

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. DOLORES LORENZO Y CORSINO, ACCUSED-APPELLANT.

G.R. No. 110107. January 26, 1995

Ponente: DAVIDE, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-110107/>

DAVIDE, JR., J.:

For having allegedly killed her husband on 30 July 1990, accused-appellant Dolores Lorenzo y Corsino, a policewoman, was charged with the crime of parricide in an information [1] filed with the Regional Trial Court (RTC), Tuguegarao, Cagayan, on 30 March 1992. The information was docketed as Criminal Case No. 2060-92-TUG and raffled to Branch 5. The accusatory portion thereof reads as follows:

"That on or about July 30, 1990, in the Municipality of Tuguegarao, Province of Cagayan, and within the jurisdiction of this Honorable Court, the said accused, PO1 Dolores C. Lorenzo, armed with a bolo and a fan knife, with intent to kill, with evident premeditation and with treachery did then and there wilfully, unlawfully and feloniously attack, assault, stab, hack and chop one, Agapito Lorenzo, her own husband, inflicting upon him several injuries on the different parts of his body which caused his death.

That in the commission of the offense, the aggravating circumstance of cruelty was present."

After due trial, the trial court promulgated on 24 February 1993 [2] its judgment finding the appellant guilty of the crime of parricide and sentencing her to suffer the penalty of reclusion perpetua and to pay the heirs of the victim P50,000.00.

At the trial, the prosecution presented barangay captain Isabelo Liban and SPO1 Jose Eclipse as its witnesses. The defense presented the appellant herself and Romeo Racheta. The versions of both the prosecution and the defense are summarized by the trial court as follows:

"The prosecution's evidence tells the following story:

Agapito Lorenzo and accused Dolores Lorenzo were spouses residing in Looban, Barangay 12, Balzain, Tuguegarao, Cagayan. Among their neighbors are Barangay Captain Isabelo Liban, Romeo Racheta and Robert Santos.

In the evening of July 30, 1990, SPO1 Jose Eclipse of the Tuguegarao PNP Station was in Balzain, Tuguegarao, Cagayan because that was his post for the night. At about a little past 10:00 o'clock that evening, a tricycle driver went to Policeman Eclipse and reported to him a stabbing incident in said Barangay 12.

Policeman Eclipse rushed to the reported crime scene. On his way, he met PO1 Dolores Lorenzo, a policewoman of his own Station who immediately surrendered to him a blood-stained bolo and a fan knife and told him, 'I killed my husband'.

The two proceeded to where the victim was. In front of the store of Barangay Captain Isabelo Liban, Policeman Eclipse saw Agapito sprawled on the ground with blood all over his body.

Policeman Eclipse called for Barangay Captain Liban to come out of his house. In the presence and within the hearing of said barangay official, Policewoman Lorenzo again said, 'I'm surrendering because I killed my husband'.

Policeman Eclipse ordered somebody to get a tricycle to bring the lifeless body of Agapito Lorenzo to a funeral parlor while he and Policewoman Lorenzo went to the Tuguegarao PNP Station. Policeman Eclipse turned over Policewoman Lorenzo together with the bolo and knife to the Desk Officer, SPO3 Urbano Aquino. Eclipse then orally made his report to the Desk Officer which was noted down in the Police Blotter.

The defense painted another picture of the incident. It's theory is that it was not Policewoman Lorenzo but a certain Robert Santos who killed Agapito. Here is defense's version of the incident.

In the afternoon of July 30, 1990, Agapito Lorenzo and his neighbor Robert Santos were in the former's house passing the time over a bottle of beer grande. When Policewoman Lorenzo arrived home from work, Agapito, in the presence of Robert Santos, met her with the following intemperate questions: 'Your mother's cunt, why do you arrive only now? Where did you come from?' To avoid further scandal, Policewoman Lorenzo just kept quiet, went to change her clothes and proceeded to the kitchen to prepare supper. Finding nothing to cook, she asked permission from her husband to go to market.

