

PEOPLE OF THE PHILIPPINES, APPELLEE, VS. MARLON JUAN Y LESTE, APPELLANT.

G.R. No. 152289. January 14, 2004

Ponente: CORONA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-152289/>

CORONA, J.:

Before us for automatic review is the decision[1] of the Regional Trial Court of Aparri, Cagayan, Branch 8, Second Judicial Region, finding the appellant, Marlon Juan, guilty beyond reasonable doubt of the crime of parricide and sentencing him to suffer the supreme penalty of death.

The information dated July 24, 2001 charged appellant with the crime of parricide as follows:

That on or about April 23, 2001, in the municipality of Aparri, province of Cagayan, and within the jurisdiction of this Honorable Court, the above-named accused, armed with a knife and a [sic] “asador,” with intent to kill, did then and there willfully, unlawfully and feloniously assault, attack and stab one Yolanda Juan y Leste, his legitimate mother, inflicting upon her multiple stab wounds which caused her death.

CONTRARY TO LAW.[2]

Upon arraignment on September 17, 2001, appellant, duly assisted by counsel de oficio, pleaded guilty to the crime charged.[3]

During the pre-trial conference on October 11, 2001, appellant admitted the following facts presented by the prosecution:

- identity of the accused – that whenever the name Marlon Juan was mentioned, it referred to the accused;
- identity of the victim – Yolanda Juan;
- that accused Marlon Juan was the son of the victim and that the victim was the legitimate mother of the accused;
- that the accused killed the victim on April 23, 2001 inside the victim’s house at Barangay Punta, Aparri, Cagayan with the use of a pointed iron bar; and
- that the victim died of multiple stab wounds as shown by the medical certificate and the post mortem report issued and signed by Dr. Robert Ogalino.[4]

Thereafter, trial on the merits ensued.

On January 9, 2002, the trial court promulgated its decision, the dispositive portion of which read:

WHEREFORE, the Court finds accused Marlon Juan y Leste “GUILTY” beyond reasonable doubt of the crime of “Parricide” for killing his mother and is hereby sentence [sic] to suffer the supreme penalty of “DEATH.”

SO ORDERED.[5]

The facts follow.

On April 23, 2001, around 10:00 p.m., Yolanda Juan opened the door of their house to let her son, herein appellant Marlon Juan, in. Deogracias Juan (Yolanda's husband and appellant's father) who was resting inside their bedroom could hear his wife and son's voice. Appellant who was high on drugs demanded delicious food for dinner. Moments after, Deogracias heard the throwing and breaking of plates. Then he heard Marvin (appellant's brother) yelling "Ni Nanang natayen" ("Mother is dead already"). Deogracias immediately proceeded to the porch where Marvin's voice came from and saw appellant in the act of stabbing Marvin. Deogracias grabbed the asador (pointed iron bar) from the appellant and they wrestled for its possession. Eventually, Deogracias got control of the asador. Appellant then drew a knife from his waist and tried to stab Deogracias but the latter was able to wrest the knife away from the appellant. Appellant ran away. When Deogracias finally turned his attention to his wife, only then did he realize that indeed she was already dead. Yolanda was lying face down on the floor, no longer breathing. Deogracias nevertheless still brought her to the hospital where she was pronounced dead on arrival.[6]

The statement of Marvin Juan to the effect that "he was the brother of the accused and that he saw the accused kill their mother" was no longer heard by the trial court because the appellant admitted the truth of such testimony.[7]

The prosecution formally offered the following documentary evidences: (1) death certificate (Exhibit "A") and postmortem examination report (Exhibit "B") to prove the death of the victim and (2) birth certificate of appellant Marlon Juan to prove that he was the legitimate son of the victim.[8]

The defense waived the presentation of appellant's evidence.[9]

On the basis of the evidence presented by the prosecution which was not refuted by the defense, the trial court ruled that it was "clear as the snow of the Alps" that appellant was guilty of the crime of parricide and sentenced him to suffer the supreme penalty of death.[10]

Appellant is before us, not to question his conviction for the crime of parricide by the trial court but to question the death penalty imposed on him. Appellant contends that the proper penalty imposable on him is reclusion perpetua, not death.[11]

The appeal is meritorious.

Under Article 246 of the Revised Penal Code (hereafter the Code), the crime of parricide is punishable by reclusion perpetua to death. Since the penalty for the crime of parricide is composed of two indivisible penalties (reclusion perpetua to death), the imposition of the proper indivisible penalty on appellant is governed by Article 63 of the Code which provides:

Article 63. Rules for the application of indivisible penalties.

x x x x x x x x

In all cases in which the law prescribes a penalty composed of two indivisible penalties the following rules shall be observed in the application thereof:

- When in the commission of the deed there is present only one aggravating circumstance, the greater penalty shall be applied.
- When there are neither mitigating nor aggravating circumstances in the commission of the deed, the lesser penalty shall be applied.

- When the commission of the act is attended by some mitigating circumstance and there is no aggravating circumstance, the lesser penalty shall be applied.
- When both mitigating and aggravating circumstances attended the commission of the act, the courts shall reasonably allow them to offset one another in consideration of their number and importance, for the purpose of applying the penalty in accordance with the preceding rules, according to the result of such compensation.

Based on the above provision, the presence of any mitigating or aggravating circumstances must first be determined for the imposition of the proper penalty.

In this case, no aggravating circumstances were alleged in the information. Thus, no aggravating circumstances can be appreciated against the appellant. With regard to the presence of any mitigating circumstances, we find that appellant is entitled to the mitigating circumstance of voluntary confession of guilt.

