



Republic of the Philippines  
 Supreme Court  
 Manila

SECOND DIVISION

SOLOMON VERDADERO y  
 GALERA,

Petitioner,

G.R. No. 216021

Present:

CARPIO, J., Chairperson,  
 BRION,\*  
 DEL CASTILLO,  
 MENDOZA, and  
 LEONEN, JJ.

- versus -

PEOPLE OF THE PHILIPPINES,  
 Respondent.

Promulgated:

02 MAR 2016

*Handwritten signature*

X ----- X

DECISION

**MENDOZA, J.:**

*The expectations of a person possessed with full control of his faculties differ from one who is totally deprived thereof and is unable to exercise sufficient restraint on his. Thus, it is but reasonable that the actions made by the latter be measured under a lesser stringent standard than that imposed on those who have complete dominion over their mind, body and spirit.*

This petition for review on *certiorari* seeks to reverse and set aside the July 10, 2014 Decision<sup>1</sup> and the December 15, 2014 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. CR No. 35894 which affirmed the May 30, 2013 Judgment<sup>3</sup> of the Regional Trial Court, Branch 03, Tuguegarao City (RTC) in Criminal Case No. 13283, finding accused Solomon Verdadero y

\* On leave.

<sup>1</sup> Penned by Associate Justice Agnes Reyes-Carpio with Associate Justices Noel G. Tijam and Priscilla J. Baltazar-Padilla concurring; *rollo*, pp. 30-42.

<sup>2</sup> Id. at 44-45.

<sup>3</sup> Penned by Judge Marivic A. Cacatian-Beltran; id. at 72-88.

Galera (*Verdadero*) guilty beyond reasonable doubt of the crime of Homicide, defined and penalized under Article 249 of the Revised Penal Code (*RPC*).

### **The Facts**

In an Information,<sup>4</sup> dated September 9, 2009, Verdadero was charged with the crime of murder for killing Romeo B. Plata (*Romeo*), the accusatory portion of which reads:

That on or about March 12, 2009, in the municipality of Baggao, Province of Cagayan, and within the jurisdiction of this Honorable Court, the said accused **SOLOMON VERDADERO** armed with a Rambo knife, with intent to kill, evident premeditation and with treachery, did then and there wilfully, unlawfully and feloniously attack, assault and stab **ROMEO B. PLATA**, thereby inflicting upon him stab wounds on the different parts of his body which caused his death.

Contrary to law.<sup>5</sup>

On June 3, 2011, Verdadero was arraigned and pleaded “Not Guilty.” During the pre-trial, he invoked the defense of insanity but did not consent to a reverse trial. Thereafter, trial ensued.<sup>6</sup>

### *Evidence of the Prosecution*

The evidence of the prosecution tended to establish the following:

On March 12, 2009, at around 3:00 o’clock in the afternoon, Maynard Plata (*Maynard*) and his father Romeo were at the Baggao Police Station. Together with Ronnie Elaydo (*Ronnie*), they went there to report that Verdadero had stolen the fan belt of their irrigation pump.<sup>7</sup>

After a confrontation with Verdadero at the police station, the three men made their way home on a tricycle but stopped at a drugstore as Maynard intended to buy some baby supplies. Romeo proceeded towards a store near the drugstore while Ronnie stayed inside the tricycle. From the drug store, Maynard saw Verdadero stabbing Romeo, after he was alerted by the shouts of Ronnie.<sup>8</sup>

---

<sup>4</sup> RTC records, pp. 1-2.

<sup>5</sup> *Rollo*, p. 72.

<sup>6</sup> *Id.* at 74.

<sup>7</sup> *Id.* at 31.

<sup>8</sup> *Id.* at 74.

Verdadero stabbed Romeo on the left side of the latter's upper back with the use of a Rambo knife. He again struck Romeo's upper back, just below the right shoulder. Maynard tried to help his father but Verdadero attempted to attack him as well. He defended himself using a small stool, which he used to hit Verdadero in the chest.<sup>9</sup>

Meanwhile, Ronnie ran towards the police station to seek assistance. The responding police officers arrested Verdadero, while Maynard and Ronnie brought Romeo to a clinic but were advised to bring him to the Cagayan Valley Medical Center (*CVMC*). Romeo, however, died upon arrival at the *CVMC*. Based on the Post-Mortem Examination Report, his cause of death was cardiopulmonary arrest secondary to severe hemorrhage secondary to multiple stab wounds and hack wounds.<sup>10</sup>

