

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. MARCOS MANALANG Y TAGUINOD, ACCUSED-APPELLANT.

G.R. No. 67662. February 09, 1989

Ponente: SARMIENTO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-67662/>

SARMIENTO, J.:

This case is a classic story of a romance that ended in tragedy.

It all began with the fatal attraction of Marcos Manalang (the herein, appellant) to a certain Maggie Chaves, which attraction degenerated into a diabolic obsession, climaxing in the brutal slaying of an elderly woman, her two young grandchildren, and a domestic helper.

The facts established by the evidence on record are as follows:

The spouses Engineer Maximino Lorenzo, and Edith Bolivar-Lorenzo, 41 and 37 years of age, respectively, resided with their two sons, Carlomax and Lawrence, nine and seven years old, respectively, in their house at Lot 47, Block 84, Lagro Subdivision, Novaliches, Quezon City. Also living with them in the same house were Maximino's 69-year old mother, Felisa Capalungan Vda. de Lorenzo, his niece and househelp Zenaida Q. Nicobeza, 19 years old, and appellant Marcos Manalang, a 20-year old cousin of Maximino.[1]

Mrs. Edith Bolivar-Lorenzo met the appellant only after she had married Maximino in May, 1973. It was only in 1978, however, that the appellant became close to the Lorenzo couple when Maximino, who was working as an engineer in a government project at Pantabangan, Nueva Ecija, gave the appellant a job as a timekeeper. After his stint in Pantabangan, Maximino asked Marcos to stay with his family in Lagro Subdivision.

The Lorenzo treated Marcos like their own son. They took care of all his needs, even sending him to college.[2] At first, Marcos took up forestry, then he shifted to mechanical engineering at the Araneta University in Caloocan City.[3]

It was at this time when the appellant became acquainted with a Maggie Chavez, a young lady also living in the same subdivision. The appellant, completely smitten by her, courted her assiduously, and after one year of persistent courtship, Maggie reciprocated his love and they became steady lovers.[4]

But this love affair with Maggie proved to be destructive for the appellant. Instead of attending school, he spent his time going out with Maggie and the money intended for his tuition and daily allowance, on their dates.[5]

It took almost a year before the appellant realized that he was cheating his cousin Maximino, who, not knowing that the appellant had already dropped out of school, continued giving him money for his tuition fees and daily allowances. Now conscious of his deception, the appellant felt helpless and desperate, not being able to tell his Kuya Maximino his problem, and fearful that should he fall from the good graces of his benefactor, he would subsequently lose the affection of his dearly beloved Maggie.[6]

Marcos was in that confused state of mind in the evening of January 2, 1984, when he decided, while he was

ruminating in bed, to eliminate all the members of the Lorenzo family, whom he considered as roadblocks to his love affair with Maggie. He decided to carry out his evil scheme with a hammer, a kitchen knife, and a butcher's knife.[7]

The next day on January 3, 1984, Marcos waited for the Lorenzo couple to leave for work at about 7:30 o'clock in the morning. After they had gone, he sent the housegirl, Zenaida Nicoben, to the, giving her P20.00 for the purpose. When Zenaida had left the appellant, armed with a kitchen knife, entered the room of his aunt Felisa Capalungan Vda. de Lorenzo who was at that time sewing clothes. He approached her from behind, and staying obliquely to her left side, suddenly stabbed her right side with the kitchen knife. The old woman begged for her life and asked forgiveness from the appellant for whatsoever wrong she might have done him. But the appellant did not heed her pleas, and continued stabbing her many more times.[8]

The lifeless body of Felisa lay on the floor. The appellant then proceeded to the master's bedroom, where his nephew, Carlomax Lorenzo, who was suffering from measles, was asleep. The appellant covered the mouth of the boy with a pillow then stabbed him several times with the same kitchen knife. From there, he moved to the children's bedroom where his other nephew, Lawrence Lorenzo, was still sleeping. The appellant repeated what he had done to Carlomax, although in the process of stabbing Lawrence, the kitchen knife broke and injured the appellant's hands.[9]