Policewoman Lorenzo went to market and then immediately went back home to cook what she bought. While cooking in the kitchen, she heard a heated exchange of words between Robert Santos and her husband in the sala of their house pertaining to some bullets and a hand grenade which the latter gave Robert Santos.

Policewoman Lorenzo went to the sala to pacify the quarreling men only to meet Robert Santos running out of the house with a bolo and being chased by Agapito Lorenzo who was holding a knife in his hand and whose clothes were splattered with blood. When Agapito overtook Robert, a struggle for the possession of the bolo ensued between the two men.

While wrestling, Agapito dropped his knife. Policewoman Lorenzo picked it up and tried to stab Robert with it but she was so overwhelmed by nervousness that she collapsed into unconsciousness. Seconds later on, she regained consciousness and found herself beside her dying husband.

Policewoman Lorenzo stood and picked up the knife and bolo. It was at this precise time when Policeman Eclipse arrived at the scene of the incident.

Policewoman Lorenzo gave the knife and bolo to Policeman Eclipse. The policeman invited her to go with him to the Tuguegarao PNP Station. She obliged. When the two arrived at the police station, Policeman Eclipse, in the presence of Policewoman Lorenzo, reported to the Desk Officer that the latter killed her husband. Since the policewoman had not yet fully recovered her composure, she did not say anything." [3]

The trial court gave full faith and credit to the testimonies of the prosecution witnesses. It found nothing on record which showed that their impartiality had been vitiated or compromised or that they had any motive to falsely impute upon the appellant the commission of the crime. It further declared that when the appellant surrendered the knife and bolo to SPO1 Eclipse and volunteered the information that she killed her husband, she made an extrajudicial confession and nothing more was needed to prove her culpability. [4] The trial court held that the confession was admissible for it was not made in violation of paragraph 1, Section 12, Article III of the Constitution. [5] The appellant was neither under police custody nor under investigation in connection with the killing of her husband.

The trial court rejected the story of the defense and characterized it as "palpably a put-up scenario....[A] story

which runs against the grain of ordinary reality, controverts logic and assails common sense.” [6]

"First, accused Policewoman Lorenzo testified that it is not true that she confessed to Policeman Eclipse in the presence of Barangay Captain Liban that she killed her husband. If her denial is true, why did she not correct or even protest when Policeman Eclipse reported to the Desk Officer that she confessed having killed her husband? Why did she not even try to correct the entry in the police blotter containing said inculpatory report? On the contrary, by some inexplicable quirk, she even let the cat out when she presented in evidence Exhibit "1".

Second, accused put forth the theory of her defense: it was not she but Robert Santos who did her husband in. This theory is shot. If this is true, why did she not tell it to Policeman Eclipse and Barangay Captain Liban at the scene of the crime? Why did she withhold such a very vital information when she was brought to the Tuguegarao PNP Station shortly after the incident? But the biggest 'why' is: Why did not the accused, wife of the slain man and policewoman at that, file a criminal case against Robert Santos?

The accused's explanation was: she was still uncomposed when she turned over the knife and bolo to Policeman Eclipse and even when she was in the police station. She did not also file a case against Robert Santos because she found herself the suspect and later on the accused.

These reasons do not cut ice. They are for the birds. No one with an ordinary intelligence would buy such reasons.

Third, the accused never filed a counter-affidavit during the preliminary investigation of this case. Not that a counter-affidavit is obligatory but that it afforded the accused the best opportunity to explain her innocence and to identify the 'real killer' of her husband. Why did she not grab this chance -- -as normal people in the same situation -- would have done?

Fourth, accused version is simply implausible. According to Policewoman Lorenzo, when she saw her husband Agapito chasing Robert out of the house, Agapito's clothes were already bloodied. Since there is no proof at all that Robert ever sustained any wound, the implication is that Agapito was already hacked and stabbed by Robert inside the former's house.