### *Evidence of the Defense*

The evidence for the defense did not refute the material allegations but revolved around Verdadero's alleged insanity, to wit:

Since 1999, Verdadero had been an outpatient of *CVMC*'s Psychiatric Department as he claimed to hear strange voices and had difficulty in sleeping. Sometime in 2001, Miriam Verdadero (*Miriam*), Verdadero's sister, again brought him to the Psychiatric Department of *CVMC* after he became violent and started throwing stones at a tricycle with a child on board. Verdadero was confined for two (2) months and was diagnosed to be suffering from mental depression.

On July 21, 2003, he was diagnosed with schizophrenia and was given medications to address his mental illness. Verdadero would irregularly consult with his doctors as he had a lifelong chronic disease. Then, in 2009, he was again confined for the fourth (4<sup>th</sup>) time at *CVMC* due to a relapse.

On March 12, 2009, Miriam proceeded to *CVMC*, after she heard of the stabbing incident. There, she saw Verdadero removing the IV tubes connected to his body and, thereafter, locked himself inside the comfort room. Eventually, Verdadero was given sedatives and was transferred to an isolation room after Miriam informed the nurses of the incident.<sup>11</sup>

On March 20, 2009, he was transferred to the Psychiatry Department after Dr. Leonor Andres-Juliana (*Dr. Andres-Juliana*) had diagnosed that he

---

<sup>9</sup> Id. at 31-32.

<sup>10</sup> Id. at 32.

<sup>11</sup> Id. at 33-34.

was having difficulty sleeping. Dr. Andres-Juliana opined that Verdadero suffered a relapse, as evidenced by his violent behaviour.

Acting on the January 4, 2011 Order of the RTC, Dr. Ethel Maureen Pagaddu (*Dr. Pagaddu*) conducted a mental examination on Verdadero. She confirmed that as early as 1999, he was already brought to CVMC and that he was diagnosed with schizophrenia on July 21, 2003. Dr. Pagaddu agreed with Dr. Andres-Juliana that Verdadero had suffered a relapse on the day of the stabbing incident.<sup>12</sup>

### *The RTC Ruling*

On May 30, 2013, the RTC rendered a decision finding Verdadero guilty for the crime of homicide. The dispositive portion of which reads:

**WHEREFORE**, in light of the foregoing, this Court finds the accused **SOLOMON VERDADERO y Galera GUILTY** beyond reasonable doubt of the felony of Homicide, defined and penalized under Article 249 of the Revised Penal Code, as amended, and hereby sentences him:

1. To suffer an indeterminate prison sentence ranging from twelve (12) years of *prision mayor* [as maximum] as minimum to seventeen (17) years and four (4) months of *reclusion temporal* medium, as maximum; and,
2. To pay the heirs of Romeo Plata the amounts of:
  - a. ₱50,000.00 as death indemnity;
  - b. ₱50,000.00 as moral damages and
  - c. ₱30,000.00 as stipulated actual damages; and,
3. To pay the costs.

**SO ORDERED.**<sup>13</sup>

The RTC ruled that the crime committed was only homicide, as the prosecution failed to establish the presence of treachery and evident premeditation to qualify the killing to murder. The trial court, however, opined that Verdadero failed to establish insanity as an exempting circumstance. The trial court posited that Verdadero was unsuccessful in establishing that he was not in a lucid interval at the time he stabbed Romeo or that he was completely of unsound mind prior to or coetaneous with the commission of the crime.

---

<sup>12</sup> Id. at 78-79.

<sup>13</sup> Id at 87-88.

Aggrieved, Verdadero appealed before the CA.

*The CA Ruling*

In its July 10, 2014 Decision, the CA upheld Verdadero's conviction of homicide. The appellate court agreed that the defense was able to establish that Verdadero had a history of schizophrenic attacks, but was unable to prove that he was not lucid at the time of the commission of the offense. The decretal portion of the decision states:

**WHEREFORE**, in view of the foregoing, the Appeal is **DENIED**. The Judgment, dated May 30, 2013, rendered by the Regional Trial Court of Tuguegarao City, Branch 3 in Criminal Case No. 13283, is **AFFIRMED**.

**SO ORDERED.**<sup>14</sup>

Verdadero moved for reconsideration, but his motion was denied by the CA in its resolution, dated December 15, 2014.

