

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ARTURO GARCIA Y CANDA, ACCUSED-APPELLANT.*G.R. Nos. 137379-81. September 29, 2000*

Ponente: DE LEON, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-nos-137379-81/>**DE LEON, JR., J.:**

Accused-appellant Arturo Garcia y Canda was charged with two counts of rape in Criminal Cases Nos. 97-9989[1] and 97-9991[2] allegedly committed against his ten-year old stepdaughter, Jeypen C. Enilog.[3] In Criminal Case No. 97-9990,[4] which was tried jointly with the said criminal cases, accused-appellant was charged with rape committed against his twelve-year old daughter, Marcela Garcia. In a joint decision[5] dated December 18, 1998, the Regional Trial Court of Pasay City, Branch 109, acquitted accused-appellant in Criminal Case No. 97-9990 on the ground of reasonable doubt but convicted him in Criminal Cases Nos. 97-9989 and 97-9991 and sentenced him to suffer the supreme penalty of death in both cases.

Accused-appellant's convictions in Criminal Cases Nos. 97-9989 and 97-9991 are the subject of this automatic review pursuant to Article 47 of the Revised Penal Code, as amended by Section 22 of Republic Act No. 7659.[6]

The facts are as follows:

Jeypen C. Enilog was born on April 11, 1986.[7] She is the only daughter in a brood of three of Junior Fortunato Enilog[8] and Josefina Coquia.[9] Jeypen lived with both parents until sometime in 1992 when her parents separated.[10] In 1994, Josefina started to live with accused-appellant at Apelo Cruz St. in Pasay City.[11] Jeypen and her two brothers stayed with Josefina and accused-appellant until sometime in 1996 when Jeypen, along with her brothers, lived with their father, Junior, in Cavite.[12] In 1997, Jeypen and her two brothers once again stayed with their mother, Josefina, and accused-appellant at Apelo Cruz St., Pasay City.[13]

On March 5, 1997, at around noontime, ten-year old Jeypen was at home with accused-appellant and nine-year old Junior Enilog, her younger brother.[14] Junior was sleeping at the dining room of the house.[15] While Jeypen was in the bedroom folding the blanket or bedsheets, accused-appellant entered.[16] Suddenly accused-appellant kissed her on the lips and started to undress her.[17] Jeypen shouted but accused-appellant slapped her, causing her to fall down.[18] Accused-appellant undressed himself, laid on top of her and forcibly inserted his penis into her vagina.[19] Jeypen cried out as accused-appellant forced himself on her.[20] After satisfying his lust, accused-appellant warned Jeypen not to tell her mother about the incident.[21] A month later, on April 7, 1997, accused-appellant once again sexually molested Jeypen.[22] After eating lunch, Jeypen complained of a stomachache.[23] She asked her elder brother, Jonald, to massage her stomach but when accused-appellant saw them, he got angry.[24] Accused-appellant ordered her to go inside the bedroom[25] while her brother left the house.[26] When she was already inside the bedroom, accused-appellant undressed her.[27] After undressing himself accused-appellant laid on top of Jeypen and forcibly inserted his penis in her vagina.[28] Jeypen cried out in pain and shouted but accused-appellant covered her mouth with his hand.[29] Accused-appellant kissed her on the lips while he forced himself on her until he sated his lechery.[30]

Later that day, her mother, Josefina, arrived to fetch her.[31] While on their way to her aunt's house, Jeypen revealed to her mother that accused-appellant sexually molested her but Josefina did not believe her.[32] The next day, Jeypen told her aunt, "Tita Lasion", what happened to her and the latter believed her.[33] Jeypen together with her mother and aunt then went to the police headquarters where she gave her statement.[34] Marcela Garcia likewise came with them and revealed her alleged ordeal at the hands of her father, herein accused-appellant.[35]

On April 9, 1997, Dr. Dennis G. Bellin, PNP Medico Legal Officer conducted a medico-legal examination on Jeypen Enilog and Marcela Garcia.[36] Dr. Bellin's examination on Jeypen revealed shallow healed lacerations at 3.5 and 10 o'clock positions and he concluded that Jeypen was in a "non-virgin state." [37] The physical examination on Marcela Garcia, however, revealed an intact hymen [38] and he concluded that she was still in a "virgin state." [39]

