

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
ALEXANDER ALBOFERA, AND ROMEO LAWI-AN,
ACCUSED-APPELLANTS.**

G.R. No. 69377. April 08, 1988

Ponente: MELENCIO-HERRERA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-69377/>

MELENCIO-HERRERA, J.:

In a Decision promulgated on July 20, 1987, this Court affirmed the conviction of accused-appellants, Alexander Albofera and Romeo Lawi-an, for Murder with the modification that the penalty was commuted from death to reclusion perpetua, and the civil liability was fixed at P30,000.00.

On September 3, 1987, Atty. Enrico R. Castro, de officio counsel for accused-appellants, filed a Manifestation and Motion for Reconsideration of our aforesaid Decision praying that the case and/or appeal of appellants be dismissed "in view of the supervening development of absolute pardon of appellants made by the President of the Philippines".

Asked to comment, the Solicitor General manifested that accused-appellants were, indeed, granted absolute pardon by the President on January 29, 1987 and that by virtue thereof their criminal liability is totally extinguished but not their civil liability.

Absolute pardon having been granted to accused-appellants prior to the effectivity of the 1987 Constitution on February 2, 1987, when there was as yet no requirement that pardon may be extended only after conviction by final judgment, the pardon granted by the President on January 29, 1987, was, therefore, valid, binding and effective. Accused-appellants' criminal liability is thereby extinguished but their civil liability remains.

"A pardon shall in no case exempt the culprit from the payment of the civil indemnity imposed upon him by the sentence" (Article 36, Revised Penal Code).

ACCORDINGLY, the Motion for Reconsideration is partially granted in that accused-appellants shall no longer suffer the penalty of reclusion perpetua but shall still indemnify the heirs of the victim, Teodoro Carancio, in the amount of P30,000.00, and shall each pay one-half (1/2) of the costs.

SO ORDERED.

Teehankee, C.J., Yap, Fernan, Narvasa, Gutierrez, Jr., Cruz, Paras, Feliciano, Gancayco, Padilla, Bidin, Sarmiento, Cortes, and Griño-Aquino, 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.