Hence, this present petition, raising the following

**ISSUE**

**WHETHER THE COURT OF APPEALS GRAVELY ERRED IN AFFIRMING THE PETITIONER'S CONVICTION DESPITE THE FACT THAT HIS INSANITY AT THE TIME OF THE INCIDENT WAS ESTABLISHED BY CLEAR AND CONVINCING EVIDENCE.**

Verdadero insists that he was able to fully support his defense of insanity. He claims that Maynard even admitted that he was not in the proper state of mind when they were at the police station before the stabbing took place. Further, it appeared that Verdadero was having hallucinations after the stabbing incident as testified to by Dr. Andres-Juliana. Verdadero notes that Dr. Pagaddu concluded that he had a relapse at the time of the stabbing incident on March 12, 2009.

In its Comment,<sup>15</sup> the Office of the Solicitor General (*OSG*) contended that the present petition presented a question of fact, which could not be addressed in a petition for review under Rule 45 of the Rules of Court. Moreover, it asserted that the CA did not misapprehend the facts as the evidence presented failed to completely establish Verdadero's insanity at the time of the stabbing.

---

<sup>14</sup> Id. at 41.

<sup>15</sup> Id. at 106-111.

In his Manifestation (in Lieu of Reply),<sup>16</sup> Verdadero indicated that he would no longer file a reply as his petition for review already contained an exhaustive discussion of the issues.

### **The Court's Ruling**

The present petition primarily assails the conviction despite his defense of insanity. Before delving into the merits of the case, a discussion of the procedural issue is in order.

*Only questions of law may be raised in a petition for review under Rule 45; Exceptions*

The OSG argues that the Court should not entertain Verdadero's petition for review as it principally revolves around the issue of his insanity — a question of fact which should no longer be addressed in a petition for review. The Court disagrees.

Generally, questions of fact are beyond the ambit of a petition for review under Rule 45 of the Rules of Court as it is limited to reviewing only questions of law. The rule, however, admits of exceptions wherein the Court expands the coverage of a petition for review to include a resolution of questions of fact. In *Laborte v. Pagsanjan Tourism Consumers' Cooperative et al.*,<sup>17</sup> the Court reiterated the following exceptions to the rule that only questions of law may be raised under Rule 45, to wit: (1) when the findings are grounded entirely on speculations, surmises, or conjectures; (2) when the inference made is manifestly mistaken, absurd, or impossible; (3) when there is a grave abuse of discretion; **(4) when the judgment is based on misappreciation of facts**; (5) when the findings of fact are conflicting; (6) when in making its findings, the same are contrary to the admissions of both appellant and appellee; (7) when the findings are contrary to those of the trial court; (8) when the findings are conclusions without citation of specific evidence on which they are based; (9) when the facts set forth in the petition as well as in the petitioner's main and reply briefs are not disputed by the respondent; and (10) when the findings of fact are premised on the supposed absence of evidence and contradicted by the evidence on record.

The present petition mainly delves into Verdadero's state of mind at the time of the stabbing incident. Obviously, it is a question of fact, which, ordinarily is not entertained by the Court in a petition for review. As will be

---

<sup>16</sup> Id. at 114-115.

<sup>17</sup> G.R. No. 183860, January 15, 2014, 713SCRA 536, 549-550.

discussed below, the Court, nevertheless, finds that the circumstances in the case at bench warrant the application of the exception rather than the rule.

*Insanity must be present  
at the time the crime had  
been committed*

To completely evade culpability, Verdadero raises insanity as a defense claiming that he had suffered a relapse of his schizophrenia. Under Article 12 of the RPC, an imbecile or an insane person is exempt from criminal liability, unless the latter had acted during a lucid interval. The defense of insanity or imbecility must be clearly proved for there is a presumption that the acts penalized by law are voluntary.<sup>18</sup>

In the case at bench, it is undisputed that (1) as early as 1999, Verdadero was brought to the Psychiatrist Department of CVMC for treatment; (2) he was diagnosed with depression in 2001; (3) he was diagnosed with schizophrenia on July 21, 2003; (4) he was confined in the psychiatric ward sometime in 2009 due to a relapse; (5) he was in and out of psychiatric care from the time of his first confinement in 1999 until the stabbing incident; and (6) he was diagnosed to have suffered a relapse on March 20, 2009.

