

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. CAMILO SORIANO, ACCUSED-APPELLANT.

G.R. Nos. 142779-95. August 29, 2002

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PER CURIAM:

For automatic review is the judgment of the Regional Trial Court (“RTC”), Branch 6, of Baguio City, dated 21 February 2000, imposing, among other penalties, multiple death sentences on Camilo Soriano for the crime of rape, on several counts, perpetrated against his own 11-year old daughter.

Four Informations for statutory rape through sexual intercourse said to have been committed on 15 October 1998, 28 October 1998, and twice on 29 October 1998, all similarly worded, except for the different dates of commission, thusly -

“That on or about the 15th day of October 1998, in the City of Baguio, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully, and feloniously have carnal knowledge of his daughter Maricel Soriano, a minor, eleven years of age, against her will and consent”[1] -

and thirteen Informations for rape through sexual assault averred to have been committed on 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 October of 1998, all likewise similarly worded, except for the different dates of commission, thusly -

“That on or about the 14th day of October, 1998, in the City of Baguio, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused did then and there willfully, unlawfully and feloniously insert his finger inside the private organ of Maricel Soriano y Espino, his daughter who is a minor, 11 years of age, against her will and consent”[2] -

were filed against Camilo Soriano before the court a quo.

When arraigned, the accused pled not guilty to all the charges.

From the prosecution’s version of the case, sometime in 1982, Leonora Espino and her husband, with whom she had four children, went on separate ways. Two years later, she began to live with accused Camilo Soriano, the scion of the household where she worked as a housemaid. Whether or not Leonora was ultimately married to the accused remained unclear although, from her testimony, it might be possible that she had merely cohabited with him. According to the accused, however, he married Leonora on 23 July 1984. The birth certificate of Maricel Soriano did indicate that her parents, Leonora and Camilo were married to each other, not on 23 July 1984 but on 24 April 1984. Leonora had eight children with the accused but only four survived - Michael, private complainant Maricel who was born on 22 February 1987, Leonard and Marilou. The familial bliss was interrupted when, on 13 December 1991, Camilo Soriano was confined at the Lingayen Provincial Jail in Pangasinan for the murder of a cousin of Leonora. Determined to keep her family intact, Leonora stayed with Camilo inside the prison premises with her four children in tow. On 29 October 1993, upon his conviction, Camilo Soriano was transferred to the National Penitentiary at Muntinlupa, leaving his family behind, this time in Baguio City. Since then, it was

Leonora who fended for her brood, struggling to earn a living by washing clothes and selling cosmetics and underwear.

9 May 1998, the accused was released on probation. He dampened the enthusiasm of his family by opting to stay with his parents bringing with him another woman by the name of Lala Esguerra, whom he had met while in the national penitentiary. When Esguerra left for abroad on 10 September 1998, Camilo at last returned to his family. A cramped space in a house designed to accommodate lodgers was home to the Soriano children. It was one of two rooms on the first floor. The second room on the ground floor and all the rooms on the upper floor were occupied by boarders. Due to the small quarters, two of Leonora's children from her previous marriage slept in the kitchen, one under the table and the other beside it, while Leonora, Camilo and their four children, including Maricel, used the lone 4x5-meter bedroom. The couple slept on the lower portion of a double-decked bed while their children stayed on the upper deck.

On 14 October 1998, Leonora went to San Fernando, La Union, to collect the proceeds of her sales of cosmetic and underwear items. She stayed in La Union until the 16th of October 1998. Unbeknownst to her, her absence had provided accused with an occasion to be alone with the children. On 28 October 1998, her son Michael reported to her, "Mama, papa is raping Maricel and we (referring to her two other children, Leonard and Marilou), saw it." The unbelieving Leonora confronted her daughter about it, and the latter confirmed it, explaining to her mother that the accused had warned her not to tell on him or he would kill them all. That same night, Camilo, drunk as usual, pick on Leonora, and the ensuing quarrel led Leonora to leave and stay with a neighbor. The next morning, she reported her daughter's rape before the barangay captain. Maricel had to be clandestinely spirited out of the house with the aid of helpful neighbors to avoid arousing the suspicions of the accused, a known troublemaker in the vicinity, for an interview with the barangay captain. Maricel was referred to the DSWD where she was questioned by a social worker. From there, Maricel was brought to the Women and Children Desk Section at the Baguio City Police Station where her statement was taken. Forthwith, appellant was apprehended.

In her statement, Maricel Soriano confirmed to her being a virtual sex-slave of her own father from 14 October 1998 to 28 October 1998. On four occasions, the accused forced his own penis into her daughter's vagina, once on 15 October 1998, another on 28 October 1998, and twice in the early morning of 29 October 1998. On thirteen other occasions, specifically on 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 October, the accused, she said, inserted his finger into her private organ.

At the trial, Maricel Soriano gave further details. She testified that on the night of 14 October 1998, there was a power failure at her house at Teacher's Camp in Baguio City where she was staying with her brother Leonard, her sister Marilou, and the accused. Her elder brother Michael had gone with her mother to La Union. That night, Maricel, Marilou and Leonard, slept on the lower deck of the bed together with the accused while her stepbrother occupied the upper deck by himself. At about ten o'clock that evening, the accused told Leonard and Marilou to move to the other end of the bed. Soon, the accused started kissing her on the lips. He undressed her and sucked her breast. He also sucked and fingered her vagina. She felt pain, and she cried. Her younger brother and sister also cried with her while they helplessly looked on. The power failure continued the next day. On the evening of 15 October 1998, the accused again undressed the private complainant, kissed her cheeks, breasts, and her vagina. Her father asked her to spread her legs. She resisted by trying to close her thighs but he forced them open. She tried to shout but he covered her mouth. He went on top of her and inserted his penis into her vagina. Her brother and sister were crying at the rear end of the bed, vainly trying to pull her away but they were no match for the accused. His lust sated, the accused went to sleep. During the entire time, her older stepbrother was sleeping at the upper deck, seemingly oblivious to the monstrosity happening below him.