On the basis of the sworn complaints [40] of Jeypen Enilog and Marcela Garcia, alleging that each of them were raped by accused-appellant on separate occasions, three informations of rape under Article 335 of the Revised Penal Code as amended by Republic Act No. 7659, were filed on April 16, 1997 against accused-appellant before the Regional Trial Court of Pasay City. [41]

Accused-appellant denied the accusations against him. [42] He claimed that complainant and her mother were no longer living with him on the dates when the rapes were allegedly committed since he drove them away from home after he quarreled with Josefina when he found out she was still seeing her husband, Junior. [43] He strongly manifested that Josefina, who warned him when they quarreled that she would do everything to put him in jail, fabricated the charges against him. [44] On December 18, 1998, the trial court rendered its decision, [45] the dispositive portion of which reads:

WHEREFORE, in view of the foregoing, the Court finds accused Arturo Garcia y Canda guilty beyond reasonable doubt for two (2) counts of Rape in Criminal Cases Nos. 97-9989 and 97-9991 and hereby sentences him to the penalty of DEATH in both cases.

In Criminal Case No. 97-9990 based on reasonable doubt in view of the doctor's report that the victim is in a virgin state physically, the Court opines the prosecution failed to prove the guilt of the accused beyond reasonable doubt and Criminal Case No. 97-9990 is hereby ordered dismissed.

SO ORDERED. [46]

Accused-appellant ascribes upon the trial court the following errors:

I

THE COURT A QUO GRAVELY ERRED IN FINDING THE ACCUSED-APPELLANT GUILTY BEYOND REASONABLE DOUBT OF TWO (2) COUNTS OF RAPE.

II

THE COURT A QUO GRAVELY ERRED IN IMPOSING THE DEATH PENALTY IN THE CASE AT BAR [47]

Accused-appellant bewails his conviction for two counts of rape. He primarily attacks the credibility of complainant Jeypen Enilog by pointing to alleged inconsistencies and improbabilities in her testimony [48] and condemns as merely fabricated the charges against him. [49] Alternatively, he urges that the penalties imposed on him should be lowered. [50] The Office of the Solicitor General (OSG) takes exception and contends that the decision of the trial court should be affirmed with the modification that, in addition to awarding indemnity and moral damages, [51] the penalty to be imposed should be reclusion perpetua considering that the qualifying

circumstance of relationship was not properly alleged in the information.[52] In the information in Criminal Cases Nos. 97-9989 and 97-9991 accused-appellant was erroneously alleged to be the stepfather of the victim, Jeypen C. Enilog, instead of the "common law spouse of the parent of the victim" as established during the trial.[53]

Accused-appellant's first assigned error is bereft of merit.

It is jurisprudentially settled that when it comes to the issue of credibility, this Court ordinarily defers to the assessment and evaluation given by the trial court for only the trial court has the unique opportunity to observe that elusive and incommunicable evidence of the witness' deportment on the witness stand while testifying, an opportunity denied to the appellate courts which usually rely on the cold pages of the silent records of the case.[54] Only when such assessment is tainted with arbitrariness or oversight of some significant fact or circumstance will the appellate court depart from the trial court's factual conclusions.[55] In the subject Criminal Cases Nos. 97-9989 and 97-9991, there is no cogent reason to apply the exception.

This Court entertains no doubt that complainant Jeypen Enilog was telling the truth. Indeed, her testimony, as declared by the trial court, is "categorical and forthright", simple and spontaneous. Her declaration on the witness stand:[56]

Q How about the accused, do you know him?

A Yes, I know the accused.

Q Why do you know him?

A Because he was the one who raped me.

Q How was Arturo Garcia related to your mother?

A He was the husband of my mother.

Q This Arturo Garcia is he present in Court?

A Yes, sir.

Q Kindly point at him?

A Yes, sir.

Court Interpreter:

Witness tapped the shoulder of a person who answered by the name of Arturo Garcia.

Fiscal Loteyro:

Q You said that you were raped by the accused Arturo Garcia? when was that?

A The first time was on March 5, 1997.

Q How about the other one?

A The last time was on April 7, 1997.

Q Jeypen, the first rape was on March 5, 1997, where did this happen?

A Pasay, sir.

Q Do you know where in Pasay, is it in Apelo Cruz, Pasay City?

