

****Title:** People of the Philippines vs. Arturo F. Duca**

****Facts:****

Arturo Duca, together with his mother Cecilia, was charged with the falsification of an official document under Article 172 in relation to Article 171, paragraph 2 of the Revised Penal Code. The case stems from the filing of a Declaration of Real Property on December 10, 2001, over a residential house, making it appear that it was signed by Aldrin F. Duca, Arturo's brother, who was abroad at that time.

The series of events leading up to the case were as follows:

1. In 1999, Pedro Calanayan, the private complainant, won an ejectment case against the Duca family, leading to a writ of execution and a public auction of their lot.
2. Cecilia Duca attempted to nullify the execution by filing a civil case, claiming the house on the lot belonged to her son Aldrin.
3. During this case, Cecilia presented a Property Index with Aldrin's name and signature, which was actually signed by Arturo, who was allegedly authorized by Aldrin.

The Municipal Circuit Trial Court (MCTC) of San Fabian-San Jacinto convicted Arturo of falsification, sentencing him to prison and ordering him to pay damages. Arturo appealed to the Regional Trial Court (RTC) of Dagupan City, which affirmed the MCTC's decision. He then took the case to the Court of Appeals (CA), which acquitted him, leading the People of the Philippines to petition the Supreme Court.

****Issues:****

1. Whether the Court of Appeals deprived the People of the Philippines of due process by deciding the appeal without involving the Office of the Solicitor General (OSG).
2. Whether Arturo Duca was duly authorized by his brother to sign the Declaration of Real Property, thereby negating the charge of falsification.

****Court's Decision:****

1. ****Due Process Violation:****

- The Supreme Court found that the CA failed to notify the OSG and require it to file a comment on Arturo's appeal.
- The OSG is the sole entity authorized to represent the People of the Philippines in criminal cases on appeal.
- By not involving the OSG, the CA deprived the prosecution of its right to due process, rendering the CA's decision void.

2. **Authorization to Sign:**

- The Supreme Court did not explicitly delve into whether Arturo was authorized by Aldrin, as the due process issue warranted the remand of the case.
- The CA initially found that Arturo was authorized based on later provided documents by Aldrin, thus acquitting Arturo.

Doctrine:

- The OSG represents the People in appeals of criminal cases; any decision made without its participation violates due process and is void.
- Due process necessitates that both parties in a case, including the State, must be given a fair opportunity to be heard.

Class Notes:

- **Due Process:** The State must be given an opportunity to present its case in criminal proceedings. Denial of this right renders a court's decision void.
- **Representation by OSG:** The OSG is the official representative of the State in criminal appeals before the Court of Appeals and the Supreme Court.
- **Relevant Statute:**
 - Section 35(1), Chapter 12, Title III, Book IV, 1987 Administrative Code: The OSG's powers include representing the Government in higher courts in all criminal proceedings.

Historical Background:

The case is set against the backdrop of procedural requirements in the Philippine justice system emphasizing the OSG's role in ensuring the State's representation in criminal appeals. The decision reiterates the procedural safeguards necessary for upholding due process, reflecting on the balance between the rights of the accused and the prosecutorial authority of the State. This select role of the OSG is a fundamental aspect of Philippine judicial procedure shaped by the Administrative Code and consistent judicial precedents.