The arrival of his common-law wife from La Union did not deter the accused from his perversity, not even when

Leonora had returned to her original place at the first deck beside him. For fear that her younger siblings who were staying at the upper deck with her would fall to the floor, Maricel stayed at the edge of the upper bunk. While the rest of the household slept, the accused rose from bed and lasciviously reached for the private complainant on the second deck and inserted his finger into her vagina. This perversion would continue every day until the early morning of 29 October 1998. On 28 October 1998, Leonora left the house following an altercation with the accused. That night, the accused asked Maricel to sleep with him on the lower deck where again the accused ravished her by inserting his penis into her vagina. Not satisfied, he would repeat the lewd act twice, before the onset of dawn, at one o'clock and then again at three o'clock that morning of 29 October 1998.

Michael Soriano, the elder brother of Maricel, testified that his younger brother Leonard had earlier told him, "Kuya Michael, our father is doing something bad to our sister Maricel." Forewarned, Michael became more observant. On the night of 28 October 1998, Michael tried not to sleep and to remain watchful, but the accused had barred the door and would not let anyone inside the bedroom. Still Michael was able to get a peep through a hole in the door. From his vantage point, he could only see half of the bedroom and only half of the lower deck of the bed. Despite his limited view, Michael was able to see his father, fully clothed in a red T-shirt and black pants, on top of his crying sister, who was lying flat on the floor. The latter was struggling to stand up but the accused held her breasts, and held her down. When he saw his father on top of Maricel, Michael hurried to Sister Neneng, who was then at the second floor of the house. The husband of Neneng told him to return downstairs. When he returned, he saw that the accused had already gone out of the room. When Michael entered the room Maricel was back at the upper deck of the bed.

The results of the medical examination conducted by medico-legal Vladimir Villacorte Villasenor corroborated Maricel's "loss of virginity."

"FINDINGS: x x x

"Genital:

"There is absence of growth of pubic hair. Labia majora are full, convex, congested and gaping, with the light brown and abraded labia minora presenting in between. On separating the same, is disclosed a congested hymen with shallow healing lacerations at 3, 6, 8 and 9 o'clock positions. External vaginal orifice offers strong resistance to the introduction of the smallest finger of the examiner. Vaginal canal is narrow with prominent rugosities.

"Conclusion:

"Findings are compatible with recent loss of virginity. There are no external signs of recent application of physical violence."[3]

At the stand, the accused raised the defense of denial and alibi. He claimed that he could not have committed the bestial acts against his daughter because he loved her very much. He asseverated that the complaints were filed against him at the instigation of his wife, who had a paramour and had incited her daughter to twist the truth in order to be able to get out of the relationship with him. He presented before the court a love letter addressed to Leonora and authored by a certain Tony Penullar, a fellow inmate at the provincial jail, which was intercepted by Maricel and handed over to him. The accused admitted that while Leonora was in La Union, he had occupied the lower deck with his two daughters. When his wife arrived, the four - he, Leonora, Maricel and then Marilou - slept "side by side." He denied having been awake in the early morning of 29 October 1998, his waking hour being 6:00 in the morning. Upon getting up, he prepared food for the children.

On 21 February 2000, the Regional Trial Court Branch 6 of Baguio City, rendered its decision finding the accused guilty as charged and so decreeing the penalties therefor -

“WHEREFORE, Judgment is rendered as follows:

“1. In Criminal Case Nos. 16125-R, 16126-R, 16140-R, and 16141-R, the Court finds accused Camilo Soriano guilty beyond reasonable doubt of the offense of Rape (carnal knowledge of his 11 year-old daughter Maricel Soriano) as defined and penalized under letter (d) paragraph 1 of Article 266-A of R.A. 8353 with the qualifying circumstance under number 1 of Art. 266-B of Republic Act 8353 that the victim is under 18 years old of age and the offender is a parent as charged in the Informations and hereby sentences him to the supreme penalty of DEATH in each of the four (4) cases; to indemnify the offended party the sum of P50,000.00 in each of the 4 cases without subsidiary imprisonment in case of insolvency and to pay the costs of the suit in each of the 4 cases; and

“2. In Criminal Cases Nos. 16127-R, 16128-R, 16129-R, 16130-R, 16131-R, 16132-R, 16133-R, 16134-R, 16135-R, 16136-R, 16137-R, 16138-R and 16139-R, the Court finds the accused Camilo Soriano guilty beyond reasonable doubt of the offense of Rape (insertion of his finger into the vagina of his 11-year old daughter Maricel Soriano) as defined and penalized under paragraph 2 of Article 266-A of Republic Act 8353 with the qualifying circumstance under number 1 of Article 266-B of Republic Act 8353 that the victim is under 18 years old and the offender is a parent as charged in the Informations and hereby sentences him, applying the Indeterminate Sentence Law, to imprisonment ranging from 6 years and 1 day of prison mayor as minimum to 14 years, 8 months and 1 day of reclusion temporal as maximum in each of the 13 cases; to indemnify the offended party Maricel Soriano the sum of P30,000.00 in each of the 13 cases without subsidiary imprisonment in case of insolvency and to pay the costs in each of the 13 cases.

“The accused Camilo Soriano being a detention prisoner is entitled to be credited with 4/5 of his preventive imprisonment in the service of his sentence in accordance with Article 29 of the Revised Penal Code in the 13 cases.”[4]

The death penalty having been imposed, the conviction of the accused is now before the Court for an automatic review. In his brief, appellant contends that—

“THE TRIAL COURT [HAS] ERRED IN NOT ACQUITTING THE ACCUSED DUE TO INSUFFICIENT EVIDENCE CONSIDERING THAT:

“(1) THE TESTIMONIES OF THE PROSECUTION WITNESSES HAVE SPAWNED SERIOUS DOUBTS ON THE ALLEGED COMMISSION OF THE INCIDENTS OF RAPE BY THE ACCUSED.

“(2) THE LETTERS WRITTEN BY THE ACCUSED AND OTHER FACTORS SUSTAIN THE INNOCENCE OF THE ACCUSED.

“(3) THE SCENE OF THE CRIME MAKES THE COMMISSION OF THE INCIDENTS OF RAPE IMPROBABLE IF NOT IMPOSSIBLE.”[5]

Appellant would have the testimony of his daughter Maricel discredited. He would consider to be highly improbable that Leonora did not immediately confront him upon learning of the rape incidents but waited until the next day to report the matter to the barangay captain. This brief delay would not dent a bit the credibility of Leonora. She explained how she and her children were terrified of the violent outbursts appellant would often display. On the stand, Leonora related how she was not exempted from his brutal ways and how her children from her first marriage had left her because of the ill treatment they had received from him. Leonora described the accused as, and appellant himself admitted to, being a habitual drunkard. That her daughter Maricel had to be secretly spirited out of their house with the aid of helpful neighbors so that she could personally file her complaint before the barangay captain without arousing Camilo’s suspicion would reveal Leonora’s disinclination towards a direct confrontation with her husband.