A Yes, sir.

Q Do you still remember what time was it, was it in the morning or afternoon?

A It was noontime, sir.

Q What were you doing then at that time?

A I was holding a blanket or bed sheet.

Q Who were with you then at Apelo Cruz St. Pasay City?

A My brother.

Q Was there any other person?

A Arturo and my brother.

Q What is the name of your brother?

A J.R.

Q This Arturo you are referring to the accused?

A Yes, sir.

Q Do you know what is the full name of your brother J.R. and his age?

A Junior Inilog and he is nine years old.

Q Do you know this Marcela Garcia?

A Yes, sir.

Q How are you related to her?

A We were step sisters.

Q You said that you were fixing then your blanket, what happened next while fixing your blanket?

A All of a sudden he went into the room.

Q Who are you referring to?

A I am referring to Arturo.

Q What was he wearing then?

A He was wearing that looks like an inverted shorts and white T-Shirt.

Q What about you, what were you wearing at that time?

A I was wearing a duster.

Q You said that Arturo Garcia went to your room, what happened next?

A All of a sudden he kissed me.

Q What part of your body he kissed you?

A On the lips.

Q Then what happened next?

A He undressed me.

Q After Arturo Garcia undressed you, what happened next?

A I shouted and suddenly he slapped me.

Q Why did you shout?

A Because I do not like what he is doing to me.

Q After Arturo Garcia slapped you, what happened next?

A I fell down.

Q After you fell down, what happened next?

A He undressed himself.

Q After Arturo Garcia undressed himself, what happened next?

A After he undressed himself then he laid on top of me.

Q What happened next when he laid on top of you?

A He inserted his penis into my vagina (pepe).

Q And what did you feel?

A I felt pain.

Q For how long a time, this Arturo Garcia inserted his penis to your "pepe" or vagina?

A He was pushing it in (idinidiin).

Q How long?

A He was pushing it in for a long time.

Q Can you estimate how many minute?

A I cannot remember how long.

Q How about you, what were you doing then when Arturo Garcia inserted his penis to your vagina?

A I was shouting when he was doing it.

Q Afterwards what happened next?

A Nothing more.

Q Where was your mother at that time?

A My mother was then working in a canteen.

Q Where?

A Outside of the City Hall where there is a store.

Q After that, what did you do next?

A He warned me not to tell to my mother.

Q Jaypen, you were also raped on April 7, 1997 by Arturo Garcia, when did this happen?

A Also in a room.

Q Did this happen in Apelo Cruz?

A Yes, sir.

Q Would you still remember the time, was it in the morning or in the afternoon?

A It was noontime.

Q What were you doing at that time April 7, 1997?

A We were then eating.

Q You said "we" who were with you?

A The elder brother of Maricel, my elder brother and myself.

Q Do you know the elder brother of Maricel?

A Yes, sir.

Q What is the name the elder brother of Maricel?

A Contel, sir.

Q Is this "contel" the same as Armando Garcia?

A Yes, sir.

Q How about your mother, where was she?

A She was working.

Q In a canteen?

A Yes, sir.

Q After eating, what happened next?

A After eating all of a sudden my stomach ache.

Q What did you do after you felt your stomach was aching?

A I asked my brother to massage my stomach.

Q This brother of yours, you are referring to?

A Jonald, sir.

Q Afterwards what happened next?

A I asked my "Kuya" to massage my stomach. I asked my brother to put on the light as it was dark.

Q The room is dark even it is noon time?

A Because our house is small.

Q What happened next when the room was lighted?

A Arturo Garcia got angry with me and with my brother.

Q What happened next when Arturo Garcia got angry with you?

A He asked me if my stomach is still aching.

Q What was your answer?

A I told him it is no longer aching.

Q Afterwards what happened next?

A He again ordered me to get inside the room and then he undressed me.

Q Who were inside the room?

A Only the two us.

Q After Arturo Garcia undressed you, what happened next?

A I shouted. He undressed himself also then he removed his shorts.

Q After Arturo Garcia took out of his shorts, what happened next?

A All of a sudden he laid on top of me.

Q What did you do when laid on top of you?

A I shouted but he covered my mouth.

Q Why did you shout, what did you feel?

A I shouted because he was again raping me.