Thus, it is without question that he was suffering from schizophrenia and the only thing left to be ascertained is whether he should be absolved from responsibility in killing Romeo because of his mental state.

Schizophrenia is a chronic mental disorder characterized by inability to distinguish between fantasy and reality, and often accompanied by hallucinations and delusions.<sup>19</sup> A showing that an accused is suffering from a mental disorder, however, does not automatically exonerate him from the consequences of his act. Mere abnormality of the mental faculties will not exclude imputability.<sup>20</sup>

In *People v. Florendo*,<sup>21</sup> the Court explained the standard in upholding insanity as an exempting circumstance, to wit:

Insanity under Art. 12, par. 1, of *The Revised Penal Code* exists when there is a **complete deprivation of intelligence in committing the act**, i.e., appellant is deprived of reason; he acts without the least

---

<sup>18</sup> *People v. Comanda*, 553 Phil. 655, 673 (2007).

<sup>19</sup> *People v. Austria*, 328 Phil. 1208, 1220 (1996).

<sup>20</sup> *People v. Madarang*, 387 Phil. 846, 859 (2000).

<sup>21</sup> 459 Phil. 470, 477 (2003).

discernment because of complete absence of the power to discern; or, there is a total deprivation of freedom of the will. The *onus probandi* rests upon him who invokes insanity as an exempting circumstance, and he must prove it by clear and convincing evidence.

[Emphasis Supplied]

In *People v. Isla*,<sup>22</sup> the Court elucidated that insanity must relate to the time immediately preceding or simultaneous with the commission of the offense with which the accused is charged. Otherwise, he must be adjudged guilty for the said offense. In short, in order for the accused to be exempted from criminal liability under a plea of insanity, he must categorically demonstrate that: (1) he was completely deprived of intelligence because of his mental condition or illness; and (2) such complete deprivation of intelligence must be manifest **at the time or immediately before the commission of the offense**.

In raising the defense of insanity, Verdadero admits to the commission of the crime because such defense is in the nature of a confession or avoidance.<sup>23</sup> As such, he is duty bound to establish with certainty that he was completely deprived, not merely diminished, of intelligence at the time of the commission of the crime. Failing which, Verdadero should be criminally punished for impliedly admitting to have stabbed Romeo to death.

Proving insanity is a tedious task for it requires an examination of the mental state of the accused. In *People v. Opuran*,<sup>24</sup> the Court explained how one's insanity may be established, to wit:

Since insanity is a condition of the mind, it is not susceptible of the usual means of proof. As no man can know what is going on in the mind of another, the state or condition of a person's mind can only be measured and judged by his behavior. Thus, the vagaries of the mind can only be known by outward acts, by means of which we read the thoughts, motives, and emotions of a person, and then determine whether the acts conform to the practice of people of sound mind.

Insanity is evinced by a deranged and perverted condition of the mental faculties which is manifested in language and conduct.

xxx

---

<sup>22</sup> G.R. No. 199875, November 21, 2012, 686 SCRA 267, 277.

<sup>23</sup> *People v. Tibon*, 636 Phil. 521, 530-531 (2010).

<sup>24</sup> 469 Phil. 698, 712-713 (2004).



Establishing the insanity of an accused often requires opinion testimony which may be given by a witness who is intimately acquainted with the accused; has rational basis to conclude that the accused was insane based on his own perception; or is qualified as an expert, such as a psychiatrist.

In the earlier case of *People v. Austria*,<sup>25</sup> the Court elucidated that evidence of the mental condition of the accused during a reasonable period before and after the commission of the offense is material, to wit:

In order to ascertain a person's mental condition at the time of the act, it is permissible to receive evidence of his mental condition during a reasonable period before and after. Direct testimony is not required nor are specific acts of disagreement essential to establish insanity as a defense. A person's mind can only be plumbed or fathomed by external acts. Thereby his thoughts, motives and emotions may be evaluated to determine whether his external acts conform to those of people of sound mind. To prove insanity, clear and convincing circumstantial evidence would suffice.

Guided by the precepts laid out by the above-mentioned jurisprudence, the Court finds that Verdadero sufficiently proved that he was insane at the time of the stabbing. Thus, the Court takes a view different from that of the CA as the latter concluded that Verdadero's insanity was not clearly proven.

