea of guilty, which was advisedly entered, already supplied the necessary proof.

In the case of People vs. Palupe, 69 Phil., 703, this Court, in affirming a conviction for murder on a plea of guilty, said

"Cuando el Juzgado no requirió la presentación de pruebas adicionales, fue indudablemente porque no hubo el menor asomo de duda de que el acusado, o sea el apelante, conocía los verdaderos hechos y la naturaleza de su delito, siendo por dicha razón innecesario dicho trámite; y nadie mejor que el Juzgado podía determinar si había tal necesidad o no porque tenía ante sí al apelante que por cierto no estaba solo, sino acompañado y asistido debidamente de su abogado defensor a quien se supone naturalmente que le asesoró con absoluta fidelidad y aprobó el paso que iba a dar confesando culpablemente porque era lo mejor que podía hacer para merecer la menor pena posible. Además, el apelante no pidió en ningún momento antes de perfeccionar la apelación, que se permitiera presentar pruebas para estafecer alguna defensa, no obstante haber hecho una confesión. Bin resetvas de ningún género."

The above pronouncement fits in to the case now before us. And it clearly appearing that the trial court accepted the plea of guilty only after satisfying itself that the accused was aware of its consequences in view of the aggravating circumstances alleged, we find no need for ordering a new trial, especially because no offer has been made to prove any defense or any circumstance that might mitigate criminal liability.

The sentence imposed below being in accordance with law, the same is hereby affirmed, with costs.

Parás, C. J., Bengzon, Padilla, Montemayor, Reyes, A., Bautista Angelo, Labrador, Concepcion, Reyes, J. B. L., and Endencia, JJ. concur.

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