Q Do you mean to tell the Court, he inserted his penis inside your vagina?

A Yes, sir.

Q What did you feel rather?

A I felt pain.

Q Would you estimate, how long a time this Arturo Garcia inserted his penis into your vagina?

A He inserted it for a long time. (matagal-tagal).

Q What happened next when Arturo Garcia inserted his penis inside your vagina?

A He kissed me while his penis was inserted to my vagina.

Q What part of your body did he kiss you?

A On my lips.

Q After that, what happened next?

A "Natapos na."

Q What do you mean by "natapos na?"

A He finished of raping me.

Q After Arturo Garcia finished raping you, what happened next?

A Nothing more.

Q How about you, what did you do?

A I played. While playing my mother arrived, then we left. We went to my auntie's house.

Q Outside of Pasay City.

A I cannot remember.

Q What did you tell to your mother?

A While in the car I told my mother that Arturo Garcia raped me.

Q What did your mother do?

A She did not believe.

Q Afterwards, what followed next?

A In the next morning when we were already at my auntie's house I told it to my auntie.

Q What did you tell to your auntie?

A I told her: "Tita, I was raped by the husband of my mother."

Q When you told that to your Tita that you were raped by Arturo Garcia, what did your Tita do?

A She believe me and she got angry. Then we went to the police.

Her narration is consistent, categorical and hardly suffers from grave inconsistencies and thus is very typical of an innocent child whose virtue has been violated.[57] This Court has often held that a candid and straightforward narration by the victim, especially a child of tender age like Jeypen, of how she was sexually molested and abused must be given full faith and credit for they contain earmarks of credibility.[58]

Accused-appellants asseveration that strangely nobody heard the shouts of Jeypen if indeed she was raped must likewise fail for it is not necessary in the commission of rape that the place be ideal, or the weather be fine[59] inasmuch as "the evil in man has no conscience; the beast in him bears no respect for time and place, driving him to commit anywhere"[60] - even in places where people congregate, in parks, along the roadside, within school premises, inside an occupied house, and even in a room where other members of the family are also sleeping.[61]

Furthermore, there is nothing incomprehensible about Jeypen's reaction of playing after she was raped by accused-appellant.[62] The workings of the human mind are unpredictable; people react differently under emotional stress and there is no typical reaction or norm of behavioral response that ensue forthwith or later from victims of rape.[63] A child of tender age like Jeypen who has undergone such a shocking and harrowing experience cannot be expected to act like an adult and do what is expected of mature people.[64]

Accused-appellant, lastly, would like this Court to believe that such charges were merely fabricated. He attributes the falsity of the charges against him on the victim's mother who warned him that she would do everything to put him to jail after the accused-appellant threw them out of the house. However, imputations such as this is indeed hard to believe because no mother would be so callous to sacrifice her own daughter, concoct a story of the latter's defloration, allow an examination of her daughter's private parts and present her to be the subject of a public trial just to retaliate against him for his transgressions.[65] Nor is it probable that a child of tender years like Jeypen, not exposed to the ways of the world, would impute a crime so serious as rape to any man if it were not true and if she is not motivated solely by the desire to have the culprit apprehended and punished.[66]

Thus, the trial court did not err in giving credence to Jeypen's testimony over the hollow submissions of the accused-appellant. The testimony of Jeypen herself which is supported by the medical evidence of her non-virgin state is sufficient to clearly establish the guilt of the accused-appellant beyond reasonable doubt.[67] Nonetheless, the trial court erred in imposing the capital punishment on accused-appellant.

Republic Act No. 7659 has introduced seven other special qualifying circumstances, including the minority of the victim and the relationship between her and the offender, the attendance of which in the commission of the crime of rape under Article 335 of the Revised Penal Code, as amended, would warrant the imposition of the mandatory penalty of death.[68]

Except as to the dates of the commission of the crimes charged, that is, March 5, 1997 in Criminal Case No. 97-9989[69] and April 7, 1997 in Criminal Case No. 97-9991,[70] the identical informations, under which accused-appellant was eventually convicted, read as follows:

That on or about the 5[th] day of March, 1997, in Pasay City, Metro Manila, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, Arturo Garcia y Canda, stepfather of complainant Jeypen Inilog, stepdaughter, a minor (10 years old) by means of force and intimidation did then and there willfully, unlawfully and feloniously have carnal knowledge of complainant against her will and consent.

