PEOPLE OF THE PHILIPPINES, APPELLEE, VS. REYNALDO CORRE JR., SONNY DE LOS REYES AND ANGELES ARUJADO ALIAS "KILIS," ACCUSED. REYNALDO CORRE JR., APPELLANT.

G.R. No. 137271. August 15, 2001

Ponente: PANGANIBAN, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-no-137271/

PANGANIBAN, J.:

Denial, when unsubstantiated by clear and convincing evidence, is negative, self-serving and merits no weight in law; it cannot be given greater evidentiary value than the testimony of credible witnesses who unequivocally testified on affirmative matters.

The Case

Reynaldo Corre Jr. appeals the December 8, 1998 "Partial Decision"[1] rendered by the Regional Trial Court of Calabanga, Camarines Sur (Branch 63), in Criminal Case No. RTC 95-012. The court a quo found appellant guilty beyond reasonable doubt of robbery with homicide, sentenced him to reclusion perpetua, ordered him to indemnify the heirs of the victim in the total amount of P303,000 as damages, and required him to pay the costs of suit.

In an Information[2] dated September 1, 1995 filed by Assistant Provincial Prosecutor Leovigildo M. Leaño, appellant and the other accused who remained at large were charged with robbery with homicide, allegedly committed as follows:

> "That on or about April 19, 1995 along the sea of Barangay San Ramon, Municipality of Siruma, Province of Camarines Sur, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, conspiring, confederating and mutually helping one another, with intent to gain, did then and there wilfully, unlawfully and feloniously attack, assault and [use] personal violence upon the person of one, Primo Gatpandan, Jr.[;] while they were on board the motorized banca named "John Nikko", the accused then tied the neck and body of the victim to an anchor and dropp[ed] the same beneath the sea thereby assuring his death and concealing their crime[;] thereafter the accused took and (carried) away thirty five thousand pesos in cash (P35,000.00) and one wooden boat (baroto) valued at one thousand five hundred (P1,500.00) pesos belonging to said Primo Gatpandan, Jr. to the damage and prejudice of the heirs of the said Primo Gatpandan, Jr. in the amount to be proven in court."

During his arraignment on August 22, 1996, appellant, assisted by Counsel de Oficio Benito Nate, pleaded not guilty.[3] In due course, the court a quo rendered the assailed Decision, the dispositive portion of which reads as follows:

> "WHEREFORE, the prosecution having proven the guilt of the accused beyond reasonable doubt, and having proven conspiracy, accused Reynaldo Corre, Jr. is hereby found guilty of the crime of robbery with homicide. There being no aggravating [or] mitigating circumstances duly proven attendant to the commission of the crime, accused Reynaldo Corre, Jr. is hereby sentenced to suffer the penalty of reclusion perpetua.

"Furthermore, conspiracy having been proven and in conspiracy, accused are jointly and severally liable to pay damages to the heirs of the victim, accused Reynaldo Corre, Jr. is hereby ordered to pay the following damages to the heirs of the late Primo Gatpandan, Jr.:

"1. To indemnify the heirs for the death of the victim [in] the amount of P50,000.00;

"2. To indemnify the heirs [in] the amount of P35,000.00 taken from the victim;

"3. To pay the heirs P50,000.00 as moral damage;

"4. To pay the heirs the loss of earning capacity of the deceased in the amount of P168,000.00; and

"5. To pay the costs.

"The records in so far as accused Sonny delos Reyes and Angeles Arujado alias "Kilis" [are concerned] are hereby ordered archived without prejudice [to] reviving the same in the event that the accused are arrested. Meanwhile, let an alias warrant for their arrest be issued."[4]

The Facts

Version of the Prosecution

The Office of the Solicitor General, in its Brief,[5] unfurls the factual incidents of the case in this manner:

"On April 19, 1995, x x x around 5:00 o'clock in the morning, Primo Gatpandan, Jr. who was engaged in [the] buying and selling of fish, went to his neighbor, Stanley Salazar, at the latter's residence at Bahao, Siruma, Camarines Sur, a coastal town, and requested Stanley, which request was ac[c]eded to by him, to help Primo in bringing two styrofoams and loading [sic] While walking towards the seashore, Primo and Stanley had a conversation wherein Primo told Stanley that he had with him the sum of P35,000.00 because he would buy fish at Pinitan, Siruma. Upon arrival at the seashore, Stanley saw Primo's fishing crew, namely appellant and accused delos Reyes and Arujado, who were already waiting at the seashore. Later, after the styrofoams were loaded in, and Primo and his crew boarded the banca, the said banca sailed away while Stanley went home.