Article 13 (7) of the Revised Penal Code provides that an accused is entitled to the mitigating circumstance of voluntary confession of guilty if “he had voluntarily confessed his guilt before the court prior to the presentation of evidence by the prosecution.” The following requisites must concur: (1) the accused spontaneously confessed his guilt; (2) the confession of guilt was made in open court, that is, before a competent court trying the case; and (3) the confession of guilt was made prior to the presentation of evidence by the prosecution.[12]

In this case, appellant made his confession of guilt before the presentation of evidence by the prosecution since he pleaded guilty during the arraignment. The appellant also confessed voluntarily and spontaneously despite knowing the serious nature of the charge against him.[13] Lastly, appellant made his confession openly, that is, before the judge and the parties in a hearing. Clearly therefore, all the requisites of the mitigating circumstance of voluntary confession were present.

With one mitigating circumstance (voluntary confession of guilt) and no aggravating circumstance, Article 63 of the Revised Penal Code provides that “in cases in which the law prescribes a penalty composed of two indivisible penalties. . . [the lesser penalty shall be applied] when the [crime] is attended by some mitigating circumstances and there is no aggravating circumstances.” Thus, since the crime of parricide is punishable by reclusion perpetua to death, the lesser penalty of reclusion perpetua should have been imposed by the trial court on appellant, not the penalty of death.

Other than the penalty imposed, we find no error in the ruling of the trial court that the appellant was guilty of the crime of parricide since it was clear that appellant killed his mother. As discussed by the trial court, all the elements of the crime of parricide were clearly and sufficiently proved by the prosecution:

As to the first element which is, that a person is killed, there is an overwhelming evidence both testimonial and documentary that absolutely show that Yolanda Juan was killed and died due to stab wounds. The death certificate, Exhibit “A” (p. 6 rec.) lucidly and clearly show that Yolanda Juan died and the cause of death is cardio-respiratory arrest due to multiple stab wounds. Moreover, the accused through his counsel de oficio during the pre-trial conference admitted that the victim died of multiple stab wounds. . . . Finally, the proffered testimony of Marvin Juan, brother of the accused that he saw the accused killed [sic] the victim was admitted by the accused through his counsel.

x x x x x x x x

As to the existence of the second element, which is, that the deceased is the mother of the accused, there is no iota of doubt on the part of the court to conclude that the victim is indeed the mother of the accused. Exhibit “C,” the Birth Certificate of accused Marlon Juan (p. 39 rec) . . . indubitably show with clarity that Yolanda Leste Juan is indeed the mother of . . . the herein accused. Further, the accused through his counsel de oficio admitted during the pre-trial conference that, [he] is the son of the deceased.

X X X X X X X X

As to the presence of the third element [the last element] which is, the deceased is killed by the accused, the court again is very certain that the accused is the author of the crime. . . not only because he pleaded “GUILTY” to the crime of “Parricide” but because of the overwhelming evidence that positively identify him as the perpetrator of the offense. Again, during the pre-trial of the case, the accused admitted through his counsel that “he killed the victim on April 23, 2001 at the victim’s residence at Punta, Aparri, Cagayan with the use of a pointed iron bar” (par. 4, Stipulation of Facts, Order dated October 11, 2001; pp. 30-31 rec). Also, the proffered testimony of Marvin Juan, brother of the accused, that “he saw the accused killed the victim” was admitted by the counsel for the accused (Order dated November 21, 2001; pp. 36-37 rec). Finally, the open court testimony of accused’s father, Deogracias Juan, that when his son Marvin shouted “Mother is already dead,” he immediately rose up from where he was lying and proceeded to the place where Marlon was and saw the latter on motion to stab Marvin and saw his wife Yolanda already sprawled on the floor speaks eloquently of the fact that accused Marlon Juan was in the process of a stabbing frenzy. In fact, he was able to injure his brother Marvin after stabbing successively to death his own mother. Thus, the accused having admitted his guilt coupled by the overwhelming evidence positively showing and identifying him to be the killer of his mother; the third element is therefore present.[14]

We affirm the above ruling of the trial court for being in accordance with the law and the evidence on record. Consequently, although we uphold the conviction of appellant Marlon Juan of the crime of parricide, the proper penalty is reclusion perpetua, not death.

WHEREFORE, the decision of the Regional Trial Court of Aparri, Cagayan, Branch 8, in Criminal Case No. 08-1318, finding the appellant, Marlon Juan, guilty beyond reasonable doubt of the crime of parricide is hereby **AFFIRMED** with the **MODIFICATION** that appellant is hereby sentenced to suffer the penalty of reclusion perpetua instead of death.

SO ORDERED.

Davide, Jr., C.J., Puno, Vitug, Panganiban, Quisumbing, Ynares-Santiago, Sandoval-Gutierrez, Carpio, Austria-Martinez, Carpio-Morales, Callejo, Sr., Azcuna, and Tinga, JJ., concur.

[1] Penned by Judge Conrado F. Manaus, Rollo, pp. 7-15.

[2] Rollo, p. 4.

[3] The trial court read the information to the appellant in Ilocano, the dialect appellant speaks and understands. Records, p. 26.

[4] Records, p. 30.

[5] Rollo, p. 15.

[6] TSN, November 20, 2001, pp. 2-9.

[7] Records, p. 36-37.

[8] Ibid.

[9] Id.

[10] Id., pp. 5-9.

[11] Rollo, pp. 31-36.

[12] People vs. Crisostomo, 160 SCRA 47 [1988]; People vs. Bueza, 188 SCRA 683 [1990].

[13] The trial court read to the appellant the information in Ilocano, the dialect he speaks and understands. Records, p. 26.

[14] Rollo, pp. 11-14.

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.