Appellant needlessly embarked on a lengthy discourse on the possible motivation of the corroborating witnesses

in supposedly fabricating their accounts against him. Appellant might have forgotten that the testimony of his common-law wife Leonora Soriano and his eldest son Michael Soriano, indeed corroborative to the case of private complainant, were not solely determinative of the verdict rendered by the trial court against him. Rather, it was clearly the unwavering, candid, and straightforward narration made by the victim herself on her harrowing 16-day nightmare that ultimately established his guilt. -

Criminal Case No. 16127-R-14 October 1998

“Q. What happened on that night of October 14, 1998?

“A. At about 10:00 p.m. my father kissed me on my lips.

“Q. Aside from that, what else did your father do?

“A. He undressed me, sir.

“xxx xxx xxx

“Prosecutor Vergara:

“Q. What happened next after your father undressed you?

“A. He sucked my breast and he fingered my vagina.

“xxx xxx xxx

“Q. Now, will you please describe to us how your father fingered your vagina on the night of October 14, 1998?

“A. He inserted his fingers in my vagina.

“Q. Which finger?

“Court Interpreter:

Witness is showing her right forefinger.

“Prosecutor Vergara:

“Q. And aside from that, what else happened on that night of October 14, 1998?

“A. That is all, sir.

“Q. When your father was doing that to you, what did you do?

“A. I was just crying, sir.

“xxx xxx xxx

“Q. Aside from crying, what else did you do if any?

“A. After he did that to me, I put on my dress and he put on his dress and we slept.

“Q. While your father was inserting his finger into your vagina, what did you feel?

“A. I felt pain, sir.

“COURT:

Where did this happen, what you just narrated?

“A. At No. 211, Teacher’s Camp, Baguio City.

“Q. How many rooms are there in your residence?

“A. Only one, sir.

“Q. So in that residence of yours, there is only one room?

“A. There are other rooms but we only sleep in one room.

“Q. Who else are sleeping in your room?

“A. My brother and sister and my father, sir.

“Q. You are telling this Court then that your father, your brother and sister and you were all sleeping in one room?

“A. Yes, sir, including my mother and my brothers.

“Court:

Continue

“Prosecutor Vergara:

“Q. Now, on that night of October 14, 1998, while your father was doing that to you, what were your brother and sister doing?

“A. They were crying while looking.

“xxx xxx xxx

“Q. After you dressed up yourself on that night of October 14, 1998, what else happened?

“A. After I dressed up, I went to sleep, sir.

“Court:

How wide is this room, can you describe to us?

“A. From the window of the courtroom up to the edge of the witness box and from the wall to the left up to the wall to the right.

“Court Interpreter:

Witness is demonstrating an area of about 31/2 meters by 6 meters.

“Q. Were there beds in that room?

“A. Yes, sir, it is a double-deck bed.

“Q. And where do you sleep?

“A. At the lower deck.

“Q. Aside from you, who else was sleeping on the lower deck on the night of October 14, 1998?

“A. My brother and sister, sir, and my father.

“Q. So yourself, your brother, and your sister and your father, the four of you slept on the lower deck in your room on that night of October 14, 1998?

“A. Yes, sir.

“Q. And who was with you on the lower deck of that double deck bed inside the room before your father kissed your lips on that night of October 14, 1998?

“A. My brother and my sister, sir.

“Q. And how was he able to kiss you, undress you and do what you said your father did to you on that night of October 14, 1998 when you were sleeping on that lower deck of the bed with your brother and sister aside from your father?

“A. He asked them to leave and they transferred.

“Q. Did they transfer?

“A. Yes, sir.

“Court:

Where did they transfer?

“A. We were at the other end of the bed and he asked them to go to the other end of the bed.

“Court:

Continue.

“Prosecutor Vergara:

“Q: How about on the upper deck, who slept there on that night of October 14, 1998?

“A. My stepbrother.”[6]

Criminal Case No. 161 25-R -15 October 1998

“Q. What happened that night of October 15, 1998?

“A. He first kissed me and then undressed me and he inserted his penis into my vagina.

“Q. What part of your body did your father kiss?

“A. My breast, sir.

“Q. Aside from your breast?

“A. My vagina.

“Q. Aside from that, what else did he kiss?

“A. On my cheeks, sir.

“Q. And you said your father undressed you, which clothing that you were wearing on the night of October 15, 1998 did he remove?

“A. My shirt, my shorts and my panty, sir.

“Q. And you said your father inserted his penis into your vagina, will you describe to us how he did that?

“A. He inserted his penis.

“Q. What was the position of your body when he did that?

“A. He asked me to spread my legs.

“xxx xxx xxx

“Q. What was the position of your body aside from your legs open?

“A. I was lying at that time, sir.

“Q. Face up?

“A. Yes, sir.

“Q. When your father told you to spread your legs, did you spread your legs?

“A. Of course, because he was spreading it.

“Q. And what did you do?

“A. I was trying to close my legs but he was forcing it.

“Q. Aside from trying to close your legs, what else did you do if any?

“A. I pushed him, sir.

“Q. And when you pushed him, what happened?

“A. Because he was strong, I could not push him.

“Q. Aside from trying to push him, what did you do, if any?

“A. If I try to shout, he covers my mouth.

“xxx xxx xxx

“Q. Now, you said your father spread your legs apart and inserted his penis into your vagina on that night of October 15, 1998. When your legs were already spread apart, will you describe to us how your father inserted his penis into your vagina?

“A. He went on top of me, sir.

“Q. And after he went on top of you, what happened next?

“A. That is all, sir.

“Q. What did you feel in your vagina when your father went on top of you?

“A. I felt pain, sir.

“Q. Why did you feel pain?

“A. Because he inserted his penis into my vagina, sir.

“xxx xxx xxx

“Q. You said you felt pain when he inserted his penis into your vagina, when you felt pain, what did you do?

“A. I was just crying, sir.

“Court:

How about your brother and sister, where were they at this time?

“A. They were just there crying, sir.

