

**PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS.
LEONARDO BARROSO, ET AL., DEFENDANTS. FLORENTINO
GASONITE, DEFENDANT AND APPELLANT.**

G.R. No. 11923. September 18, 1959

Ponente: MONTEMAYOR, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-11923/>

MONTEMAYOR, J.:

Florentino Casonite is appealing from the decision of the Court of First Instance of Rizal finding him guilty of the crime of robbery with homicide and sentencing him to reclusion perpetua, and with Leonardo Barroso, jointly and severally to indemnify Valeriano Mandique in the sum of P2,300 and the heirs of Crispin Merin, in the sum. of P6,000 and to pay 1/4 of the costs.

On November 15, 1954, a little after midnight, Valeriano Mandique was sleeping on the ground floor of his house at Punta, Jalajala, Rizal. His daughter, Felicidad Mandique and a helper were in the second floor of the house, while his wife, Ines Teodoro with a grandchild was in the store, about 2 meters from the house. Valeriano was awakened by two men who had entered his sleeping quarters, one of whom he later identified as Leonardo Barroso, who at the point of a revolver and a balisong demanded money from him. At the time the two robbers had about nine or ten companions outside the house, some acting as guards. Unable to produce any money because he had none with him, the robbers entered and ransacked his house and the store and were able to get from Felicidad P1,000 and from Ines P900 as well as jewelry worth P300 and merchandise from the store worth P100, or a total of P2,300. After the corresponding investigation by the authorities, Leonardo Barroso, Florentino Casonite, Filemon Figuracion and Marcos Quimio alias Teniente Marcos were charged with the crime of robbery in band with homicide. After the prosecution had rested, for lack of evidence, the case against Filemon Figuracion and Marcos Quimio was dismissed and the trial proceeded with respect to Barroso and Casonite who were later found guilty of robbery with homicide and sentenced to reclusion perpetua with the indemnity already mentioned.

Barroso and Casonite appealed. Later, however, Barroso withdrew his appeal. We are, therefore, concerned only with the appeal of Casonite.

On the occasion of the robbery, it is a fact that while the robbers were still in the house of Valeriano Mandique, Sergeant Pedro Jakosalem, assistant detachment commander of the 14th BCT who was with his soldiers at Punta on a secret mission, was informed that the house of Valeriano Mandique about 200 meters away was being robbed. He immediately alerted his men and they proceeded to the scene of the crime. Noticing nothing unusual, they advanced towards the house, Pfc. Crispin Merin leading. They saw a man, later identified as Barroso sitting in front of the store. Barroso, carrying a piece of wood stood up, and approached Merin in a menacing attitude. Merin shouted. "We are soldiers", but Barroso ignoring the information assaulted him and before long they were grappling with each other. Sgt. Jakosalem who was a few meters behind Merin fired a warning shot in the air. Then the robbers opened fire on the soldiers, and there was an exchange of shots which lasted about 5 minutes. As a result of the encounter, Merin was shot dead and Juan Liquido, one of the robbers was also killed. According to

Sgt. Jakosalem whose testimony was accepted by the trial court and which we also accept, as soon as he fired a warning shot, he saw Casonite emerge from behind or beside the store where the group of robbers was stationed, carrying a .45 cal. pistol which he fired at the soldiers more than once. He, Jakosalem, was not very far from Casonite whom he distinctly recognized not only by the light of the moon but also because of the light from the Petromax lamp (Coleman) which was burning inside the store.

In his turn, Casonite disclaimed any and all participation in the robbery and set up the defense of alibi, quite an elaborate one, in which he was supported by several witnesses. This defense was discussed and analyzed by the trial court and found to be unfounded.

In the course of the investigation by the PC, Casonite made a statement which was reduced to writing and presented in evidence as Exhibit B. This was sworn to by him before the Justice of the Peace of Padilla. He, however, repudiated this statement at the trial, claiming that it was not voluntary because he made it under fear of being again subjected to ill-treatment as had supposedly been done to him earlier in his investigation by the 14th BCT soldiers. We agree with the trial court that Exhibit B was a voluntary confession because in our opinion, it was made freely without any threats much less maltreatment or torture. In this connection, it should be stated that Filemon Figuracion one of the accused refused to make any statement to the constabulary and yet nothing was done to him. Another defendant, Marcos Quirino also refused to make any statement and the soldiers did nothing to him. As a result the case against these two accused was dismissed for lack of evidence. If the PC soldiers really wanted to extract confession from them they could have used force, violence and intimidation on them to make them confess which they did not. It was therefore unlikely that Casonite was maltreated as claimed by him. Moreover, had such maltreatment occurred it was not explained why he did not report the same to the Justice of the Peace at the time he was taken before him, but instead swore to his confession before the said official.

As to Casonite's defense of alibi, we quote with favor the pertinent portion of the decision of the trial court, as follows:

"An examination of their respective defenses shows that the alibi set up are not sufficient to meet the case established by the prosecution. The presence and participation of Leonardo Barroso in the robbery with homicide alleged in the information has been positively and conclusively established by the testimonies of Valeriano Mandique, Felicidad Mandique, Levi Padua, Sgt. Pedro Jakosalem and by his confession, Exhibit A; while the presence and participation of Florentino Casonite is proven by the testimony of Sgt. Jakosalem and his confession, Exhibit B. Above all, no improper motive has been shown why the witnesses for the prosecution would falsely implicate these two defendants if they were not really present and participated in the robbery."

It may be stated that appellant's co-defendant Barroso had also made a statement admitting his participation in the commission of the crime, marked Exhibit A, which was presented in Court and which he later repudiated on the ground that it was not voluntary because he had allegedly been subjected to ill-treatment by the soldiers.

He also set up the defense of alibi in which he was corroborated by quite a number of witnesses; and yet abandoning these defenses he later withdrew his appeal, practically admitting his guilt.

We are convinced that appellant Florentino Casonite was a member of the group that robbed the house of Valeriano Mandique and who, with his .45 cal. pistol exchanged shots with the soldiers and that he was sufficiently identified by Sgt. Jakosalem.

In view of the foregoing, the appealed decision is hereby affirmed with costs.

Paras, C. J., Bengzon, Padilla, Bautista Angela, Labrador, Concepcion, Endencia, and Barrera, 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.