Contrary to Law.

While the informations in Criminal Cases Nos. 97-9989 and 97-9991 properly alleged the minority of the victim,

Jeypen Enilog, the alleged relationship of the said victim, as alleged stepdaughter of the accused-appellant, was not duly proved. Evidence presented at the trial only showed that Jeypen's mother, Josefina, and accused-appellant have been cohabiting only as common-law spouses.[71] No proof was presented by the prosecution that Josefina and accused-appellant were married as to qualify the latter as Jeypen's stepfather.

This failure of the prosecution to prove the qualifying circumstance of step-parent relationship between accused-appellant and the victim, Jeypen, as alleged in the information, precludes a finding of qualified rape and the automatic imposition of the death penalty. To rule otherwise would be tantamount to a deprivation of the constitutional right of the accused to be correctly informed of the nature and the cause of accusation against him.[72] Thus, accused-appellant should only be held liable for simple statutory rape, which is punishable by reclusion perpetua.

Finally, this Court noted that while the accused-appellant was found guilty, the trial court failed to award to the rape victim, Jeypen, the amount of P50,000.00, as civil indemnity, and an additional amount of P50,000.00, as moral damages, for each count of rape committed by the accused-appellant, contrary to prevailing jurisprudence. The imposition of civil indemnity is mandatory upon the finding of rape.[73] Moral damages, on the other hand, is granted in recognition of the victim's injury as being inherently concomitant with and necessarily resulting from the odious crime of rape,[74] especially where the rape victim is an innocent child whose life is forever tainted by a foul and traumatic experience.

WHEREFORE, the appealed decision dated December 18, 1998 of the Regional Trial Court of Pasay City, Branch 109 in Criminal Cases Nos. 97-9989 and 97-9991 finding accused-appellant Arturo Garcia y Canda guilty beyond reasonable doubt of two (2) counts of rape, is hereby **AFFIRMED** with the **MODIFICATION** that the penalty in each case is reduced to Reclusion Perpetua, and the accused-appellant is ordered to pay the victim, Jeypen C. Enilog, for each of the two (2) counts of rape, the sum of P50,000.00 by way of civil indemnity, and another sum of P50,000.00 as and for moral damages.

SO ORDERED.

Davide, Jr., C.J., Bellosillo, Melo, Puno, Vitug, Kapunan, Mendoza, Panganiban, Quisumbing, Purisima, Pardo, Buena, Gonzaga-Reyes, and Ynares-Santiago, JJ., concur.

[1] Records, pp. 1-2.

[2] *Id.*, pp. 28-29.

[3] In other parts of the records, her name is spelled as "Jaypen Inilog" or "Jeypen Inilog" but in her sworn statement, she signed her name as Jeypen C. Enilog, Records, p. 6.

[4] *Id.*, pp. 11-12.

[5] Penned by Judge Lilia C. Lopez, Rollo, pp. 58-66.

[6] Republic Act No. 7659, otherwise known as "An Act To Impose The Death Penalty On Certain Heinous Crimes, Amending For That Purpose The Revised Penal Code, As Amended, Other Special Penal Laws, And For Other Purposes."

[7] TSN, Jeypen Inilog, June 18, 1997, p. 2.

[8] *Id.*, p. 15.

- [9] Records, p. 3.
- [10] TSN, Jeypen Inilog, June 18, 1997, p. 2.
- [11] Id., p. 16.
- [12] Ibid.
- [13] Id., p. 17.
- [14] Id., p. 4.
- [15] Id., p. 21.
- [16] Id., pp. 4-5.
- [17] Id., pp. 5-6.
- [18] Id., p. 6.
- [19] Ibid.
- [20] Id., p. 7.
- [21] Ibid.
- [22] Ibid.
- [23] Id., p. 8.
- [24] Id., pp. 8-9.
- [25] Id., p. 9.
- [26] Id., p. 22.
- [27] Id., p. 9.
- [28] Ibid.
- [29] Ibid.
- [30] Id., p. 10.
- [31] Id., p. 11.
- [32] Ibid.
- [33] Ibid.
- [34] Id., pp. 12-13.
- [35] Id., p. 13.
- [36] TSN, Dr. Dennis G. Bellin, June 16, 1997, p. 6.
- [37] Id., pp. 8-9.
- [38] Id., p. 12.
- [39] Id., pp. 13-20.