It is therefore, difficult to believe that Agapito who already sustained several wounds could chase Robert — and even harder to imagine that he wrestled with Robert for the possession of the latter's bolo. But why, it may be asked, should Agapito still try to divest Robert of his bolo when he (Agapito) was holding a knife which he could have easily used against the latter during the alleged clinching between the two?

Finally, it is very unnatural for 'assailant' Robert to have left his bolo before running away from the scene of the crime. This is a concoction to provide an explanation for the possession of the accused of a knife and a bolo.

Fifth, the version of accused and her witness Romeo Racheta are even at variance at a very vital point. Thus, Policewoman Lorenzo said that when Agapito was able to overtake Robert in front of the store of Barangay Captain Liban, the two struggled for the possession of the bolo of Robert. Witness Racheta however said that when Agapito chased Robert, he caught up with him when he was already cornered. When Robert could no longer run anywhere else, he turned around, faced Agapito and hacked and stabbed him many times. Such inconsistency in the version of the two defense witnesses cannot but heighten one's conviction that the defense theory is a conjured one." [7]

The appellant appealed from the judgment to this Court and in her brief [8] contends that the trial court erred in:

I. ... GIVING CREDENCE TO THE TESTIMONIES OF PROSECUTION WITNESSES ISABELO LIBAN AND SPO1 JOSE ECLIPSE.

II. ... NOT HOLDING THAT THE GUILT OF THE ACCUSED WAS NOT PROVED BEYOND

REASONABLE DOUBT." [9]

She discusses these jointly and, in support thereof, she asseverates that the testimonies of Liban and Eclipse are inconsistent on material points, for while Liban declared in court and stated in his sworn statement that he (Liban) came out of his house and heard the appellant confess to Eclipse that she killed her husband, Eclipse testified that Liban did not come out of his house. One of them, she continues, did not tell the truth and argues that a testimony on Liban's presence was necessary to corroborate Eclipse's testimony on her alleged confession, which would be devoid of any evidentiary value without corroboration.

She pleads that this Court discredit both Liban and Eclipse because the testimony of Liban was improbable while that of Eclipse "was not so firm and resolute as to what was actually allegedly told to him by the accused." At one time, while testifying, he declared that the appellant told him that she "accidentally injured her husband," but on another, he testified that the appellant told him that she "killed her husband." [10] Also, as shown in the entry in the police blotter, [11] Eclipse was reported to have disclosed that the appellant "voluntarily surrendered and asked him to bring her to the police station because she allegedly killed her husband named Agapito Lorenzo, Jr. together with Robert Santos who first stabbed him"; yet, in his testimony in court he pinned down only the appellant and mentioned nothing about Santos. Furthermore, she charges the prosecution with suppression of evidence in not presenting as a witness another police officer who Eclipse said accompanied him to the scene of the crime and who used a vehicle which they rode in going to the police station. [12]

Meeting squarely the ratiocinations of the trial court in describing the story of the defense as a "probably put-up scenario," the appellant asserts that it was error for the trial court to hold her failure to correct the entry in the police blotter against her since there is nothing in the records which clearly shows that she heard Eclipse making the report to the desk officer and that she saw the entry. The appellant also contends that the trial court erred when it made capital of her alleged failure to file a criminal complaint against Robert Santos since it was the police's duty to arrest and prosecute Robert Santos, Eclipse having known of Robert Santos' killing of her husband. Besides, she was in detention all throughout and suffering from trauma. She avers that the trial court erred when it held against her the failure to file her counter-affidavit, since that was not obligatory and her non-filing was in accord with her constitutional right to remain silent. Finally, she contends that the conclusions drawn by the trial court in its evaluation of her testimony and that of her witnesses are mere speculations.

The appellee agrees with the findings of fact and conclusions of the trial court and prays that the challenged decision be affirmed.