“xxx xxx xxx

“Q. How far were your brother and sister from you while your father was on top of you on that night of October 15, 1998?

“xxx xxx xxx

“A. They were just at the other end of the bed.

“Atty. Cariño:

May we just put the word ‘paanan.’

“xxx xxx xxx

“Prosecutor Vergara:

“Q. With that situation that your brother and sister were at your paanan, which you mentioned in tagalog, what else did they do, if any, aside from crying?

“A. They were pulling me, sir.

“xxx xxx xxx

“Q. Your stepbrother?

“A. He was also there, sir.

“Q. By the way, on the night of October 15, 1998, do you know if your stepbrother was awakened?

“Atty. Cariño:

Leading already, your Honor.

“Court:

Reform. Where was your stepbrother on the night of October 15, 1998?

“A. He was asleep, sir.”[7]

Criminal Case No. 16128-R – 16 October 1998

“Q. You mentioned that on October 16, 1998, on the evening, your father, brother and sister, yourself and your stepbrother were there with you, without your

mother and brother Michael. What happened that night of October 16, 1998?

“A. He kissed my neck and he fingered my vagina.

“Q. Who did that?

“A. My father.

“Q. Aside from kissing your neck and fingering your vagina, what else did he do that night of October 16, 1998?

“A. He also kissed my cheeks, sir.

“Q. Aside from that, what else?

“A. No more, sir.

“Q. What finger did your father use in doing that to you?

“A. This one, sir.

“Court Interpreter:

Witness is pointing to her right forefinger.”[8]

Criminal Case No. 16130-R – 18 October 1998

“Q. How about on the night of October 17, 1998?

“A. They already came back, sir.

“Q. When your mother and brother Michael arrived already in the night of October 17, 1998 in your house at Teachers’ Camp, what happened?

“A. None sir.

“xxx xxx xxx

“Q. Now, while you were sleeping on the night of October 17, 1998 at your house at Teachers’ Camp, what happened?

“A. From October 17, to 27, 1998, my father kissed my lips, mashed my breasts and fingered me.

“xxx xxx xxx

“Court:

“Q. Are you telling the Court that on the night of October 17, when your mother was already there sleeping with you in that room, your father still kissed your lips and mashed your breasts?

“A. Yes, sir, whenever he wakes up early in the morning and wash the dishes and cooks, my father will do that to me, he will kiss me and suck my breast.

“Q. You are telling the Court then that on the night itself of October 17, when your mother was there already sleeping with you, your father did not do anything but the next morning, when your mother would wake up early to wash the dishes, that is the time your father would do that? Is that what you are saying?

“A. No, sir. On the following morning at dawn, when my father would wake up and wash the dishes and cooks, and after he washes and cooks, he would kiss my breast and finger me and while my mother was asleep.

“xxx xxx xxx

“Prosecutor Vergara:

“Q. So you are referring to the early dawn of October 18, 1998 that while your mother was asleep, your father kissed you, sucked your breast and fingered your vagina?

“A. Yes, sir.”[9]

Criminal Case No. 16131-R -19 October 1998

“Q. So how about during the early dawn of October 19, 1998 while you were asleep at your house at Teachers’ Camp, what happened?

“A. He kissed my cheeks, mashed by breast and fingered my vagina.

“Q. With your clothes on?

“xxx xxx xxx

“A. Yes, sir.

“Q. And how did your father insert his finger into your vagina during the early dawn of October 18, 1998 with your clothes on?

“A. He removed my shorts.

“Court:

“Q. How was your father able to do this when by that time, your mother was already there as she had already arrived earlier by October 17?

“A. Whenever my mother sleeps, and also my brother, my father does that to me.

“xxx xxx xxx

“Court:

But you have only one room you said and a bed, are you telling this Court that when your father did this to you on October 19, your mother was asleep in the same bed where your father was doing this to you?

“A. My mother and my father sleep on the floor while I sleep at the first deck.

“Court:

So you are telling this Court that you have a double-deck bed inside that room and your father and mother sleeps on the floor while you sleep with your sister and brother on the first deck and your stepbrother sleeps on the second deck. Is that what you are trying to explain to the court?

“A. Like this sir, we have a double deck bed, my father and mother sleeps at the lower deck while we sleep at the upper deck.

“Court:

Continue.

“Pros. Vergara:

“Q. With whom do you sleep at the upper deck?

“A. My brother and sister.

“Q. The younger ones?

“A. Yes, sir.

“Q. How about your older brother Michael?

“A. He sleeps in the house of a classmate.

“Q. Where?

“A. At Mabini, sir.

“Q. How about your stepbrother?

“A. He sleeps outside the room at the kitchen.”[10]

Criminal Case No. 16132-R - 20 October 1998

“Q. Now, do you remember what time of the night your father kissed you, mashed your breast and inserted his finger to your vagina on the night of October 19, 1998?

“A. It was early in the morning sir. I do not know the time.

“Q. So it was actually during the early morning of October 20, 1998?

“A. Yes, sir.

“Q. Will you tell us how your father kissed you, sucked your breast and inserted his finger into your vagina during the early morning of October 20, 1998?

“A. Whenever he wakes up early and wash the dishes and he cooks, he comes to my bed and it is there where he caresses me.

“Prosecutor Vergara:

May we quote the vernacular, ‘Niroromansa.’

“Q. Will you tell us how your father made that ‘romansa’ to you during the early morning of October 20, 1998?

“A. He mashed my breast and fingered my vagina.

“Q. What finger did he use in doing that?

“A. This one, sir.

“Court Interpreter:

Witness raised her right forefinger.

“Prosecutor Vergara:

“Q. And how did he do that when you were sleeping on the upper deck of the double deck during the early morning of October 20, 1998?

“A. It is not so high, he could reach me and my mother was sleeping at that time.

“Q. How about your brother and sister who were sleeping with you on the upper deck, what did they do when your father was doing that to you on the early

morning of October 20, 1998?

“A. My brother and sister were pulling me, sir.

“Q. How wide is that bed?

“A. Like this, sir.

“Court Interpreter:

Witness demonstrating with her two arms a width of about 11/2 meters.

“xxx xxx xxx

“Q. And what did you feel when your father inserted his finger into your vagina on that early morning of October 20, 1998?

“A. I felt pain, sir.

“Q. With your clothes on?

