

PEOPLE OF THE PHILIPPINES, APPELLEE, VS. MARITESS ALOLOD, EFREN DEOCAMPO, ELMER DEOCAMPO AND EDWIN DEOCAMPO, ACCUSED, EFREN DEOCAMPO, APPELLANT.

G.R. No. 185212. February 15, 2012

Ponente: ABAD, J.

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ABAD, J.:

This case is about when circumstantial evidence may be considered sufficient to support a finding of guilt in a murder case.

The Facts and the Case

The Provincial Prosecutor of Sultan Kudarat charged the accused Maritess Alolod, Efren Deocampo, Edwin Deocampo, and Elmer Deocampo with double murder before the Regional Trial Court (RTC) of Isulan, Sultan Kudarat, Branch 19, in Criminal Cases 2531 and 2532.

The prosecution evidence shows that Melanio and Lucena Alolod adopted accused Maritess and took her into their home in Barangay Poblacion, Lebak, Sultan Kudarat. Maritess had two children with her lover, Efren Deocampo, who was never allowed to set foot on her parents' house since they loathed him. In May 1998, the old couple, Melanio and Lucena, suddenly went missing.

Neighbors and relatives testified last seeing the old couple on May 27, 1998. A neighbor, Magdalena Ato, recalled that the two were in good health. In fact, Melanio even went to market early in the day. At around 8:30 that evening, as he was making his rounds, a security guard at Salaman Institute, Demetrio Nebit, saw two men standing near the fence that separated the school from the Alolod house. On seeing Nebit, the two hurried into a nearby toilet but the security guard followed and told them to come out. Nebit identified one of the two to be Efren Deocampo, a former classmate, and his brother Edwin.

At about 2:00 a.m. on the following day, May 28, Victor Ato, Magdalena's husband, awakened to strange sounds coming from the Alolod house just five to six meters away. Victor heard a woman sobbing and what sounded like a pig being butchered. He looked out through the window but, seeing no one, he just went back to bed. When Victor woke up at 5:30 a.m., he saw Efren at the kitchen of the Alolod house.

Later that day, Magdalena had the chance to ask Maritess about the sounds coming from their house during the night. Maritess explained that Melanio was ill and she was having a difficult time giving him medicine. Maritess added that her parents had left for Cotabato City early that morning. Meantime, on inspection that morning, the school security guard noticed that the cyclone wire of the fence where he saw Efren and Edwin standing the night before had been cut. He reported the incident to the school principal.

Annaliza Relles, the grandniece of the Alolods, noticed the absence of the old couple when she came over that morning to cook for them. Only Maritess and her two children were there. Maritess told Annaliza that her parents had left for a vacation. Annaliza tried to use one of the toilets in the house but it was padlocked. Maritess told her

to just use the other toilet.

On May 29 Generita Caspillo, Maritess' relative and close friend, stayed at the Alolod residence to keep them company because according to Maritess, her father suffered a stroke and had to be brought to Cotabato for medical treatment. While Generita was there, she noticed a pile of red soil near the well at the garden.

On May 30 Annaliza and Generita saw Efren's younger brothers Edwin and Elmer at the Alolod residence. The next day, during their town fiesta, friends and relatives came by to visit the old couple but Maritess told them that they had gone to Davao City and would not return until August 16 or 17. By June the couple's grandchildren who would stay at their house for school began arriving. They observed the frequent presence of the Deocampo brothers in the house. Sometime in August, Generita and her mother, Lucena's sister, came to pay a visit. They saw Efren wearing Melanio's wristwatch. Maritess insisted that her parents were still in Davao for medical check-up.

In August, Maritess and her children, together with the Deocampo brothers, left the Alolod house to live at Sitio Gila-gila, Barangay Kuya, South Upi, Maguindanao. When the Alolod spouses did not return to their home, their relatives started looking for them. They found out that the missing couple did not go to either Davao or Cotabato or to their relatives in Iloilo. Their clothes and other personal effects were still in the house. The last entry on the recovered diary of Melanio was on May 27. Suspecting that something was amiss, the couple's relatives, Francisco Estaris and Joel Relles, searched the house for clues. They even dug up elevated and depressed soil formation around the place but for naught.

Finally, on October 9, 1998 Francisco noticed a portion of the land planted with camote. Francisco found the place unlikely for camote since it was shaded from the sun. Those who boarded at the house said that it was Maritess and Efren who planted them. With the help of others, Francisco dug up the suspected spot. There they found the decomposing bodies of Melanio and Lucena. Based on the post-mortem report, Melanio was strangled with a wire; Lucena was stabbed.

On May 10, 2001 the RTC found the four accused guilty of murder of Lucena, with Efren and Edwin as principals and Maritess and Elmer as accessories, in Criminal Case 2531 and of the murder of Melanio in Criminal Case 2532. In each case, the RTC sentenced Efren and Edwin to suffer the penalty of death, while Maritess and Elmer were sentenced to suffer the penalty of imprisonment for 4 years and 2 months of prision correccional, as minimum to 10 years of prision mayor, as maximum. The RTC also ordered the accused to pay P50,000.00 to the heirs of Lucena and another P50,000.00 to the heirs of Melanio, and to pay the costs.