The pith of the assigned errors and the focus of the appellant's arguments is the issue of the witnesses' credibility. It is a well-entrenched rule that when such is the issue, appellate courts will generally not disturb the findings of the trial court considering that the latter is in a better position to decide the question, having heard the witnesses themselves and observed their deportment and manner of testifying during the trial, unless certain facts of value have been plainly overlooked which, if considered, might affect the result of the case. [13] The trial court has the singular opportunity to observe and consider certain potent aids in understanding and weighing the testimony of witnesses, such as the emphasis, gesture, and inflection of the voice of the witnesses while they are on the witness stand. As these are not incorporated into the record, the appellate court cannot avail of them and must therefore rely on the good judgment of the trial court. [14] The appellant has not convinced us that the trial court plainly overlooked proved facts or circumstances which, if considered, may affect the result of this case. We thus accept its assessment of the evidence as correct and consider it binding, there being no showing that it was reached arbitrarily. [15] Our own evaluation thereof yields no cause for the application of the exception to the settled rule.

We agree with the trial court that prosecution witness SPO1 Jose Eclipse told the truth when he declared under

oath that the appellant surrendered to him a blood-stained bolo and a fan knife and told him that she killed her husband. Eclipse happened to be on his way to the scene of the stabbing incident which was reported to him by a tricycle driver while he was in the performance of his official duty at his assigned post in Barangay Balzain, Tuguegarao, Cagayan. Eclipse and the appellant both belonged to the same police unit, the PNP at the Tuguegarao station. There is nothing in the records, and more specifically in the cross-examination of Eclipse and the direct examination of the appellant, which suggests, even remotely, that Eclipse had any improper motive to implicate a fellow police officer in the commission of a serious crime or the slightest bias against the appellant which would blemish his objectivity and truthfulness.

If there was any bias, it should have been, logically, in favor of the appellant because of esprit de corps. Eclipse did not allow that sentiment to compromise his official and public duty as a peace officer. It is settled that the absence of evidence as to an improper motive strongly tends to sustain the conclusion that none existed and that the testimony is worthy of full faith and credit, for, indeed, if an accused had nothing to do with the crime, it would be against the natural order of events and of human nature and against the presumption of good faith for a prosecution witness to falsely testify against the accused. [16]

The appellant's emphasis on the inconsistency in the testimony of Eclipse as to what she actually told him, i.e., that she "injured" her husband or "killed" him, is misplaced; the latter word was used when the court asked him for the precise term used by the appellant. [17]

Nor is there merit to the claim that Isabelo Liban's testimony must corroborate Eclipse's testimony or the confession of the appellant since without such corroboration Eclipse's testimony would have no probative value. This theory could only be a product of a misunderstanding of Section 3, Rule 133 of the Rules of Court which provides:

"SEC. 3. Extrajudicial confession, not sufficient ground for conviction. — An extrajudicial confession made by an accused, shall not be sufficient ground for conviction, unless corroborated by evidence of corpus delicti."

Note that what must be corroborated is the extrajudicial confession and not the testimony of the person to whom the confession is made, and the corroborative evidence required is not the testimony of another person who heard the confession but the evidence of corpus delicti. Except when expressly required by law, [18] the testimony of a single person, if credible and positive and if it satisfies the court as to the guilt of the accused beyond reasonable doubt, is sufficient to convict. [19] In determining the value and credibility of evidence, witnesses are to be weighed, not numbered. [20]

As to the corroborative evidence of corpus delicti, the appellant herself does not question its presence because she knows that it has been overwhelmingly established in this case. Corpus delicti is the body (material substance) upon which a crime has been committed, e.g., the corpse of a murdered man or the charred remains of a house burned down. In a derivative sense, it means the substantial fact that a crime was committed. It is made up of two elements: (a) that a certain result has been proved, for example a man has died or a building has been burned, and (b) that some person is criminally responsible for the act. Section 3, Rule 133 of the Rules of Court does not mean that every element of the crime charged must be clearly established by independent evidence apart from the confession. It means merely that there should be some evidence tending to show the commission of the crime apart from the confession. Otherwise, the utility of the confession as a species of proof would vanish if it were necessary, in addition to the confession, to adduce other evidence sufficient to justify conviction independently of such confession. Otherwise stated, the other evidence need not, independently of the confession, establish the corpus delicti beyond a reasonable doubt. [21]