“A. Yes, sir.

“Q. How about your panty?

“xxx xxx xxx

“A. He removes it, sir.

“Pros. Vergara:

“Q. And after your father kissed you, mashed your breast and inserted his finger into your vagina on that early morning of October 20, 1998, what did you do?

“A. Whenever my father would do that to me and if ever I would move, he thought I do not know what he was doing, he would leave.

“Q. On that early morning of October 20, 1998, while your father was doing that to you, did you move?

“A. Yes, sir.

“Q. How did you move?

“A. When I am sleeping and if I turn to my side and again when I turn at the other side, he would leave.

“Court:

“Q. Since at this point, your mother was already there, why did you not shout?

“A. Whenever I call my mother, ‘Nang, Nang,’ my mother thought my father was just playing with me because my father was in jail for a long time.

“xxx xxx xxx

“Pros. Vergara:

“Q. On the following night of October 20, 1998, while you were asleep, what else happened if any?

“A. None, sir. It is only at dawn that something happens.”[11]

Criminal Case No. 16133-R -21 October 1998

“Q. What happened during the early morning of October 21, 1998 while you were asleep at your house at Teachers’ Camp?

“A. The same sir, he kissed me and fingered my vagina. That is what he is always doing.

“Q. What part of your body did your father kiss during the early morning of October 21, 1998?

“A. My breast, sir.

“Q. Aside from the breast, what else did he kiss, if any?

“A. No more, sir.

“Q. And you said on that early morning of October 21, 1998, your father inserted his finger into your vagina, which finger did he use in fingering your vagina?

“A. This one, sir.

“Court Interpreter:

The witness raised her right forefinger.

“Pros. Vergara

“Q. And where were you lying down when your father did that?

“A. At the upper deck, sir.

“xxx xxx xxx

“Q. How did you know that it was your father who did that to you on the early dawn of October 21, 1998?

“A. Because I wake up whenever my father kiss me and finger my vagina.

“Q. And what did you feel when your father inserted his finger into your vagina in the early morning of October 21, 1998?

“A. I felt pain, sir.

“Q. With your clothes on?

“A. Yes, sir.

“Q. How about your panty?

“A. He removes it, sir. But my panty is not totally removed, it is lowered up to my knee.”[12]

Criminal Case No. 16134-R – 22 October 1998

“Q. And with that situation, during the early morning of October 22, 1998, how did your father mash your breast and insert his finger into your vagina?

“A. He goes to my bed, sir.

“Q. And when he inserted his finger into your vagina on that early morning of October 22, 1998, what did you feel?

“A. I felt pain, sir.

“Q. With your panty on?

“A. No, sir.

“Q. Who removed your panty?

“A. My father, sir.

“xxx xxx xxx

“Court:

So that the Court can also visualize what you are describing and narrating, since you said the bed is a double-decked bed and the lower deck is where your mother and father sleep and the upper deck is where you,

your sister and your brother sleep, how high is the upper deck of the bed, so that we can see or at least visualize. From the floor, how high is the upper deck?

“A. It is quite low, sir.

“xxx xxx xxx

“Atty. Cariño:

With the demonstration of the witness your Honor, I would manifest that the upper deck and the lower deck has a distance between them of about 1-1/2 feet.”[13]

Criminal Case No. 16135-R - 23 October 1998

“Q. Now, on the night of October 23, 1998, will you please tell us what happened?

“A. That night my father sucked my breast and inserted his finger into my vagina.

“xxx xxx xxx

“Q. Will you please describe to us how your father, Camilo Soriano, sucked your breasts and inserted his finger into your vagina on that night?

“A. While my mother and my brothers were sleeping, my father went to where I was sleeping and there he sucked my breasts and fingered me.

“xxx xxx xxx

“Q. And how did your father suck your breasts when you were wearing your T-shirt?

“A. He raised my T-shirt and pulled down my shorts together with my panty.

“Q. When your father raised your T-shirt, how did he suck your breasts?

“A. Like this, sir (witness stopping down). And he sucked my breasts.

“Q. And how did he insert his finger into your vagina after pulling down your shorts and panty?

“A. He inserted his finger (witness demonstrating with her right forefinger).

“xxx xxx xxx

“Q. What did you do?

“A. I cried, sir.

“Q. And when you cried, what happened?

“A. None, sir. I did not make him aware that I was crying.

“Q. And why did you not make him aware that you were crying because of what he did?

“A. He might scold me, sir.”[14]

Criminal Case No. 16136-R-24 October 1998

“Q. Will you tell us what happened during the early dawn of October 24, 1998?

“A. The same, sir. He sucked my breasts, put his finger into my vagina and he kissed my neck.

“Q. Now, do you remember the time when your father did that to you during the early dawn of October 24,

1998?

“A. What I know is that it was early dawn of that date, sir.

“Q. And will you please tell us who were present in your house when your father did that to you?

“A. My mother, my sister, and my brothers, sir.

“xxx xxx xxx

“Q. Now, you said that on that early dawn of October 24, 1998, your father kissed you, sucked your breasts and inserted his finger into your vagina. What were you wearing at that time?

“A. I was still in my shorts and my T-shirt, sir.

“Q. How did he suck your breasts when you were wearing your T-shirt?

“A. He raised my T-shirt and pulled down my shorts.

“Q. How about your panty?

“A. He also put down my panty, sir.

“Q. After he raised your T-shirt, what did he do?

“A. I tried to put down my T-shirt and pull up my pants and panty but he kept on raising my T-shirt and pulling down my shorts and panty.

“Q. And when your father kept on raising your T-shirt and pulling down your pants and your panty, what else did you do?

“A. I just cried and pushed him.

“Q. What did your father do when you pushed him?

“A. He would not leave and he insisted on what he wanted.”[15]
Criminal Case No. 16137-R -25 October 1998

“Q. Will you tell us what happened during the early dawn of October 25, 1998 while you were in your house?

“A. In the early dawn of October 25, 1998 while I was sleeping, I was awakened because I felt my father sucking my breasts. And when I moved, he left.

“Q. And what were you wearing at that time?

“A. I was wearing a skirt and a sweatshirt.

“Q. And how did your father suck your breasts when you were wearing those things?

“A. My sweatshirt has a zipper at the middle, sir.

“Q. And what did your father do in order to suck your breasts?

“A. He pulled down the zipper, sir.