After killing Lawrence, the appellant got hold of a hammer and waited for Zenaida to return from the market. Upon her arrival, Zenaida noticed the wounds on the appellant's hands; she asked the latter what had happened. The appellant told her that he sustained his wounds while slicing meat. Then, as Zenaida turned away from the appellant, the latter hit her heck with the hammer, causing her to fall on the floor, groaning. Hearing her groaning the appellant hit her repeatedly with the hammer and then stabbed her with a butcher's knife in the neck.[10]

Thereafter, the appellant dragged the lifeless bodies of Carlomax, Lawrence, and Zenaida to the room of his aunt, Felisa, piled their cadavers on top of each other, placing Lawrence's cadaver at the top of the pile.[11]

To remove traces of his having killed Zenaida, the appellant wiped away the blood stains in that portion of the living room where the househelp had fallen. After that, he washed himself in the bathroom and applied first aid on his wounds. He decided to leave the house and so he packed his clothes. Realizing that he did not have money for his travelling expenses, he searched the bag of his aunt Felisa and the purse of Zenaida from which he found and took P200.00 and P50.00, respectively. Knowing these amounts to be insufficient, he got the keys to the different lockers in the house, and with one of them he opened the drawer of his Kuya Maximino's table where he found P50.00. He also took from the drawer a caliber .22 magnum Arminius revolver. He likewise opened the lookers of his Ate Edith and the children, from which he took some pieces of jewelry.[12]

With the money and assorted jewelry he had collected, the appellant got on the bicycle of Maximino and went to the Lagro Health Center to have his wounds treated.

He presented himself for treatment to midwife Cresencia P. Somera, who, in turn, turned him over to Dra. Irene Panes. The doctor asked the appellant to write his name in the register, but the appellant did not do so, and instead left without saying a word.

The appellant proceeded to the district of Novaliches on the bicycle. He wanted to go farther by boarding a jeepney but since the jeepney driver would not allow him to board with the bike, the appellant left the same with a waitress at a restaurant in front of the Our Lady of Mercy Hospital.

Then, the appellant went to Araneta University in Caloocan City to have his wounds treated. But since he arrived there at 12:00 noon and the clinic was already closed, he decided to go to the MCU Hospital.

At the MCU Hospital, the appellant was not attended to immediately, so he went back to Novaliches, and then to the house of the Lorenzos at Lagro and waited for the Lorenzo couple with the intention of killing both of them with a bolo.

But when the car of Maximino arrived at about 6:00 o'clock in the early evening of January 3, 1984, the appellant had a sudden change of heart. So, he ran out of the house through the back door, and jumped over the fence of a neighbor, Noel Galinato, from whom he asked permission to pass through.[13]

The appellant reached Malinta, Valenzuela and entered a private clinic for treatment. But the doctor there advised him to seek treatment at the Novaliches Hospital where a nurse, however, told him that the hospital staff cannot stitch his wounds, and forthwith advised him to go to the Quezon City General Hospital.

The appellant first took his supper at the restaurant in front of the Our Lady of Mercy Hospital, and there offered to sell Maximino's bike for P200.00.

As he was about to enter the Quezon City General Hospital, he read a notice tacked on the wall stating that all bags would be searched; the appellant felt apprehensive that the gun of his Kuya Maximino inside his bag would be discovered. So he went instead to Monumento, took a taxi to Araneta University, and slept at the ROTC headquarters.

At about 5:00 o'clock in the morning of the next day, January 4, 1984, the appellant went to the Sto. Niño beach in Tanza, Cavite to hide. There, he slept overnight.

That evening, the appellant planned to surrender to police authorities the next day with the help of Maggie. However, he read a news item in The People's Journal about the murders in Lagro Subdivision and which reported that the suspect's girlfriend, Maggie, was "hiding from the road killer."

His intention to surrender having been estopped, on the next day, January 5, 1984, the appellant boarded a Philippine Rabbit bus in Avenida, Sta. Cruz, Manila, for Baguio City.

In Baguio, he stayed at the Emerald Lodge, registering under the name of Rey dela Cruz.