Since the corroboration of Isabelo Liban's testimony was unnecessary, we need not discuss its intrinsic merits,

more especially on its alleged inconsistencies vis-a-vis the testimony of Eclipse which inconsistencies we, nevertheless, find to be on minor matters. Minor inconsistencies do not affect the credibility of witnesses; on the contrary, they may even tend to strengthen rather than weaken their credibility because they erase any suspicion of rehearsed testimony. [22]

The claim of suppression of evidence has no merit. The testimony of the other policeman whom Eclipse requested to get a vehicle could only be corroborative in some respects but not of the fact of the surrender of the blood-stained bolo and fan knife and of the appellant's telling Eclipse that she killed her husband since it was not explicitly shown that he was with Eclipse at the precise time of the surrender. The prosecutor and the defense counsel asked no further questions of Eclipse to elicit more on the presence of the other policeman. In any event, even if the latter were present, his testimony would only be corroborative. Furthermore, it has never been shown that the said policeman was not available to the defense. The presumption laid down in Section 3(e), Rule 131 of the Rules of Court that "evidence willfully suppressed would be adverse if produced" does not apply when the testimony of the witness not produced would only be corroborative, or when the said witness is available to the defense because then the evidence would have the same weight against one party as against the other. [23]

We do not, however, agree with the trial court's characterization of the appellant's declaration that she killed her husband as an extrajudicial confession. It is only an admission. It is clear from Sections 26 and 33, Rule 130 of the Rules of Court that there is a distinction between an admission and a confession. These sections read as follows:

"SEC. 26. Admission of a party. — The act, declaration or omission of a party as to a relevant fact may be given in evidence against him.

* * *

"SEC. 33. Confession. — The declaration of an accused acknowledging his guilt of the offense charged, or of any offense necessarily included therein, may be given in evidence against him."

In a confession, there is an acknowledgment of guilt. Admission is usually applied in criminal cases to statements of fact by the accused which do not directly involve an acknowledgment of guilt of the accused or of the criminal intent to commit the offense with which he is charged. [24] Wharton [25] defines confession as follows:

"A confession is an acknowledgment in express terms, by a party in a criminal case, of his guilt of the crime charged, while an admission is a statement by the accused, direct or implied, of facts pertinent to the issue, and tending, in connection with proof of other facts, to prove his guilt. In other words, an admission is something less than a confession, and is but an acknowledgment of some fact or circumstance which in itself is insufficient to authorize a conviction, and which tends only to establish the ultimate fact of guilt."

Underhill [26] distinguishes a confession from an admission as follows:

"A confession is defined as an acknowledgment of guilt of the crime charged or of the facts which constitute the crime; but it is an admission and not a confession if the facts acknowledged raise an inference of guilt only when considered with other facts."

While Wigmore [27] says:

"A confession is an acknowledgment in express words, by the accused in a criminal case, of the truth of the guilty fact charged or of some essential part of it." [28]

Nevertheless, whether it was a confession or an admission, it was admissible against the appellant and, having been duly proved, together with the other facts and circumstances, the burden of the evidence was shifted to the

appellant to disprove, by strong evidence, that she made the admission or, admitting it, to prove that she was not guilty of killing her husband. As earlier shown, the trial court characterized her story as "palpably a put-up scenario....[A] story which runs against the grain of ordinary reality, controverts logic and assails common sense." The five reasons enumerated by it to support this conclusion are founded on or are inferred from facts duly established by the prosecution or are otherwise solidly based on common experience, logic, and common sense.