"On April 25, 1995, the lifeless body of Primo was found at the shallow reef of Sitio Pinamandayanan, San Ramon Siruma. As the cadaver was not yet totally decomposed, the same was readily identified, in the presence of SPO2 Elton dela Cruz Lacson, by Stanley and Manolo Gatpandan, Primo's brother, as that of Primo. Tied to the neck of Primo's cadaver was a rope with a steel anchor and a stone at the other end of the rope. Primo's hands were also tied at the back. Also found at a different place but still in the same province, namely, Sitio Mapalad, San Vicente, Tinambac, was the abandoned banca 'John Nikko.' The cash of P35,000.00 which Primo had on April 19, 1995 was missing.

"However, x x x around 2:00 o'clock in the afternoon of April 19, 1995, Herson Martinez, who was then campaigning along the seashore of Butuwanan, Siruma for a local election saw 'John Nikko' pass by. On board said banca was appellant and his two co-accused.

"SPO2 Lacson of Siruma Police Station, who conducted the investigation on the killing of Primo Gatpandan, Jr., found that Primo and his crew members were reported missing, and that a certain Crespo Magno of Sitio Pandan, San Vicente, Tinambac, saw, at around 5:30 o'clock in the afternoon of April 19, 1995, the banca 'John Nikko' pass by en route to Sitio Mapalad, San Vicente, Tinambac whereat the said banca was found abandoned by Crespo the following day. On board the said banca were three (3) male persons. SPO2 Lacson also found that when the banca was searched by Barangay Councilmen Jessie Estrella and Jerry Magno, both of San Vicente, Tinambac, blood spots were seen on top of the tent covering the engine of the banca, and that no cash money was found in the banca.

"On April 28, 1995, SPO2 Lacson proceeded to appellant's residence at Sitio Catmon, San Antonio, Tinambac

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

> where appellant was not found. However, from the [investigation] he made, SPO2 Lacson gathered that appellant was working with Primo for almost a year already and that appellant was the one who recruited accused delos Reyes and Arujado to work as crew members in 'John Nikko.' SPO2 Lacson also found that the accused delos Reyes arrived alone on board 'John Nikko' at Sito Catmon, Campo 4, Tinambac on April 20, 1995, and, after giving a P500.00-bill each to his parents, left the said place.
>
> "The cadaver of Primo was later brought to San Ramon, Siruma where, after holding a wake for just one night, said cadaver was buried on April 27, 1995.
>
> "On May 12, 1995, the cadaver of Primo was exhumed and was autopsied by Dr. Floristo Arizola, Jr. of the NBI Medico-Legal Division. According to Dr. Arizola, the proximate cause of Primo's death was asphyxia by drowning, and that the multiple traumatic injuries in the body, while inflicted shortly before the actual drowning, were contributory to Primo's death. Dr. Arizola also found that the blood clots around Primo's neck could have been caused by a rope which was tied around the neck before Primo was submerged, and that, since Primo's lungs were heavy and voluminous, it meant that he was still alive when he was submerged in the water and that he died by drowning by reason of the submersion.
>
> "Primo, who was 38 years old at the time of his death, was a fisherman who was earning P4,000.00 a month while engaged in the buy-and-sell of fish during summer, and P1,000.00 a month when managing the fish pond of a brother when it [was] not summer time. Expectacion Gatpandan, Primo's widow who was left to take care of their two children then aged 9 and 5, spent around P10,000.00 for funeral expenses.
>
> "After appellant was arrested sometime in August 1996, Expectacion was able to talk to him who, when asked by Expectacion about the death of Primo and the missing money, said that he and his two co-accused divided the said money, that appellant received the sum of P8,000.00 as his share and that the kiling of Primo was materminded by accused delos Reyes."[6]

Version of the Defense

On the other hand, appellant briefly presents in his Brief[7] his version of the factual backdrop as follows:

> "REYNALDO CORRE, JR. testified that on 19 April 1995, he was at their house at Barangay San Antonio, Tinambac, Camarines Sur, cooking fish (tinapa) from 7:00 o'clock a.m. to 4:00 o'clock p.m. He denied sailing with his co-accused, Sonny de los Reyes and Angeles Arujado on 19 April 1999 [should be 1995] on board a boat named 'John Nikko' together with the alleged victim, Primo Gatpandan, Jr. In fact, from 19 February 1995 when he started making 'tinapa' and up to the time that he went to Naga City, there was no occasion that he went to any place in Tinambac or Siruma, Camarines Sur. He admitted that he only knew Necy Gatpandan in the Court. On the other hand, he denied knowing Sonny de los Reyes, Angeles Arujado, Gerry Azaña, Brgy. Kagawad Elena Casases, Emiliano Tuy and Efren Balbin (TSN, February 18, 1998, pp. 1-6)"[8]

The Trial Court's Ruling

The trial court found appellant guilty beyond reasonable doubt of the crime charged. It explained that the circumstantial evidence adduced by the prosecution from the time the victim had been missing up to the time his lifeless body was discovered constituted an unbroken chain, which pointed to no other conclusion than that the three accused persons had robbed and killed the victim. According to the trial court, the testimonies of the prosecution witnesses were never rebutted by appellant. Neither were these testimonies shown to be motivated by any ill will or contempt. Hence, it ruled that the totality of the circumstantial evidence clearly revealed that the motive for killing the victim was robbery and sufficiently established appellant's guilt beyond reasonable doubt.

Hence, this appeal.[9]

The Issues

In his Brief, appellant assigns the following alleged errors of the trial court:

> "I
>
> The court a quo erred in convicting accused-appellant Reynaldo Corre, Jr. Despite failure on the part of the prosecution to establish the identity of the alleged victim herein
>
> "II
>
> The court a quo gravely erred in rationalizing that the motive of robbery was established by the prosecution
>
> "III
>
> The court a quo gravely erred in finding the accused-[appellant] Reynaldo Corre, Jr. guilty beyond reasonable doubt of the crime of robbery with homicide based on circumstantial evidence"[10]

The Court's Ruling

The appeal has no merit.

First Issue
Identity of the Victim
Sufficiently Established

Appellant ascribes failure on the part of the prosecution to establish convincingly that the dead body found at San Ramon, Siruma, Camarines Sur was that of Primo Gatpandan Jr. Appellant also postulates that it is highly unbelievable for Prosecution Witness Manolito Gatpandan to have identified the body, because it had already decomposed by the time it was exhumed.

The contentions of appellant are unavailing amidst the overwhelming evidence presented by the prosecution that the dead body found was that of Primo Gatpandan. In fact, three witnesses -- Stanley Salazar, Expectacion Gatpandan and Manolo Gatpandan (the victim's neighbor, wife and brother, respectively) -- testified in clear and unmistakable terms that they had been able to positively identify the dead person as Primo Gatpandan.

The testimony of Salazar revealed that he was able to immediately identify the victim upon the exhumation of the latter's body, as follows:

> "Q
>
> By the way, you said that when you exhumed the cadaver of that person, were you able to recognize that person?
>
> A
>
> Yes, sir.
>
> Q
>
> And who was that person?
>
> A
>
> Primo Gatpandan, Jr. sir.
>
> ATTY. CU:
>
> Q

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

If I will show you a picture of the alleged place [where] the exhumation was made will you be able to identify it?

A

Yes, sir.

x x x x x x x x x

Q

I am going to show you a picture which depicts an exhumation of the person. Can you identify [in] this picture who this person is?

A

That is the body of Primo Gatpandan."[11]

Likewise, the victim's wife, Expectacion Gatpandan, was able to identify the cadaver as that of her husband. She further stated that the policemen and her husband's brothers had also verified the identity of the dead body found in Pinandayanan, San Ramon, Siruma. Explaining the circumstances under which the identification was made, she testified thus:

"Q

Do you recall x x x what happened after the body of your husband was found in San Ramon, Siruma, Camarines Sur?

A

The policemen and the brothers of my husband verified [if] the body found in the shore of Pinandayanan, San Ramon, Siruma x x x was really the body of my husband since it was already buried under the shore.

Q

Was that body retrieved and brought back to Bahao, Siruma?

A

Yes, sir.

Q

And were you able to see that cadaver?

A

Yes, sir.

Q

And did you recognize the cadaver?

A

Yes, sir.

Q

Who was that dead person?

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

A

Primo Gatpandan sir.”[12]

Appellant’s argument that it was impossible to identify the cadaver, considering that it was already in a state of decomposition, is belied by the testimony of Manolo Gatpandan, who explained that the decomposition was not so extensive as would preclude the identification of the victim. He relates how, despite the condition of the exhumed cadaver, he readily identified the victim as his brother, Primo Gatpandan, Jr. The former testified in this wise:

“Q

Please describe to us the state or condition of that dead body at that time when you were able to dig it up already.