“xxx xxx xxx

“Q. After sucking your breasts, what did your father do?

“A. He also fingered me, sir.

“Q. And how did your father do that when you were wearing a skirt?

“A. The zipper of my sweatshirt goes up to the hem of my skirt.

“Q. Were you wearing a panty at that time on the early dawn of October 25, 1998?

“A. Yes, sir.

“Q. What happened to your panty?

“A. He pulled down my panty, sir.

“Q. After your father pulled down your panty, what did he do next?

“A. He fingered me, sir.

“Q. How did he do that?

“A. He inserted his finger into my vagina sir (witness again showing her right forefinger).”[16]
Criminal Case No. 16138-R - 26 October 1998

“Q. How about on the following night of October 25, 1998? Was there an unusual incident that happened there in your house?

“A. Yes, sir.

“Q. What was that?

“A. He inserted his finger in my vagina, he sucked my breasts and kissed my neck.

“Q. What time was that on the night of October 25, 1998 when that happened?

“A. I cannot remember the time, sir. I did not look at the clock.

“Q. It was not early dawn?

“A. It was early dawn when he did that, sir.

“Q. Now, what were you wearing at that time during that early dawn of October 26, 1998 when your father inserted his finger into your vagina, sucked your

breasts and kissed your neck?

“A. I was wearing shorts and T-shirt, sir.

“xxx xxx xxx

“Q. You said you were wearing T-shirt and pants. How did your father suck your breasts when you were wearing a T-shirt?

“A. He raised my T-shirt, sir.

“Q. And how did he insert his finger into your vagina when you were wearing your shorts and panty?

“A. He pulled down my shorts and panty, sir.

“Q. After he pulled down your shorts and your panty, what did your father do?

“A. that was the time when he inserted his finger into my vagina, sir.

“xxx xxx xxx

“Q. And what did you feel when your father inserted his right forefinger into your vagina?

“A. I felt pain, sir.

“Q. When you felt pain, what did you do?

“A. I turned my back and put on my shorts and panty. And I cried, sir.

“Q. And when you turned your back and then put on your clothes and you cried, what did your father do?

“A. He left, sir.

“Q. Where did he go?

“A. He went to bed with my mother.”[17]

Criminal Case No. 16139-R -27 October 1998

“Q. On the following night of October 26, 1998, was there any unusual incident that happened to you in your house?

“xxx xxx xxx

“A. Yes, sir.

“Q. What was that?

“A. My father again sucked my breasts, put his finger into my vagina and he kept on kissing me.

“Q. Do you remember the time of the night on October 26, 1998 when your father did that to you in your house?

“A. No, sir.

“Q. It was not early dawn?

“A. He always did that to me at early dawn, sir.

“Q. So this incident now that you are referring to is in the early dawn of October 27, 1998?

“A. Yes, sir.”[18]

Criminal Case No. 16126-R-28 October 1998

“Q. Now, did your mother sleep in your house that night of October 28, 1998?

“A. No, sir because my father quarreled with my mother that is why my mother left.

“Q. Where did your mother go?

“A. To our neighbor, sir.

“Q. Do you remember the time when your father quarreled with your mother on that night of October 28, 1998?

“A. Maybe, around 8:00 in the evening.

“Q. And what time did you sleep that night of October 28, 1998 in your house?

“A. Maybe, around [ten] o'clock, sir.

“Q. Were you awakened on that night of October 28, 1998 from your sleep?

“xxx xxx xxx

“A. Yes, sir.

“q. Why were you awakened?

“A. Because my father carried me, sir.

“Q. From where did your father carry you?

“A. From the upper deck, sir.

“Q. And where did he bring you?

“A. He brought me to the lower deck, sir.

“Q. How did your father carry you from the upper deck to the lower deck?

“A. He pulled me. Then he put his arms on my back and my legs, then he put me on the lower deck, sir.

“Q. What were you wearing at that time when he carried you and put you to the lower deck?

“A. I was wearing a dress with a zipper that goes down up to the hem.

“xxx xxx xxx

“Q. And when he put you down to the lower deck, what did you do?

“A. I wanted to stand up but he pulled me down, sir.

“Q. Then what happened after he was able to put you down to the lower deck of the bed?

“A. There he undressed me, sir.

“xxx xxx xxx

“Q. After he was able to remove your clothes and your panty, what happened next?

“A. First, he sucked my breasts. Then he kissed my neck and after that he inserted his penis into my vagina.

“xxx xxx xxx

“Q. What was the position of your body at the lower deck of the bed when he did that?

“A. I was lying down and he separated my two legs, sir.

“Q. You were face down or face up?

“A. I was lying face up, sir.

“Q. And when your father spread your two legs, what did he do next?

“A. While he was inserting his penis into my vagina, he was sucking my breasts, sir.

“Q. And what did you feel when he was inserting his penis into your vagina?

“A. I felt pain, sir.

“xxx xxx xxx

“Q. What did your father do aside from inserting his penis into your vagina?

“A. He was kissing my vagina, sir.

“Q. Now, while your father was inserting his penis into your vagina, what was the position of his left and right hands?

“A. They were put on the mattress like this, sir (witness demonstrating with her two hands spread apart).”[19]

Criminal Case No. 16141-R-29 October 1998 (1:00 a.m.)

“Q. After your father did that to you, what else did he do?

“xxx xxx xxx

“A. No more, sir. After that I went to my bed. And at about [one] o’clock he again carried me and brought me to the bed of my mother.

“Q. That was, as you said, about [one] o’clock in the early dawn of October 29, 1998?

“A. Yes, sir.

“Q. You said your father put you again to the bed of your mother. Was he able to bring you down from the upper deck and put you on the bed of your mother?

“A. Yes, sir.

“Q. And after your father was able to bring you down to the bed of your mother at about [one] o’clock in the morning of the early dawn of October 29, 1998 in your house, what happened next?

“A. He again undressed me and put his penis into my vagina, sir.

“Q. You were then wearing the same clothing where the zipper goes down to the hem?

“A. Yes, sir.

“Q. You were also wearing your panty?

“A. Yes, sir.

“Q. After he was able to put you down to the bed of your mother, before he inserted his penis into your vagina, what happened to your clothes and your panty?

“A. He removed my clothes and my panty, sir.

“xxx xxx xxx

“Q. What did he do regarding his pants, if any?