The trial court had stated that if indeed the appellant never confessed to Eclipse that she killed her husband, she should have protested when Eclipse reported to the desk officer that she had confessed to the killing of her husband or she should have attempted to correct the entry in the police blotter containing this inculpatory report. The appellant demonstrated her penchant for falsehood when, in order to refute this statement, she asserted in her brief that nothing in the record clearly shows that she heard Eclipse making the report and that she read the entry in the police blotter. She conveniently forgot that on cross-examination she admitted having heard Eclipse making the report but claiming that she did not protest because she was not in her right senses and was in a state of shock at the time. Thus:

"Prosecutor Sagucio:

Q

Did the desk officer ever talk to you?

A

No, sir.

Q

So it was only PFC Eclipse who talked to the desk officer?

A

Yes, sir.

Q

Within your hearing and you heard PFC Eclipse talked to the desk officer?

A

Yes, sir.

Q

And what did PFC Eclipse report to the desk officer?

A

The one that is appearing in the excerpt of the police blotter, sir.

x x x

Court:

Q

When you said that you heard Pat. Eclipse reported to the desk officer you meant to say that you heard him telling the police officer that you killed your husband Agapito Lorenzo, Jr. together with Robert Santos who first stabbed him, is that not so?

A

Yes, sir.

Court:

Proceed.

Pros. Sagucio:

Q

You heard this and you did not make any comment?

A

Yes, sir, but because at that time I was not in my right senses because I was then shocked at that time." [29]

The appellant's failure to assert, at any part of the entire event, from the time she went with Eclipse to the police station up to the time she was committed to jail and even thereafter until she took the witness stand, that it was not she who killed her husband only serves to reinforce and strengthen this Court's respect for the trial court's finding that her story that "it was not she but Robert Santos who did her husband in," is "shot." We find it incredible that a peace officer and a wife of the victim would not forthwith denounce or reveal the identity of the assailant if it were true that it was not she who killed her husband. This Court has held that the testimony of the accused is not credible where he has adopted an attitude of indifference relative to the crime he is accused of and where he failed to inform the police authorities and the fiscal during the investigation that it was not he but somebody else who committed the murder. [30]

Even granting for the sake of argument that the appellant only surrendered a blood-stained bolo and a fan knife but did not admit that she killed her husband, we find in this case several circumstances whose concordant combination and cumulative effect [31] point to the appellant, to the exclusion of all others, as the guilty party. These circumstances are the following:

- A tricycle driver reported to Eclipse a stabbing incident and the latter immediately proceeded to where it took place;
- Eclipse met the appellant who had with her a blood-stained bolo and a fan knife;
- The appellant surrendered to Eclipse the blood-stained bolo and the fan knife;
- The appellant's husband lay dead nearby with nine chop wounds, thirteen stab wounds, and nine incised wounds on different parts of his body, with abrasions and multiple contusions as well; [32]
- Eclipse accompanied the appellant to the police station and, in her presence, the former reported to the desk officer that she surrendered to him and told him that she had killed her husband; the desk officer then entered this report in the police blotter;
- Although the appellant heard the report, she did not protest to Eclipse or except to the report; and

- The appellant never asked the police authorities to investigate Robert Santos for his complicity in the killing of her husband; despite the unhampered opportunities for her to denounce Santos as the alleged killer of her husband, she implicated Santos only when she testified on 21 January 1993, [33] or after the lapse of nearly two and one-half years after the incident.

These circumstances constitute an unbroken chain which leads to one fair and reasonable conclusion that points to the appellant, to the exclusion of all others, as the guilty person. The requirements then of Section 4, Rule 133 [34] of the Rules of Court on the sufficiency of circumstantial evidence to convict the appellant are present. [35]

To be appreciated in the appellant's favor, however, is the mitigating circumstance of voluntary surrender. The penalty for parricide under Article 246 of the Revised Penal Code is reclusion perpetua to death, which are both indivisible penalties. In the light of the mitigating circumstance, the proper penalty which should be imposed upon the appellant should be reclusion perpetua, pursuant to Rule 3, Article 63 of the Revised Penal Code.