A

The body was already decomposed and there was a rope tied [around] his neck and his two hands were tied [at] his back.

Q

[Was] his [entire] body decomposed already?

A

No, sir.

Q

What part of the body was already decomposing?

A

Both arms and also the stomach and also [a] portion of the shoulder.

Q

Were you able to recognize that person you dug up?

A

Yes, sir.

Q

Who was that person?

A

My brother, Primo Gatpandan, Jr.”[13]

As can be gleaned from the foregoing testimonies of the prosecution witnesses, the identity of the victim was more than sufficiently established by persons who had known him well. These witnesses had no reason to feign, falsify or fabricate. Neither did the defense present any evidence alluding to any malicious scheme or evil design on the part of these witnesses as would motivate them to falsely insist that the dead body found was that of Primo Gatpandan. Indeed, it would have been beyond comprehension if they had chosen to identify the dead body as that of their loved one, instead of hoping that he was still alive.

It is well-settled that where there is nothing to indicate that the principal witnesses for the prosecution were actuated by an improper motive, the presumption is that they were not; hence, their testimonies are entitled to full faith and credit.[14] Moreover, the time-tested jurisprudence is that the trial court's findings and conclusions on the credibility of witnesses enjoy high respect, because the trial judge had the advantage of observing their demeanor as they testified and, thus, of detecting telltale signs of truth or falsity.[15]

Second Issue:
Robbery as Motive
for the Killing

Appellant also argues that the prosecution failed to prove that the motive for the killing was robbery, considering that the three accused did not know that the victim was in possession of the amount of P35,000. This line of argument is untenable and misplaced, inasmuch as appellant's knowledge of the exact amount of money brought by the victim is immaterial to the commission of the crime. Appellant was an employee of the victim in the latter's business of buying and selling fish. Naturally, the former was well aware that his employer was always in possession of a substantial amount of money every time they would set sail on business. It was clearly established by the prosecution witnesses that the victim was in possession of P35,000 when he was last seen alive. But when his dead body was found, the money could not be found anymore.

In any event, whether appellant knew that the victim had P35,000 is of no moment, because the motivation for robbery can exist regardless of the exact amount or value involved. What is crucial in such offense is the unlawful taking, by force or violence, of a thing belonging to another person. This fact was clearly established by the prosecution.[16]

Third Issue:
Conviction Based on Circumstantial Evidence

Finally, appellant contends that the trial court should not have convicted him on the basis of circumstantial evidence. He points out that there was no evidence presented to show directly that he was the one who had robbed and killed the victim. According to him, the prosecution witnesses' oral testimonies alone cannot be relied upon for his conviction.

Contrary to appellant's ascription, a conviction may rest purely on circumstantial evidence, provided the following requisites concur: (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.[17]

In the present case, the foregoing conditions have been satisfied. Several circumstances were duly presented, sufficiently established and correctly appreciated by the trial court in arriving at the conviction of appellant. The court a quo made the following factual findings:

> "1. That Primo Gatpandan, Jr. left [his residence] at about 5:00 o'clock in the morning of April 19, 1995, x x x carrying with him P35,00.00 as alleged by his wife having counted the money and said money was placed in his wallet as seen by his wife, bound to Pinitan Island to buy and sell fish products together with his 3 crew, namely, Reynaldo Corre, Jr., Sonny delos Reyes and Angeles Arujado;
>
> "2. That Primo Gatpandan, Jr. before proceeding to the seashore of Bahao, Siruma, Camarines Sur, passed by the residence of Stanley Salazar whom he requested to accompany him to bring the 2 styro foams to the seashore and [help] him [load] the 2 styro foams [in]to the John Nikko boat. Along the way Primo Gatpandan, Jr. told him that he ha[d] with him P35,000.00 to be used by him in buying and selling fish products in Pinitan

Island of Siruma where he [was] bound to sail;

"3. That upon reaching the seashore, Stanley Salazar testified that the 3 crew who are the 3 accused in this case, Reynaldo Corre, Jr., Angeles Arujado and Sonny de los Reyes were at the seashore and after he [loaded] the styro foams [into] the John Nikko boat, he went down the boat and the 3 crew (accused in this case, Reynaldo Corre, Jr., Sonny de los Reyes and Angeles Arujado), together with Primo Gatpandan, Jr. boarded the John Nikko boat;