“A. he removed his pants, his brief and his T-shirt.

“Q. What was the position of your body on the bed of your mother on that early dawn of October 29, 1998?

“A. My legs were wide apart.

“xxx xxx xxx

“Q. Who spread your legs?

“A. My father, sir.

“Q. When your father spread your legs, what did you do?

“A. I tried to close my legs but he kept on spreading them, sir.

“Q. Aside from spreading your legs, what else did your father do?

“A. He inserted his penis into my vagina, sucked my breasts and kissed my neck.

“Q. What was the position of his body when he inserted his penis into your vagina?

“A. He was like this, sir. He was on top of me (witness demonstrating by putting her body downward).

“Q. How about his right and left hands?

“A. They were on the mattress like this, sir. (witness demonstrating with her two hands spread apart.)

“Q. And what did you feel when your father inserted his penis into your vagina?

“A. My vagina was painful, sir.”[20]

Criminal Case No. 16140-R -29 October 1998, 3:00 a.m.

“Q. While you were asleep during that early dawn of October 29, 1998 after what your father did to you at about [one] o’clock in the morning, was there anything else that happened?

“A. Yes, sir. At about [three] o’clock my father carried me again and put me on the lower deck of the bed on the bed of my mother.

“xxx xxx xxx

“Q. And when your father carried you and put you again on your mother’s bed at about [three] o’clock in the morning of October 29, 1998 in your house, what happened?

“A. He embraced me, removed my clothes and my panty, and he also removed his pants, his T-shirt and brief. Then he inserted his penis into my vagina.

“Q. What was the position of your body after your father removed your clothes and your panty?

“A. He spread my legs apart while my back was on the mattress.

“Q. What did you do when your father spread your legs?

“A. I tried to close my legs and stretch them. But he forced my legs open.

“Q. Aside from trying to close your legs and trying to stretch them, what else did you do?

“A. I tried to go up to my bed but he pulled my legs and laid me on the bed.

“Q. After he laid you again on the bed, what happened next?

“A. Then he inserted his penis into my vagina. Then he kissed my neck and sucked my breasts.

“xxx xxx xxx

“Q. Aside from crying what else did you do?

“A. I put on my dress and went to my bed and slept, sir.

“Q. What about your father? When you dressed up, what did he do?

“A. He put on his clothes and afterwards he drank gin.

“Q. What else happened on that early dawn of October 29 1998 after that [three] o’clock in the morning incident?

“A. No more, sir.

“Q. By the way, you mentioned that the two incidents of October 29, 1998 during the early dawn happened at about [one] o’clock in the morning and the other at about [three] o’clock in the morning. How were you able to determine the time?

“A. The incidents happened at [ten] o’clock, then [one] o’clock then [three] o’clock. I know the time because I kept on looking at the clock because I was waiting for the arrival of my mother.”[21]

It is well-settled that in rape cases the accused may be convicted solely on the testimony, as and when sufficiently credible, given by the rape victim.[22] The spontaneity with which Maricel Soriano has detailed the incidents, the tears she has shed at the stand while recounting her experience, and her consistency almost throughout her account dispel insinuations of a rehearsed testimony. Her eloquent testimony, coupled with the medical findings attesting to her recent non-virgin state, should be enough to confirm her claim that she has truly been raped by her own father. Not to be taken lightly is the evaluation made by the trial court in giving credence to her testimony. In criminal cases of this nature, the only evidence that can really be offered to establish the guilt of the accused, more often than not, is the testimony of the complainant herself.[23]

Appellant smugly stated that while in prison, and even more so after his discharge therefrom, there had been no dearth of females willing to satisfy his sexual urges, implicitly saying, in effect, that he could not have been so sexually deprived as to vent his lust upon his own minor daughter. It is not for this Court to delve into personal motives or strive to understand the inner workings of the minds of malefactors; it is enough that positive evidence is not wanting on the authorship of the crime.

Appellant calls our attention of the small space of the family room and the constant presence of the members of the family that would make the commission of the crime most unlikely. Time and again it has been said that lust is no respecter of place and time. Indeed, it would seem that a pervert can give vent to bestial impulses without much thought to decency.

The prosecution filed a total of 13 cases for rape through sexual assault, one of which was Criminal Case No. 16129-R where it was alleged, on 17 October 1998, that appellant inserted his finger in the genitalia of Maricel Soriano. In her testimony, however, Maricel clarified that no rape on said date occurred, but that she was actually referring to the rape committed against her on the early dawn of the following day of 18 October 1998 -

“Q. You are telling the Court then that on the night itself of October 17 when your mother was there already sleeping with you, your father did not do anything but the next morning when your mother would wake up early to wash the dishes, that is the time that your father would do that? Is that what you are saying?

“A. No, sir, on the following morning at dawn, when my father will wake up and wash dishes and he cooks, and after he washes and cooks, he kisses my breast and finger me and while my mother was asleep.

“xxx xxx xxx

“Q. So you are referring to the early dawn of October 18, 199(8) that while your mother was asleep, your father kissed you, sucked your breast and fingered your vagina?

“A. Yes, sir.”[24]

Hence, of the thirteen informations for rape through sexual assault filed against appellant, only twelve were clearly proved.

All told, the evidence would establish beyond reasonable doubt that appellant indeed committed rape by sexual intercourse against private complainant on four separate occasions once on 15 October, another on 28 October, and twice on 29 October, 1998, and rape through sexual assault in twelve instances on 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 October, 1998.

Republic Act No. 8353, also known as the Anti-Rape Law of 1997, expanding the definition of the crime of rape and reclassifying the offense as a crime against persons, provides -

“Art. 266-A. Rape; when and how committed.-Rape is committed.

“1) By a man who shall have carnal knowledge of a woman under any of the following circumstances:

“a) Through force, threat, or intimidation;

“xxx xxx xxx

“d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.

“2) By any person who, under any of the circumstances mentioned in paragraph 1 hereof, shall commit an act of sexual assault by inserting his penis into another person’s mouth or anal orifice, or any instrument or object, into the genital or anal orifice of another person.”

Rape under paragraph 1, characterized by the contact of the penis with the pudendum of the woman’s vagina or “rape by sexual intercourse,” and rape under paragraph 2, also referred to as “rape through sexual assault,” are respectively penalized, as follows -

“Art. 266-B. Penalties. - Rape under paragraph 1 of the next preceding article shall be punished by reclusion perpetua.