While the case was on appeal, the Court of Appeals (CA) granted the request of Maritess and Elmer to withdraw their appeals, leaving only those of Efren and Edwin for its consideration. On August 30, 2007 the CA rendered judgment in CA-G.R. CR-HC 00419, affirming with modification the RTC decision. The CA reduced the penalty imposed on Efren to reclusion perpetua and on Edwin who was a minor to 10 years and 1 day of prision mayor, as minimum to 15 years and 1 day of reclusion temporal, as maximum. In addition to the P50,000.00 granted by the RTC as civil indemnity in each of the cases, the CA further ordered the additional payment of P25,000.00 as exemplary damages and another P25,000.00 as temperate damages for a total of P100,000.00 in each case, with the principals severally liable for P60,000.00 and the accessories for P40,000.00 of this amount. Efren and Edwin appealed to this Court. Edwin, however, on a letter to the Office of the Solicitor General dated December 7, 2008, manifested his intention to withdraw his appeal. On August 26, 2009 the Court granted Edwin's withdrawal, leaving Efren as the sole accused-appellant in this case.

The Issue Presented

The sole issue presented in this case is whether or not the CA erred in affirming the RTC's finding that accused Efren was responsible for the murder of the Alolod couple based on circumstantial evidence.

The Ruling of the Court

The rule of evidence that applies when no witness saw the commission of the crime[1] 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.

The circumstances must constitute an unbroken chain that inexorably leads to one fair conclusion: the accused committed the crime to the exclusion of all others.[2]

Here, those circumstances abound.

1. Efren had always been banned from the old couple's house because they strongly disapproved his relationship with Maritess, their adopted daughter so he had no business being around that house.
2. The old couple were enjoying good health before the evening of May 27, 1998.
3. On May 28 they were suddenly gone from the house, meaning that they were killed on the night of May 27 or early morning of May 28.
4. On the night of May 27 the security guard at Salaman Institute saw Efren and Edwin standing on the school side of the fence next to the old couple's house. They even tried to conceal themselves in the school toilet. The next day, the guard discovered that the fence wire had been cut.
5. At about 2:00 a.m. of May 28 a neighbor heard the sound of a woman sobbing and what seemed like the butchering of a pig.
6. At break of dawn, a witness saw Efren in the Alolod kitchen.
7. From then on Efren and his brothers frequented the old couple's house, with Efren wearing the old man's watch.
8. Maritess definitely lied about her adoptive parents going to Cotabato City and subsequently to Davao City for medical treatment when people started looking for them. They were of course buried in the garden.
9. A witness heard Efren instructing Maritess to plant more camote on a pile of red soil beside the house.
10. The bodies of the old couple were found underneath those plants.

The alibi of Efren that he was in Maguindanao at about the time the old couple was killed does not encourage belief. The security guard saw him with his brother at 8:30 p.m. of May 27 near the couple's house where they had no business being there. A neighbor saw Efren at the kitchen of that house on the morning following the slaying of the couple. And it was not physically impossible for the accused to be at the crime scene when it happened.[3] Sitio Gila-gila, South Upi, Maguindao was merely 15 kilometers from Lebak, Sultan Kudarat.

The CA, however, correctly reduced the imposable penalty from death to reclusion perpetua, not only because the information failed to allege the aggravating circumstances of dwelling and the victims' age but likewise, because of Republic Act 9346[4] that now prohibits the imposition of the death penalty.

Consistent with recent jurisprudence the Court is awarding P75,000.00 as civil indemnity,[5] P25,000.00 as temperate damages,[6] another P75,000.00 as moral damages,[7] and P30,000.00 as exemplary damages,[8] for a total of P205,000.00 in each case. But these amounts should only apply to Efren and not to the rest of the accused who withdrew their appeals.[9] Here, the RTC ordered Maritess, Edwin and Elmer to pay only P50,000.00 as civil indemnity in each case or a total of P100,000.00.

WHEREFORE, the Court AFFIRMS the decision of the Court of Appeals in CA-G.R. CR-HC 00419 dated August 30, 2007 with MODIFICATION ordering accused Efren Deocampo to indemnify the heirs of Melanio and Lucena Alolod in the amounts of P75,000.00 as civil indemnity, P25,000.00 as temperate damages, another P75,000.00 as moral damages, and P30,000.00 as exemplary damages, or a total of P205,000.00 in each case, and to pay the costs.

SO ORDERED.

Carpio, [*]Peralta, (Acting Chairperson), Perez,**] and Mendoza, JJ., concur.

[*] Designated as additional member in lieu of Associate Justice Presbitero J. Velasco, Jr., per Special Order 1185 dated February 10, 2012.

[**] Designated as additional member in lieu of Associate Justice Estela M. Perlas-Bernabe, per Special Order 1192 dated February 10, 2012.

[1] Rules of Court, Rule 133, Sec. 4.

[2] People v. Dela Cruz, G.R. No. 174658, February 24, 2009, 580 SCRA 212, 221.

[3] People v. Tamolon, G.R. No. 180169, February 27, 2009, 580 SCRA 384, 395.

[4] Entitled an act prohibiting the imposition of death penalty in the philippines, June 24, 2006.

[5] People v Arbalate, G.R. No. 183457, September 17, 2009, 600 SCRA 239, 255.

[6] People v. Dolorido, G.R. No. 191721, January 12, 2011, 639 SCRA 496, 508.

[7] Supra note 5.

[8] People v. Satonero, G.R. No. 186233, October 2, 2009, 602 SCRA 769, 783.

[9] Revised Rules of Criminal Procedure, Rule 122, Sec. 11.

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