"4. That he just left the seashore after the John Nikko boat was sailing towards Pinitan Island at Siruma. When said boat left the seashore, it was only Primo Gatpandan, Jr., Sonny de los Reyes., Reynaldo Corre, Jr. and Angeles Arujado on board the said boat;

"5. That at around 2:00 o'clock in the afternoon of April 19, 1995, a certain Herson Martirez testified that he saw the John Nikko boat passing by the seashore of Butawanan, Siruma, Camarines Sur, with 3 persons on board. He was able to recognize these 3 persons considering that the boat was just near the seashore at that time. He was then at Butawanan, Siruma, Camarines Sur because he was campaigning being election time. He pointed to Reynaldo Corre, Jr. who was inside the courtroom as one of those persons whom he saw on board the John Nikko boat in the afternoon about 2:00 o'clock on April 19, 1995. x x x.

x x x x x x x x x

"7. In the report of SPO2 Elton Lacson of PNP Siruma, Camarines Sur, the investigator in this case x x x states that a report has been received by their office from Barangay Secretary Reynaldo Bascuña of Siruma, Camarines Sur on April 26, 1995 that a dead male person was found on April 25, 1995 at the shallow reef of Sitio Pinamandayanan, Siruma, Camarines Sur who was already in the state of decomposition. On April 26, 1995, Manolo Gatpandan, reported to their police station and [the police] entered in their police blotter that his brother, Primo Gatpandan, Jr. together with his crew, namely, Reynaldo Corre, Jr., Angeles Arujado and Sonny de los Reyes were missing since the time they x x x left Butawanan, Siruma, Camarines Sur sometime on April 19, 1995 on board his motorized banca. It was stated in the report of SPO2 Lacson that a certain Daniel Labrador Gatpandan and Stanley Salazar had stated that Primo Gatpandan, Jr., Sonny de los Reyes and Angeles Arujado were missing and after a few days, they learned that said Primo Gatpandan, Jr. was found lifeless[,] moored at his neck with the anchor of the motorized banca, John Nikko, x x x.

x x x x x x x x x

"9. On April 27, 1995, [a] certain barangay kagawad Jessie Estrella and Kagawad Jerry Magno of San Vicente, Tinambac, Camarines Sur, had informed SPO2 Lacson that the motorboat owned by Primo Gatpandan, Jr. arrived at the creek of San Vicente in the late afternoon of April 19, 1995 abandoned thereat by 3 male persons whom they [did] not know x x x. They also found some red spots [on] the tent/luna (a cover on top of the engine which serves as shade to pilot and crew)[,] apparently blood stains and no wooden banca (baroto) was found thereat. [A s]earch was also made on the said banca but no cash money was also found;

"10. On April 28, 1995, SPO2 Lacson together with the members of the Philippine Army and the relatives of victim Primo Gatpandan, Jr. on board the John Nikko boat, proceeded to the home address of the 3 crew of the victim and found out that Reynaldo Corre, Jr. was the one who recruited the two (2) crew, namely, Sonny de los Reyes and Angeles Arujado to work for the victim and that the said Reynaldo Corre, Jr. was already working with the victim for about a year as his crew. It was found out also by SPO2 Lacson and his men that Sonny de los Reyes showed up alone on board the ferry boat of John Nikko at Sitio Catmon, Camp 4, Tinambac, Camarines Sur on April 20, 1995 and left P500.00 to his parents and then left the place again. On April 29, 1995, Lacson together with his men and relatives of the victim, proceeded to Sitio Pinamandayanan, San Ramon, Siruma, Camarines Sur and was able to identify the dead person buried thereat last April 25, 1995 as Primo Gatpandan, Jr. [whose body] was found already in the state of decomposition with a rope tied [around] his neck and body and connect[ed] to the anchor of the boat. It was admitted by the relatives of the

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

> victim that the anchor x x x found thereat was the missing anchor of [the] John Nikko motorboat.
>
> "11. x x x [T]he 3 crew who are the accused in this case, namely, Reynaldo Corre, Jr., Sonny de los Reyes and Angeles Arujado as testified to by the wife of the victim, Expectacion Gatpandan, [fled and] never showed up to explain the whereabouts of her husband. The accused Reynaldo Corre, Jr. was only apprehended sometime in August, 1996 or more than a year after the incident and the [other] two accused are still at large."[18]

Indeed, direct evidence of the commission of the crime is not the only matrix from which a trial court may draw its conclusion and finding of guilt.[19] Even in the absence of such evidence, conviction is proper if the established factual circumstances constitute an unbroken chain and are consistent with each other and with the hypothesis that the accused are guilty, to the exclusion of any other hypothesis that they are not.[20]

A perusal of the circumstantial evidence found by the trial court shows that a natural and logical inference can be made that appellant, along with his co-accused, committed the offense charged. Moreover, the circumstance of his flight, as well as his plain and unsubstantiated denial, only bolsters the conclusion that he was indeed guilty of the crime.