“xxx xxx xxx

“The death penalty shall also be imposed if the crime of rape is committed with any of the following aggravating/qualifying 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 spouse of the parent of the victim.

“xxx xxx xxx

“3) When the rape is committed in full view of the spouse, parent, any of the children or other relatives within the third civil degree of consanguinity.

“xxx xxx xxx

“Rape under paragraph 2 of the next preceding article shall be punished by prision mayor.

“xxx xxx xxx

“Reclusion temporal shall also be imposed if the rape is committed with any of the ten aggravating/qualifying circumstances mentioned in this article.”

As so testified by her mother, Leonora, and confirmed by her birth certificate, private complainant Maricel Soriano was born to Leonora Soriano and appellant Camilo Soriano on 22 February 1987. She then was approximately eleven (11) years old and eight (8) months when the several rape incidents occurred. The aggravating circumstances of relationship between appellant and his victim, as well as the minority of the latter

(but not the added fact that the offenses were committed in full view of the younger brother and sister of complainant which was not alleged in the informations), having been alleged in the informations and established in evidence, the court a quo did not err in finding appellant Camilo Soriano guilty beyond reasonable doubt of rape, on four counts, through sexual intercourse in Criminal Cases No. 16125-R, No. 16126-R, No. 16141-R and No. 16140-R, and imposing upon him the penalty of death in each of said cases. Consistent with recent jurisprudence, the civil indemnity for the victim should be in the increased amount of P75,000.00;^[25] in addition, she should be entitled to recover P75,000 moral damages, considered innate in crimes of rape, plus P30,000.00 exemplary damages for each count of rape through sexual intercourse. The trial court was also correct in finding appellant guilty of rape through sexual assault in Criminal Cases No. 16127-R, No. 16128-R, No. 16130-R, No. 16131-R, No. 16132-R, No. 16133-R, No. 16134-R, No. 16135-R, No. 16136-R, No. 16137-R, No. 16138-R and No. 16139-R. Under Article 266-B, rape by sexual assault, if attended by any of the aggravating circumstances under paragraph 1 of Article 266-B, would carry the penalty of reclusion temporal. Applying the Indeterminate Sentence Law, the minimum penalty to be imposed is prision mayor, in any of its periods, being the penalty next lower in degree than that prescribed by the Code, with reclusion temporal, in its maximum period, as maximum penalty considering the aggravating circumstances of minority and relationship both alleged in the informations and proved during trial. Hence, the imposable penalty may be anywhere from 6 years and 1 day to 12 years of prision mayor, as minimum, to anywhere from 17 years, 4 months and 1 day to 20 years of the maximum period of reclusion temporal, as maximum, in each of the 12 cases. The minimum penalty, but not the maximum penalty, imposed by the trial court is thus within the range prescribed by the Code. In each of the cases of rape, through sexual assault, private complainant is entitled to recover civil indemnity in the amount of P30,000.00, moral damages of P30,000.00 and P15,000.00 exemplary damages. In Criminal Case No. 16129-R, appellant is acquitted of the crime charged for lack of sufficient proof.

Three Justices of the Supreme Court maintain their position that the law, insofar as it prescribes the death penalty, is unconstitutional; nevertheless, they submit to the ruling of the majority to the effect that the law is constitutional and that the death penalty could be imposed by the Court.

WHEREFORE, premises considered, the judgment of the Regional Trial Court, Branch 6 of Baguio City, finding appellant Camilo Soriano guilty beyond reasonable doubt of rape, on four counts, through sexual intercourse and sentencing him to suffer the extreme penalty of death for each count, is **AFFIRMED** with modification on the civil liability adjudged in that appellant is hereby ordered to pay the offended party civil indemnity in the increased amount of P75,000.00, moral damages of P75,000.00 and exemplary damages of P30,000.00, in each of the four cases. The judgment of the trial court, finding appellant guilty of twelve counts of rape through sexual assault and sentencing him to suffer the indeterminate penalty of imprisonment of 6 years and 1 day of prision mayor, as minimum, to 14 years, 8 months and 1 day of reclusion temporal, as maximum, in each of the 12 cases, is **AFFIRMED** with modification by increasing the maximum period of the penalty imposed to 17 years, 4 months and 1 day of prision temporal, as well as by ordering appellant, furthermore, to indemnify the offended party civil indemnity of P30,000.00, moral damages of P30,000.00 and exemplary damages of P15,000.00, in each of the 12 counts of rape through sexual assault.

In accordance with Section 25 of Republic Act No. 7659, amending Article 83 of the Revised Penal Code, upon finality of this decision, let the records of this case be forthwith forwarded to the Office of the President for possible exercise of the pardoning power.

SO ORDERED.

Davide, Jr., C.J., Bellosillo, Puno, Vitug, Mendoza, Panganiban, Quisumbing, Ynares-Santiago, Carpio, Austria-Martinez, and Corona, JJ., concur. Sandoval Gutierrez, J., on leave.

- [1] Rollo, p.12.
- [2] Rollo, p. 17.
- [3] Exhibit E, folder of Documentary Exhibits, p. 5.
- [4] Rollo, pp. 108-109.
- [5] Rollo, p. 80.
- [6] TSN, Maricel Soriano, 11 May 1999, pp. 7-13.
- [7] Ibid., pp. 14-19.
- [8] Ibid., pp. 20-21.
- [9] Ibid., pp. 22-24.
- [10] Ibid., pp. 25-27.
- [11] Ibid., pp. 27-31.
- [12] Ibid., pp. 31-33.
- [13] Ibid., pp. 34-35.
- [14] TSN, Maricel Soriano, 22 June 1999, pp. 3-4.
- [15] Ibid., pp. 5-6.
- [16] Ibid., pp. 8-9.
- [17] Ibid., pp. 9-11.
- [18] Ibid., pp. 11-12.
- [19] Ibid., pp. 16-20.
- [20] Ibid., pp. 20-24.
- [21] Ibid., pp. 24-26.
- [22] People vs. Sancha, 324 SCRA 646.
- [23] People vs. Tejeros, 326 SCRA 75.
- [24] TSN, Maricel Soriano, 11 May 1999, p. 24.
- [25] People vs. Arizapa, 328 SCRA 214.

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