

****Case Title:**** Olimpio Pangonorom and Metro Manila Transit Corporation vs. People of the Philippines

****Facts:****

1. ****Incident and Charge:****

- On July 10, 1989, Olimpio Pangonorom, a driver for Metro Manila Transit Corporation, was driving a passenger bus on EDSA, Quezon City.
- Prosecutor charged him with reckless imprudence resulting in damage to property and multiple slight physical injuries.
- The bus rear-ended an Isuzu Gemini car driven by Carlos Berba, injuring him and his passengers, Mary and Amelia Berba, and causing vehicle damage amounting to P42,600.

2. ****Trial Court Proceedings:****

- Olimpio was arraigned on June 26, 1990, and pleaded not guilty.
- The prosecution's witnesses described the accident, highlighting that the MMTC bus was traveling at 70-80 kph, and collided after swerving to avoid a van.
- Defense claimed Carlos was at fault for swerving into Olimpio's lane without signaling.
- On February 5, 1993, the trial court rendered Olimpio guilty, sentencing him to 30 days and ordering him to indemnify the damages.

3. ****Appellate Court Proceedings:****

- Olimpio and MMTC appealed to the Court of Appeals.
- The appellate court upheld the trial court decision, agreeing with the finding of negligence.

4. ****Supreme Court Petition:****

- Petitioners filed for a review, arguing the Court of Appeals overlooked certain factual circumstances and contested the finding of negligence and MMTC's estoppel from assailing the trial court's decision.

****Issues:****

1. ****Negligence Determination:****

- Did the Court of Appeals err in maintaining Olimpio's negligence despite his account that Carlos was switching lanes?

2. ****Estoppel:****

- Is the Metro Manila Transit Corporation estopped from challenging the trial court decision due to its failure to appeal within the period?

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

1. ****Negligence:****

- The Supreme Court held that findings of fact by trial and appellate courts are binding unless unsupported by evidence. The decision maintaining Olimpio's negligence was upheld as evidence showed he was driving fast under poor road conditions.
- The Supreme Court referred to Article 365 of the Revised Penal Code, emphasizing the importance of taking necessary precautions to avoid harm.

2. ****Estoppel:****

- The court noted MMTC did make an appeal on the civil aspect along with Olimpio.
- However, subsidiary liability of employers under Article 103 of the Revised Penal Code requires proof of employee insolvency before enforcement, which was premature in this case since Olimpio's liability was not yet subject to execution.

****Doctrine:****

- Article 103 stipulates that employers are subsidiarily liable for their employees' civil liabilities following conviction and proof of insolvency.
- In negligence cases, findings of fact by a trial court, when supported by evidence, are typically respected on appeal.

****Class Notes:****

- Article 365 of the Revised Penal Code: Reckless imprudence constitutes doing an act with lack of necessary precautions.
- Article 103 of the Revised Penal Code: Employers/industries may be subsidiarily liable for employees' actions committed during employment.
- Focus on the importance of factual findings and discretion of courts in negligence and vehicular accidents.

****Historical Background:****

- The case is reflective of the era's concern with public transport safety and driver accountability in traffic incidents.
- Provides context for addressing civil liabilities through criminal proceedings, highlighting the remedies available for victims of traffic accidents in the Philippines.