

Title: Joel B. Caes vs. Intermediate Appellate Court, et al.

Facts:

On November 21, 1981, Joel B. Caes was charged with illegal possession of firearms and marijuana in the Court of First Instance of Rizal. These cases were consolidated on December 10, 1981. The initial arraignment set for January 11, 1982, was postponed. Caes was eventually arraigned on August 31, 1982, pleading not guilty. The trial scheduled for October 13, 1982, was deferred upon agreement. Subsequent postponements occurred on November 15, December 20, January 19, 1983, February 21, March 21, April 19, and June 6, 1983, mainly due to absent prosecution witnesses or lack of trial fiscal.

On November 14, 1983, without prosecution witnesses, the trial court provisionally dismissed the charges on the motion of the trial fiscal with Joel Caes' conformity noted. On January 9, 1984, prosecution witnesses Maj. Dacanay and Sgt. Lustado moved to revive the cases stating lack of notice as their non-attendance reason. The trial court granted this on May 18, 1984, setting a new trial date. Joel Caes's subsequent motion for reconsideration was denied on October 9, 1984.

Caes sought certiorari from the Supreme Court, which referred it to the Intermediate Appellate Court. The appellate court dismissed the petition on May 20, 1986, leading Caes to return to the Supreme Court.

Issues:

1. Was the motion to revive the cases valid?
2. Does reviving the cases constitute double jeopardy against Joel Caes?

Court's Decision:

1. Validity of Motion to Revive Cases: The Supreme Court held that only the government prosecutor could properly move to revive a criminal case. The prosecution witnesses, though served as complainants, had no standing to file such a motion as it was not under the prosecutor's or their authority. The absence of a direct motion from the prosecutor and lack of notification to Caes rendered the revival motion invalid.

2. Double Jeopardy: The Court determined that reviving the cases subjected Caes to double jeopardy. For double jeopardy to apply, there must be a valid complaint, filed in a competent court, a plea from the defendant, and acquittal or dismissal without the defendant's express consent. Though initially termed as "provisional" dismissal, without Caes's express consent documented, and considering the excessive delay that compromised Caes's right to a speedy

trial, the dismissal functioned as final. The numerous postponements over two years, mostly due to prosecution's unpreparedness, warranted a dismissal in alignment with the right to a speedy trial.

Doctrine:

The doctrine reaffirmed here is that double jeopardy attaches when there is a valid indictment, competent court jurisdiction, a plea entered, and case dismissal without the defendant's express consent. The Court underscored speedy trial rights and the necessity of explicit defendant consent for any provisional dismissal to ensure it doesn't inadvertently prejudice defense rights or procedural fairness.

Class Notes:

- Double jeopardy protects from a second prosecution after acquittal/conviction.
- Continuance of the case must not violate rights to a speedy trial.
- Provisional dismissals require express accused consent to avoid double jeopardy application.
- Government prosecutors hold sole propriety in reviving criminal charges, not individuals or witnesses.
- The procedural rule: Criminal prosecutions are state responsibilities.

Historical Background:

The case highlights systemic issues within the Philippine judicial process, emphasizing procedural delays and rights to a speedy trial. The decision underscores the importance of finality in judicial decisions, hence advocating for strict follow-through on procedure, ensuring individuals' liberty amidst challenges within prosecutorial and court administrative actions during the Martial Law period's concluding years, a significant transitory phase in the country's democratic restoration.