The challenged decision is then in accordance with the facts and the applicable laws.

WHEREFORE, the appealed decision of Branch 5 of the Regional Trial Court of Tuguegarao, Cagayan in Criminal Case No. 2060-92-TUG is AFFIRMED.

Costs against the appellant.

SO ORDERED.

Padilla, (Chairman), Bellosillo, Quiason, and Kapunan, JJ., concur.

[1] Original Records (OR), 1; Rollo , 3.

[2] OR, 102-113; Rollo , 11-22. Per Judge Hilarion L. Aquino.

[3] OR, 102-105.

[4] Rollo , 15.

[5] It provides:

"SEC. 12. (1) Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel."

[6] OR, 109.

[7] OR, 109-112.

[8] Rollo , 34-51.

[9] Id., 36.

[10] TSN, 30 September 1992, 6.

[11] Exhibit "1."

[12] TSN, 30 September 1992, 7; Rollo , 47.

- [13] *People vs. Francisco*, 213 SCRA 746 [1992]; *People vs. Florida*, 214 SCRA 227 [1992]; *People vs. Matrimonio*, 215 SCRA 613 [1992].
- [14] *U.S. vs. Macuti*, 26 Phil. 170 [1913]; *People vs. Kyamko*, 222 SCRA 183 [1993].
- [15] *People vs. Santito*, 201 SCRA 87 [1991]; *People vs. Garcia*, 209 SCRA 164 [1992].
- [16] *People vs. Lase*, 219 SCRA 584 [1993].
- [17] TSN, 30 September 1992, 6.
- [18] e.g., in treason cases (Article 114, Revised Penal Code).
- [19] *People vs. Kyamko*, supra at note 14.
- [20] *People vs. Romero*, 119 SCRA 234 [1982]; *People vs. Lucas*, 125 SCRA 813 [1983]; *People vs. Canada*, 144 SCRA 121 [1986]; *People vs. Villalobos*, 209 SCRA 304 [1992]; *People vs. Balajadia*, 225 SCRA 22 [1993].
- [21] *People vs. Barlis*, 231 SCRA 426 [1994].
- [22] *People vs. Lase*, supra at note 16; *People vs. Jumamoy*, 221 SCRA 333 [1993]; *People vs. Ducay*, 225 SCRA 1 [1993].
- [23] *People vs. Pablo*, 213 SCRA 1 [1992]; *People vs. Casinillo*, 213 SCRA 777 [1992].
- [24] *U.S. vs. Corrales*, 28 Phil. 362 [1914].
- [25] 2 Wharton's Criminal Evidence § 337 (12th ed. 1955).
- [26] 2 Underhill's Criminal Evidence § 385 (5th ed. 1956).
- [27] 3 Wigmore on Evidence § 821 (3d ed. 1940).
- [28] See *U.S. vs. Lio Team*, 23 Phil. 64 [1912].
- [29] TSN, 21 January 1993, 12-14.
- [30] *People vs. Boduso*, 60 SCRA 60 [1974].
- [31] *People vs. Viernes*, (unreported), 99 Phil. 1045 [1956].
- [32] Exhibits "A," "A-1," and "A-2"; OR, 15-17.
- [33] TSN, 21 January 1993, 3-7.
- [34] It provides:
- "SEC. 4. Circumstantial evidence, when sufficient. — Circumstantial evidence is sufficient for conviction if:
- (a) There is more than one circumstance;
- (b) The facts from which the inferences are derived are proven; and
- (c) The combination of all the circumstances is such as to produce a conviction beyond reasonable doubt."
- [35] See *People vs. Tiozon*, 198 SCRA 368 [1991].

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.