The appellant kept thinking about the news item which stated that Maggie was hiding from him. He was desperate; all at once, he realized that his innamorata the object of his obsessive love, for whom he had killed the impediments to their relationship, had vanished, had gone into hiding and had called him a "mad killer." He was completely devastated. Still, he tried to put things right by confessing to the murders. He wrote several letters; one of them, dated January 6, 1984, was addressed to Capt. Jil Fabian, the Lorenzo's neighbor at Lagro, in which the appellant admitted having killed the four persons and of having the intention to kill all the members of the Lorenzo family, including the Lorenzo couple, with a bolo, but that he changed his mind about killing the couple who had been very good to him; he also recounted in the letter his love affair with Maggie. Another letter was addressed to Mrs. Chavez, care of Capt. Jil Fabian, wherein the accused confessed his love for Maggie. In a third letter addressed to Mrs. Chavez and Maggie, he also professed his undying love for Maggie and admitted that it was his intention to kill all the Lorensos whom he perceived as obstacles to a happy love affair with Maggie.

The next day, January 7, 1984, the appellant returned to Manila, but on the same day, he went back to Baguio. At the Emerald Lodge where he again stayed that night, the appellant planned to kill himself with the gun of his Kuya Maximino. But he realized doing so was an offense against God. So he desisted. Besides, he wanted his relatives and the others to know that it was he and he alone who had killed the four victims and that he did not want other persons to be suspected of having done so.

It was for this reason that he wanted to surrender alive. Thus, on January 11, 1984, the appellant left. Baguio for

his hometown, Solana, Cagayan.

In Solana, the appellant, accompanied by his brother Juan Manalang, and his uncle, Pat. Taguinod, surrendered, in the early morning of January 13, 1984, to Solana Mayor Alexander Balauitan to whom he admitted having killed Felisa, the two children, and the maid. After the appellant's confession, Mayor Balauitan turned him over to then Minister Juan Ponce Enrile who happened to be in Solana, attending a plebiscite rally.

The appellant had also surrendered to Mayor Balauitan the pieces of jewelry and the caliber .22 magnum Arminius revolver[14] which he had taken from the residence of the Lorenzos.

Minister Enrile then ordered Regional Commander Manlongat and PC Provincial Commander Col. Tirso Gador to take custody of the appellant who was thereafter brought to the headquarters of the Cagayan PC/INP Command in Tuguegarao, Cagayan. There the appellant, with the assistance of lawyer Elpidio Atal, was informed by Police/Cpl. Manuel F. Gaddan, of his (appellant's) constitutional rights in custodial investigation; in his extra-judicial confession, the appellant admitted having killed Felisa Capalungan Vda. de Lorenzo, Carlomax Lorenzo, Loren (Lawrence) Lorenzo, and Gerly (Zenaida) Nicobeza, with a kitchen knife, bolo, and hammer in the home of the Lorenzo's on Block 84, Lot 47, Lagro Subdivision, Novaliches, Quezon City, and having taken cash money in the amount pf P300.00, as well as pieces of jewelry, for his traveling expenses.[15]

From the PC/INP Headquarters in Tuguegarao, Cagayan, the appellant was brought to Camp Crame, Quezon City. Then he was turned over to the Quezon City Police. At the Police Station, on January 16, 1984, Police Corporal Rogelio R. Castillo informed the appellant of his constitutional rights in custodial investigation. After thus being informed and with the assistance of lawyer Nelson Becinio, the appellant again confessed to the killing of his Nanang Iling (Felisa Capulungan Vda. de Lorenzo), Carlo (Carlomax Lorenzo), Louie (Lawrence Lorenzo), and Gerlie (Zenaida Nicobeza), with a kitchen knife, a ball pin hammer, and a bolo at about 8:00 A.M. on January 3, 1984, at Block 84, Lot 47, Lagro Subdivision, Novaliches, Quezon City which was the house of his "Kuya" Max (maximino) Lorenzo, and to having taken the amount of P300.00 in bills and assorted coins, as well as pieces of jewelry from the house of the couple.[16]