[40] Assisted by Josefina Coquia, See Note Nos. 1 to 3 supra.

[41] At the time that the rapes for which Arturo Garcia were charged took place (march 5 and April 7, 1997 for Jeypen Enilog), the crime of rape was still classified as a crime against chastity, the prosecution for which must be commenced by complaint by the offended party or her parents, grandparents, or guardian as mandated by Article 344 of the Revised Penal Code. It was only on October 22, 1997 that the crime of rape was eventually reclassified as a crime against persons, the prosecution of which is made de officio by virtue of Republic Act No. 8353 or the Anti-Rape Law of 1997.

[42] TSN, Arturo Garcia, September 5, 1997, pp. 4, 8-9.

[43] Id., pp. 5-6.

[44] Id., p. 6.

[45] See Note No. 5, supra.

[46] Rollo, p. 66.

[47] Rollo, p. 41.

[48] Rollo, pp. 46-51.

[49] Id., p. 52.

[50] Id., pp. 52-56.

[51] Id., p. 92.

[52] Id., p. 90.

[53] Ibid.

[54] People v Castillo, G.R. No. 132025, July 5, 2000, pp. 8-9; People v Babera, G.R. No. 130609, May 30, 2000, p. 10.

[55] People v. De Guzman, G.R. No. 124368, June 8, 2000, p. 11; People v. Balgos, G.R. No. 126115, January 26, 2000, p. 8-9.

[56] TSN, Jeypen Inilog, June 18, 1997, pp. 3-10.

[57] People v. Balgos, G.R. No. 126115, January 26, 2000, p. 15.

[58] People v. Traya, G.R. No. 129052, May 31, 2000, p. 8.

[59] People v. Yparraguierre, G.R. No. 124391, July 5, 2000, p. 6.

[60] People v. Balora, G.R. No. 124976, May 31, 2000, p. 8.

[61] People v. Sancha, G.R. Nos. 131818-19, February 3, 2000, p. 19; People v. Villar, G.R. No. 127572, January 19, 2000, pp. 10-11.

[62] TSN, Jeypen Inilog, June 18, 1997, p. 11.

[63] People v. Mamac, G.R. No. 120332, May 31, 2000, p. 5.

[64] People v. Austria, G.R. No. 123539, June 27, 2000, p. 12.

[65] *People v. Flores*, G.R. No. 123599, December 13, 1999, p. 12.

[66] *People v. Tipay*, G.R. No. 131472, March 28, 2000, p. 9.

[67] *People v. Santos*, G.R. Nos. 131103 and 143472, June 29, 2000, p. 16.

[68] SEC. 11. Article 335 of the same Code is hereby amended to read as follows:

xxx xxx xxx

The death penalty shall also be imposed if the crime of rape is committed with any of the following attendant circumstances:

- 1. When the victim is under eighteen (18) years of age and the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common-law spouses of the parent of the victim.
- 2. When the victim is under the custody of the police or military authorities.
- 3. When the rape is committed in view of the husband, parent, any of the children or other relatives within the third degree of consanguinity.
- 4. When the victim is a religious or a child below seven (7) years old.
- 5. When the offender knows that he is afflicted with Acquired immune Deficiency Syndrome (AIDS) disease.
- 6. When committed by any member of the Armed Forces of the Philippines or the Philippine National Police or any law enforcement agency.
- 7. When by reason or on the occasion of the rape, the victim has suffered permanent physical mutilation. (*Italics supplied*).

[69] See Note No. 1, *supra*.

[70] See Note No. 2, *supra*.

[71] TSN, Arturo Garcia, September 5, 1997, pp. 4, 8-9.

[72] *People v. Mendez*, G.R. No. 132546, July 5, 2000, pp. 18-20; *People v. Flores*, G.R. No. 130713, January 20, 2000, pp. 7-8.

[73] *People v. Antonio*, G.R. No. 122473, June 8, 2000, p. 10.

[74] *People v. Nava*, G.R. Nos. 130509-12, June 19, 2000, p. 18; *People v. Cambi*, G.R. No. 127131, June 8, 2000, p. 12.

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