

****Title:****

People of the Philippines vs. Jacobito Marquez, alias "Boy Marquez" et al., G.R. No. 196 Phil. 302

****Facts:****

On the evening of December 23, 1965, Rolando Jardiel was seated inside an A.C. passenger jeepney in the poblacion of Davao City. The jeepney was driven by Vicente Baez, who had previously picked up Bernardino Mempo, and the three men decided to go to the Christmas party held at the GSIS building in Matina. On their way, the jeepney was hailed by four persons who took the rear seats: Celestino Abrigo, Saturnino Jaron, Perfecto Obenza, and Jacobito Marquez. As the jeepney neared the Coca-Cola plant at Matina, one of the passengers from the back, later identified as Jacobito Marquez, stabbed Jardiel with a Batangas knife causing severe injuries that led to Jardiel's death later at Brokenshire Hospital.

The initial information filed on December 21, 1966, accused only Jacobito Marquez of murder. An amended information on February 28, 1967, included Saturnino Jaron and Celestino Abrigo, alleging their conspiracy in committing the crime. Upon arraignment, all accused pleaded not guilty, but Jaron later changed his plea to guilty, leading to his sentence of reclusion temporal.

Procedurally, the case was brought before the Court of First Instance (CFI) of Davao. After a trial, the CFI found that a conspiracy existed among the accused and convicted Marquez, Jaron, and Abrigo of murder. Awaiting appeal, Marquez was temporarily released on bond by the Supreme Court on June 23, 1970, while Abrigo escaped from custody on July 14, 1969. Marquez contested the findings of conspiracy and the sufficiency of evidence regarding his direct involvement.

****Issues:****

1. Whether Jacobito Marquez was guilty beyond a reasonable doubt of the murder of Rolando Jardiel through actual perpetration or conspiracy.
2. Whether the evidence presented was sufficient to establish the existence of a conspiracy to murder between Marquez, Jaron, and Abrigo.
3. Whether the trial court erred in convicting Marquez based on the criminal liability under the principles of conspiracy despite the direct admission of guilt by another accused.

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

The Supreme Court analyzed the facts and the application of the legal doctrine of conspiracy. The Court determined:

1. Marquez's guilt was not directly supported by sufficient evidence beyond reasonable doubt of his actual act of stabbing Jardiel.
2. The evidence failed to establish the existence of a conspiracy. The attack by Jaron, who admitted it, was spontaneous, unexpected, and did not suggest a prior agreement or planning involving Marquez.
3. The Court found the testimonies problematic in asserting Marquez's involvement purely through inferred complicity. Statements from prosecution witnesses and defense contradictions introduced reasonable doubt, insufficient to uphold a conviction under conspiracy principles.

The Supreme Court reversed and set aside the trial court's decision, acquitting Jacobito Marquez on the ground of reasonable doubt.

****Doctrine:****

A conspiracy to commit a crime must be established by positive evidence showing a common criminal design and pre-conceived plan among collaborators. Mere inferences, suspicions, or assumptions without concrete proof cannot establish conspiratorial complicity sufficient for a conviction.

****Class Notes:****

Key elements learned from this case:

- ****Conspiracy**** under Article 8 of the Revised Penal Code requires positive evidence of a mutual understanding and concerted action towards an illicit goal.
- ****Reasonable Doubt**** requires that for conviction, proofs presented must exclude any rational hypothesis but that of the guilt of the accused.
- ****Witness Credibility**** is paramount; conflicting or unreliable testimonies significantly undermine the prosecution's case.

Relevant citations:

- Revised Penal Code, Article 8
- Case law on conspiracy: People vs. Cutura, and People vs. Chan

****Historical Background:****

The case highlights procedural evolution and reinforces the judicial requirement for safeguarding the accused against wrongful conviction in the context of the Philippine legal system's commitment to due process and reasonable doubt principles in criminal

jurisprudence. The decision also underlines the oft-overlooked necessity for precise evidence when asserting conspiratorial criminal liability.