On January 17, 1984, an Information was filed before the Regional Trial Court, Branch LXXXIX, in Quezon City accusing Marcos Manalang y Taguinod of the crime of Robbery with Multiple Homicide, committed as follows;

That on or about the 3rd day of January, 1984, in Quezon City, Metro Manila, Philippines, the above named accused, with intent of gain and by means of violence and/or intimidation of person, did then and there, wilfully, unlawfully and feloniously rob the residence of spouses MAXIMINO LORENZO Y CAPALUNGAN and EDITH BOLIVAR-LORENZO located at Block 84, Lot 47, Lagro Subdivision, Bgy. Pasong Putik, Novaliches, this City, by then and there taking away therefrom the following personal property:

(1) Arminius rev. cal. .22 magnum, SN 754670

P1,000.00

(2)

50 rounds of cal. .22 amno., plus 7 amno inside the gun's revolving chamber

250.00

(3)

One (1) imported blue racer bike

5,000.00

(4)

One (1) rado watch

600.00

(5) One (1) casio mini calculator

300.00

(6)

Cash

13,000.00

(7)

4-sets, diamond ring & earring

20,000.00

(8) Cash

2,000.00

(9)

1-set diamond ring & earring

5,000.00

(10)

1-pc. gold earring with pearl stones

600.00

(11)

1-pc. gold ring w/ pearl stones

P600.00

(12)

1-Bulova wrist watch

600,00

(13)

4 piggy banks

5,000.00

(14)

4-wrist watches

1,200.00

(15) 1-digital watch

200.00

P55,350.00

all totally valued at P55,350.00, Philippine Currency, belonging to said Maximino Lorenzo Capalungan and Edith Bolivar-Lorenzo, to their damage and prejudice in the total amount aforementioned and in such amount as maybe awarded to them under the provisions of the Civil Code of the Philippines; that on the occasion of the said robbery and for the purpose of enabling him to take, rob and carry away the articles above-mentioned, herein accused, with, intent to kill, with evident premeditation and treachery; did then and there wilfully, unlawfully and feloniously attack, assault and employ personal violence upon the persons of FELISA CAPALUNGAN VDA. DE LORENZO, ZENAIDA NICOBESA Y QUITON, LAWRENCE LORENZO Y BOLIVAR and CARLOMAX LORENZO Y BOLIVAR, by then and there stabbing them with a kitchen knife and a butcher's knife and hammering them, hitting them of different parts of their bodies, thereby inflicting upon them serious and mortal wounds which were the direct and immediate cause of their untimely deaths, to the damage and prejudice of the heirs of said victims, in such amount as maybe awarded to them under the provisions of the Civil Code of the Philippines.

CONTRARY TO LAW.[17]

Upon arraignment, the appellant, with the assistance of his counsel, readily admitted having killed the four (4) victims named in the Information. However, the appellant pleaded that while he had taken some of the personal properties mentioned in the Information, he denied having taken all of them. For that reason, because the crime charged was the special complex crime of Robbery with Multiple Homicide, the trial court ordered that a plea of not guilty be entered.

In appreciating the evidence, the trial court found that the Killing by the accused of the four (4) victims was not done by reason or with the intent to commit robbery, which did not constitute the special complex crime, as charged in the Information, defined and penalized under Article 294 (1) of the Revised Penal Code. Especially considered by the trial court was the claim of the appellant in his testimony -- which Was not, disputed by the prosecution -- that in the evening of January 2, 1984, prior to the incident on January 3, 1984, he had only planned and intended to kill all the Lorenzos, but not to rob them. Hence, the original criminal design of the appellant was to kill the Lorenzos and the taking of the various personal properties was only an afterthought of the appellant because he had no money for traveling expenses.

