

### Title: **Raymond Michael Jackson vs. Hon. Florito S. Macalino, et al.**

### Facts:

1. **Application and Issuance of Search Warrant:**

- SPO3 Rodolfo M. Villaceran of the Philippine National Police (PNP) filed for a search warrant against Raymond Michael Jackson, an American citizen, a.k.a. Allen Miller, and Jaime C. Bueta.
- Application filed to RTC of Angeles City, Pampanga, for violation of Article 176 of the Revised Penal Code.
- RTC Judge Bernardita G. Erum issued Search Warrant No. 97-29 on November 29, 1997.
- Search conducted, articles seized, and Jackson and Bueta apprehended and detained.

2. **Second Search Warrant:**

- SPO3 Pedro B. Barsana, Jr. filed another application for a search warrant, issued by RTC Makati City's Judge Pedro N. Laggui on November 28, 1997.

3. **Criminal Charges:**

- Information filed on December 2, 1997, in Criminal Case No. 97-2078 for violation of Article 176.

4. **Passport Issues and Deportation:**

- U.S. Vice Consul Raymond Greene reported that the confiscated U.S. Passports were cancelled.
- Summary deportation proceedings initiated by CID, resulting in an Order for Jackson's deportation on December 11, 1997.
- BOC included Jackson on the CID's blacklist and ordered deportation subject to compliance with the 1997 Deportation Rules.

5. **Other Criminal Cases:**

- Various criminal cases filed against Jackson across multiple RTCs in Makati and Quezon City.

6. **Actions and Proceedings:**

- Quezon City RTC ordered Jackson's release on December 7, 1997, on bail.
- Jackson filed multiple motions, including a Motion for Reconsideration of the Deportation Order dated October 1, 1998.
- On October 14, 1998, CID denied the Motion for Reconsideration.

7. **Further Arrest and Detainment:**

- Jackson arrested again on May 21, 1999, under Mission Order No. RBR-99-164 as an undesirable alien.
- Petition for habeas corpus filed with Pasig RTC, which then directed hearing and issuance of the writ but eventually dismissed Jackson's petition on July 15, 1999.

**Issues:**

1. **Authority of the Commissioner of CID to Issue Warrant of Arrest:**

- Whether the Commissioner of the CID has the authority to issue warrants of arrest.
- Whether such warrants are only enforceable to implement a final order of deportation.

2. **Violation of Due Process:**

- Whether Jackson's right to due process was violated in the issuance of the deportation order.
- Whether Jackson was informed and given a proper hearing before the issuance of the deportation order.

3. **Legality of Detention:**

- Whether Jackson's detention was legal in light of the summary deportation order and the hold departure order from Makati RTC.

**Court's Decision:**

1. **Authority to Issue Warrants:**

- The CID is authorized under Section 37(a) of the Philippine Immigration Act to issue warrants of arrest against aliens on finding grounds for deportation.
- Petitioner's claim that the arrest required a final deportation order was unsubstantiated; the December 11, 1997, deportation order served as a valid basis.

2. **Due Process:**

- Jackson was informed of the grounds by the BOC, and due process was observed as Jackson filed a Motion for Reconsideration.
- The petitioner did not initially contest the claims nor the evidence presented by U.S. Vice Consul, indicating procedural fairness.

3. **Legality of Detention:**

- The detention based on a final and executory BOC Order issued on December 11, 1997, and subsequent Mission Order RBR-99-164 was legal.
- Even if initial detention was flawed, supervening events such as subsequent orders and

warrants validated continued detention.

**### Doctrine:**

- **\*\*Validity of Arrest and Detention of Aliens:\*\*** An alien can be detained upon an order from the Bureau of Immigration if found to be deportable under relevant laws. Quasi-judicial processes, including CID's deportation orders, satisfy the legal criteria for detention.
- **\*\*Due Process in Deportation:\*\*** The right to due process is met if the alien is notified of the charges and given an opportunity to be heard. Failure to contest charges or evidence at the appropriate time results in their acceptance.

**### Class Notes:**

- **\*\*Elements of Due Process in Immigration Law:\*\*** Information of charges, opportunity to rebut/give evidence, mechanisms for reconsideration.
- **\*\*Section 37(c), Immigration Act of 1940:\*\*** Prohibits deportation without informing the alien of specific grounds and offering a hearing.
- **\*\*Authority of Immigration Commissioner:\*\*** CID can issue warrants and final orders after Board recommendations.
- **\*\*Section 45(d) and Section 37(a)(9), Immigration Act of 1940:\*\*** Detailing grounds and processes for arrest and deportation of aliens.

**### Historical Background:**

- **\*\*Context of Late 90s Immigration Enforcement:\*\*** The Philippine government's collaboration with foreign embassies to address document fraud and enforce immigration laws.
- **\*\*Diplomatic Relations and Foreign Nationals:\*\*** Reflects the importance of diplomatic notifications (U.S. Embassy communications) in administrative actions against foreign nationals.