The flight of the accused, when unexplained, would be a circumstance from which an inference of guilt might be drawn, for truly innocent persons would normally grab the first available opportunity to defend themselves and establish their innocence of the crime being imputed to them.[21] True, the mere presence of appellant at the scene is inadequate to support the conclusion that he committed the crime.[22] However, his presence there becomes an indicium of his participation and complicity in the offense when coupled with his unexplained act of fleeing from the situs instead of reporting the incident to the police authorities, as well as with his act of hiding until he was arrested.[23] Taken together, the foregoing circumstances are highly indicative of guilt.[24]

On the other hand, denial, when unsubstantiated by clear and convincing evidence, is negative, self-serving and merits no weight in law; it cannot be given greater evidentiary value than the testimonies of credible witnesses who unequivocally testified on affirmative matters.[25] Hence, as between the categorical statements of prosecution witnesses, on the one hand, and the bare denials of the accused, on the other, the former must perforce prevail.[26]

All in all, the Court finds no reversible error in the findings and conclusions of the trial court. Instead, it fully concurs in the conviction of appellant.

WHEREFORE, the appeal is hereby DENIED and the assailed Decision AFFIRMED. Costs against appellant.

SO ORDERED.

Melo, (Chairman), Vitug, Gonzaga-Reyes, and Sandoval-Gutierrez, JJ., concur.

---

[1] Rollo, pp. 31-61. Penned by Judge Freddie D. Balonzo.

[2] Rollo, p. 20.

[3] Records, p. 33.

[4] Partial Decision, pp. 30-31, supra.

[5] Rollo, pp. 136-159. This was signed by Asst. Solicitor General Carlos N. Ortega (officer-in-charge), Asst. Solicitor General Magdangal M. de Leon and Solicitor Eric Remegio O. Panga.

[6] Ibid., at 141-146.

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

[7] Rollo, pp. 86-101. This was signed by Attys. Arceli Rubin and Pastor Archimedes P. Morales of the Public Attorney's Office.

[8] Ibid., at pp. 93-94.

[9] This case was deemed submitted for resolution on April 7, 2000, upon receipt by this Court of the Appellee's Brief. Appellant's Brief was filed on November 29, 1999. The filing of a Reply Brief was deemed waived as none was submitted within the reglementary period.

[10] Appellant's Brief, pp. 1-2; rollo, pp. 88-89. All in upper case in the original.

[11] TSN, November 14, 1996, at pp. 6-7.

[12] TSN, January 23, 1997, p. 7.

[13] TSN, June 25, 1997, p. 6.

[14] People v. Bergante, 286 SCRA 629, February 27, 1998.

[15] People v. Cabiles, 284 SCRA 199, January 16, 1998.

[16] People v. Benito, 303 SCRA 468, February 19, 1999; People v. Valdez, 304 SCRA 611, March 11, 1999.

[17] People v. Mendoza, 284 SCRA 705, January 23, 1998; People v. Llaguno, 285 SCRA 124, January 28, 1998.

[18] Partial Decision, at pp. 16-19 supra.

[19] People v. Bantilan, 314 SCRA 380, September 14, 1999.

[20] People v. Raquiño, 315 SCRA 670, September 30, 1999; citing People v. Maliput, 252 SCRA 519, January 29, 1996; People v. Gaballo, 316 SCRA 881, October 13, 1999.

[21] People v. Solis, 291 SCRA 529, June 29, 1998.

[22] Abad v. Court of Appeals, 291 SCRA 56, June 18, 1998.

[23] People v. Obello, 284 SCRA 79, January 14, 1998.

[24] People v. Macuha, 310 SCRA 819, July 20, 1999.

[25] People v. Tumaob Jr., 291 SCRA 133, June 22, 1998.

[26] People v. Hernandez, 304 SCRA 186, March 4, 1999.

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.