Accordingly, after trial, the lower court rendered a decision[*] convicting the appellant, not of the special complex crime as charged in the Information, but of four (4) separate crimes of Murder and another distinct crime of Theft, The dispositive portion of the decision reads as follows:

ACCORDINGLY, judgment is hereby rendered as follows:

1. Convicting the accused, MARCOS MANALANG y TAGUINOD, of the separate offense of MURDER for the death of Felisa Capalungan Vda. de Lorenzo, qualified by either evident premeditation or treachery and aggravated by either evident premeditation or treachery, disregard of age, disregard of sex, abuse of confidence and cruelty, offsetted only by the mitigating circumstance of voluntary surrender, and in accordance with Article 248, in relation to Article 64(4), of the Revised Penal Code, the said accused is hereby sentenced to suffer the supreme penalty of DEATH, with all the accessory penalties provided for by law; to indemnify the Heirs of Felisa Capalungan Vda. de Lorenzo the amounts of P12,000.00, as compensatory damages, and P50,000.00. as moral damages; and, to pay the costs.
2. Convicting the accused MARCOS MANALANG y TAGUINOD, of the separate offense of MURDER for the death of Carlomax Lorenzo y Bolivar, qualified by either evident premeditation or treachery, and aggravated by either evident premeditation or treachery, with abuse of confidence or obvious ungratefulness, disregard of age, and cruelty, offsetted only by the mitigating circumstance of voluntary surrender, and in accordance with Article 248, in relation to Article 64(4), of the Revised Penal Code, the said accused is hereby sentenced to suffer the supreme penalty of DEATH, with all the accessory penalties provided for by law; to indemnify the Heirs of Carlomax Lorenzo y Bolivar the sums of P12,000.00, as compensatory damages, and P100,000.00, as moral damages; and, to pay the costs.
3. Convicting the accused, MARCOS MANALANG y TAGUINOD, of the separate offense of MURDER for the death of Lawrence Lorenzo y Bolivar, qualified by either evident premeditation or treachery, and aggravated by either evident premeditation or treachery, with abuse of confidence or obvious ungratefulness, disregard of age, and cruelty, offsetted only by the mitigating circumstance of voluntary surrender, and in accordance with Article 248, in relation to Article 64(4), of the Revised Penal Code, the said accused is hereby sentenced to suffer the supreme penalty of DEATH, with all the accessory penalties provided for by law; to indemnify the Heirs of Lawrence Lorenzo y Bolivar the amounts of P12,000.00, as compensatory damages, and P100,000.00, as moral damages; and, to pay the costs
4. Convicting the accused MARCOS MANALANG y TAGUINOD, of the separate offense of MURDER for

the death of Zenaida Nicobeza y Quiton, qualified by either evident premeditation or treachery, aggravated by either evident premeditation or treachery, disregard of sex, abuse of confidence, and cruelty, offsetted only by the mitigating circumstance of voluntary surrender, and in accordance with Article 248, in relation to Article 64(4) of the Revised Penal Code, the said accused is hereby sentenced to suffer the supreme penalty of DEATH, with all the accessory penalties provided for by law; to indemnify the Heirs of Zenaida Nicobeza y Quiton the sums of P12,000.00, as compensatory damages and P50,000.00, as moral damages; and, to pay the costs.

5. Convicting the accused MARCOS MANALANG y TAGUINOD, of the separate offense of THEFT, and in accordance With Article 309(1) of the Revised Penal Code there being no aggravating circumstance and one (1) mitigating circumstance of voluntary surrender which attended the commission of the offense, and applying the Indeterminate Sentence Law, the said accused is hereby sentenced to suffer the indeterminate penalty of imprisonment Of from FOUR (4) YEARS, TWO (2) MONTHS and ONE (1) DAY of prision correccional in its maximum period, as the minimum, to NINE (9) YEARS, FOUR (4) MONTHS and ONE (1) DAY of prision mayor in its medium period, as the maximum, plus an additional penalty of TWO (2) YEARS for the excess of P26,350.00, after deducting the amount of P22,000.00, the value of the stolen personal properties being P48,350.00, computed at P10,000.00, for each year, with; all the accessory penalties provided for by law; to indemnify the spouses Maximino Lorenzo and Edith Bolivar Lorenzo the amount of P35,400.00, representing the value of the personal properties stolen by the accused which are unrecovered, and to pay the costs.[18]

xxx xxx xxx

Before this High Tribunal on automatic review, the appellant contends that the court a quo gravely erred in finding him guilty beyond reasonable doubt of the crimes of Murder and Theft defined and penalized under the Revised Penal Code.[19]

The contention of the appellant is manifestly devoid of merit. As the facts reveal, it is clearly beyond dispute that Marcos Manalang committed four (4) separate crimes of Murder and another offense of Theft.

The appellant, with the assistance of counsel, duly executed two extrajudicial confessions (the first at the Cagayan PC/INP Headquarters in Tuguegarao. Cagayan on January 14, 1984 and the second at the Quezon City Police Station on January 16, 1984) in which he narrated in detail how he planned, in the evening of, January 2, 1984, to kill the victims, including the Lorenzo spouses, and how he treacherously killed, in carrying out his evil plan, all the persons named in the Information the following morning. He also admitted therein having taken P300.00 in cash, pieces of jewelry, a revolver, and a bicycle belonging to Maximino Lorensso which he used for his escape from Lagro Subdivision in Novaliches.

The aforementioned extrajudicial confessions were confirmed by the appellant when he testified in open court and were substantially corroborated by the other prosecution witnesses.

Furthermore, the appellant acknowledged having killed all the victims and having robbed the house thereafter in several letters written by him while in hiding in Baguio City. In addition, the appellant wrote another letter addressed to Mrs. Edith Bolivar-Lorenzo while he was detained at the Quezon City Jail, wherein he admitted the grievous sin he had committed against the Lorenzo spouses.

To top it all, when arraigned on February 10, 1984, the appellant readily admitted having killed the four victims named in the Information and of stealing thereafter various personal properties belonging to the Lorenzos.

From all the foregoing, it is thus, beyond reasonable doubt that appellant Marcos Manalang killed the four victims and, to provide himself with means for his escape, robbed the residence of the Lorenzos.

His confessions notwithstanding, the appellant seeks acquittal interposing the following query: Can he be convicted of four (4) separate crimes of Murder and another offense of Theft when he was charged of the crime of Robbery with Multiple Homicide?

We say yes. The special complex crime for which the appellant was charged is defined and penalized under Article 294 (1) of the Revised Penal Code which provides that "Any person guilty of robbery with the use of violence against or intimidation of any person shall suffer: The penalty of reclusion perpetua to death; when by reason or on occasion of the robbery, the crime of homicide, shall have been committed." Thus, to sustain a conviction for this special complex crime, the original criminal design of the culprit must be robbery (originally, there must be intent to gain), and the homicide is perpetrated with a view to the consummation of the robbery (by reason or on the occasion of the robbery).

In this case, the intention of the appellant was obviously to kill and the unlawful taking of the various personal property involved was merely an afterthought.

COURT:

Q:

So, at was your intention to kill the Lorenzo not to rob them? Is that correct?

A:

Yes, your Honor.[20]

We already had several occasions to hold that if the original design was not to commit robbery but that the idea of taking the personal property of another with intent to gain came to the mind of the offender after the homicide only as an afterthought or as a minor incident in the homicide, the criminal acts should be viewed as constituting two distinct offenses and not as, a single complex crime; the crimes would be either homicide or murder, as the case may be and theft.[21]

Hence, the appellant cannot validly argue that he cannot be convicted of four (4) murders (and theft) because such are not included in the crime of Robbery with Multiple Homicide of which he was charged. A portion of the Information reads as follows:

"x x x herein accused, with intent to kill, with evident premeditation and treachery, did then and there, wilfully, unlawfully and feloniously attack, assault and employ personal violence upon the persons of FELISA CAPALUNGAN VDA. DE LORENZO, ZENAIDA NICOBESA Y QUITON, LAWRENCE LORENZO Y BOLIVAR and CARLOMAX LORENZO Y BOLIVAR, by then and there stabbing them with a kitchen knife and a butcher's knife and hammering them, hitting them on different parts of their bodies, thereby inflicting upon them serious and mortal wounds which were the direct and immediate cause of their untimely deaths, x x x."

It is clear that the elements of the crime of murder, including the qualifying circumstances of treachery and evident premeditation, are alleged in the Information although the appellant is charged with Robbery with Multiple Homicide. This is so, because the word "homicide" used in this special complex crime is to be understood in its generic sense as to include murder and parricide.[22] It is a well-settled rule that when two or more offenses are charged in a single complaint or information, and the accused fails to object to it before trial, the court may convict the accused of as many offenses as are charged, and proved, and impose on him the penalty for each and every one of them, setting out the findings of fact and law in each case. Therefore, as the allegations in the Information determine what offense is charged, the herein appellant may be convicted of each murder as alleged and proved.

The appellant further argues that the Information charging him of Robbery with Multiple Homicide is fatally defective because there is no such crime in the Revised Penal Code; that regardless of the number of persons killed, the charge should still be Robbery with Homicide.

We agree with the appellant that the crime charged should have been Robbery with Homicide regardless of the number of persons killed by reason or on occasion of the robbery. The number of persons killed in the special complex crime of Robbery with Homicide is immaterial.^[23] Nevertheless, such an error committed by the fiscal should not be construed as a fatal flaw sufficient to invalidate the Information. The word "multiple" should be considered as mere surplusage, for the nature and character of the crime charged is determined not by the designation of the specific crime alleged to have been committed but by the facts alleged in the Information.

Premises considered, this Court finds no reversible error committed by the trial court in convicting the appellant of four separate crimes of Murder and another offence of Theft. Due to the presence of numerous aggravating circumstances not duly offset by the lone mitigating circumstance of voluntary surrender, the trial court correctly sentenced the appellant to suffer the penalty of death for each of the crimes of murder. Due to the prohibition under the 1987 Constitution, however, the Court cannot impose that extreme penalty.

WHEREFORE, the decision appealed from is hereby **AFFIRMED** in that the appellant Marcos Manalang Y Taguinod is guilty beyond reasonable doubt of four separate crimes of Murder and another offense of Theft. However, views of the 1987 Constitutional provision prohibiting the imposition of the penalty of death, the appellant is hereby sentenced to suffer the penalty of reclusion perpetua for each of the four crimes of Murder and to indemnify the heirs of each of the victims in the amount of P30,000.00 instead of P12,000.00 each. In all other respects, the decision of the trial court is hereby **AFFIRMED**.

SO ORDERED.

Melencio-Herrera (Chairman), Paras, Padilla, and Regalado, JJ., concur.

[1] T.s.n., March 6, 1984, 2-4.

[2] Id., 2-3; t.s.n., March 13, 1984, 56.

[3] T.s.n., March 6, 1984; t.s.n., March 15, 1984, 4.

[4] T.s.n., March 15, 1984, 4-5.

[5] Id., 19-20.

[6] Id., 4-5, 9.

[7] Id., 9-10; 17-18.

[8] T.s.n., March 13, 1984, 45-46; t.s.n. March 15, 1984, 10-11.

[9] T.s.n., March 15, 1984, 11-12.

[10] Id., 12-14.

[11] Id., 14-15.

[12] Id., 3 and 15.

[13] T.s.n., March 13, 1984, 42; t.s.n., March 15, 1984, 5.

[14] T.s.n., March 6, 1984, 27-29.

[15] Id., 29-30; t.s.n., March 13, 1984, 3-10.

[16] T.s.n., March 7, 1984, 17-24.

[17] Rollo, 18.

[*] Rendered by the Hon. Rodolfo Ortiz, dated March 28, 1984.

[18] Decision, 36-39; Rollo, 56-59.

[19] Appellant's Brief, 1; Rollo, 73.

[20] T.s.n., March 15, 1984, 9.

[21] People v. Atanacio, et al., No. L-11844, November 29, 1960, 110 Phil. 1032; People v. Elizaga, 86 Phil. 364 (1950); People v. Glore, 878 Phil. 739 (1950).

[22] People vs. Manuel, et al., 44 Phil. 333 (1923).

[23] People v. Barruga, 61 Phil. 318 (1935).

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.