It is true that there is no direct evidence to show Verdadero's mental state at the exact moment the crime was committed. This, however, is not fatal to the finding that he was insane. His insanity may still be shown by circumstances immediately before and after the incident. Further, the expert opinion of the psychiatrist Dr. Pagaddu may also be taken into account.

Dr. Pagaddu categorically testified that Verdadero was suffering a relapse at the time of the stabbing incident. During her testimony, she stated as follows:

On direct examination

Atty. Tagaruma

Q: By the way what was the mental condition of the accused referred which involved your diagnosis as a life long chronic disease?

Witness

A: The accused was diagnosed schizophrenia, sir.

Q: When for the first time Solomon Verdadero was diagnosed with schizophrenia?

---

<sup>25</sup> 328 Phil. 1208, 1221-1222 (1996).

A: It was on July 21, 2003, sir.

xxx

Q: As an expert witness tell the Honorable Court if a person who has relapse of schizophrenia could distinguish his act?

A: This mental disorder influence (sic) the impulse. It could at the time of the commission of the crime that the impulse control and judgment of an individual was affected sir.

Q: Could it be accurate to state that a person who has the relapse of schizophrenia could not distinguish any act from right or wrong?

A: There is a possibility, sir.

Court

Q: Why did you say that Solomon Verdadero has the possibility of relapse upon admission on March 19, 2009?

A: There was a period of relapse meaning the symptom was present and there must be a remission if the symptom is abated, your Honor.

xxx

**Atty. Tagaruma**

**Q: You have read for the record the report of Dr. Juliana on the alleged violent behavior of Solomon Verdadero on March 12, 2009 which is the date of the incident, as an expert psychiatrist is it possible that the violent behavior of Solomon Verdadero on March 12, 2009 was the basis of Dr. Juliana in diagnosing that the accused was in relapse upon admission on March 12, 2009?**

**A: Yes sir.**

**Q: Following the remark of scientific conclusion of Dr. Juliana, Dr. Janet Taguinod and the conclusion made by you, is it also your conclusion that Solomon Verdadero was in relapse on March 12, 2009 due to violent behavior?**

**A: Yes, sir.**

On cross examination

Prosecutor Aquino

Q: But definitely during the disorder of the patient, the relapse would somewhat be continued even when medications is administered to him?

A: The symptom is controlled although there is a circumstances (sic) that the patient may have relapse (sic) even with medication, sir.

Q: If a continuous medication was undertaken by the accused-patient in this case could that have a long effect on his mental condition?

A: Continuous medication could somehow control the symptom and not absolutely eradicate the symptom.

Q: On March 12 , 2009 the accused-patient was on a lucid interval, in view of the medication undertaken as of January 19, 2009?

A: It's haphazard, sir.

xxx

Court

Q: Madam witness what type of schizophrenia the accused was diagnosed?

A: Undifferentiated, your honor.<sup>26</sup>

[Emphases Supplied]

Dr. Paggadu, without any reservations, stated that Verdadero was suffering a relapse of his schizophrenia at the time of the stabbing incident. In contrast, she was hesitant to opine that Verdadero might have been in a lucid interval because of the medications taken. Thus, it is reasonable to conclude, on the basis of the testimony of an expert witness, that Verdadero was of unsound mind at the time he stabbed Romeo.

Further, the finding of Verdadero's insanity is supported by the observations made by Maynard, a witness for the prosecution. In his testimony, Maynard gave his opinion on Verdadero's behavior and appearance when they met at the police station, to wit:

On cross examination

Atty. Tagurama

Q: Having made the report against Solomon Verdadero, do I (sic) correct to say that you are familiar with Solomon Verdadero even before March 12, 2009?

A: Yes, sir.

Q: Tell us why you are familiar to him even prior to March 12, 2009?

A: We are neighbors, sir.

Q: You are immediate neighbors?

A: Yes, sir

Q: Since you are neighbors with Solomon Verdadero you see him almost a (sic) time?

A: Yes, sir. I saw him daily.

Q: When you see Solomon Verdadero daily you see his actuation?

A: Yes, sir.

xxx

---

<sup>26</sup> TSN, dated July 31, 2012, pp. 5-17.

Q: Sometimes he boxes when he is not in his proper mind, what aberrant behavior did you observe from him?

A: That's the only thing I observed and sometimes he steal (sic), sir.

Q: For a long time that Solomon Verdadero is your neighbor does his relapse or what you called not in his proper mind occurred often?

A: It occurred once in a while, sir.

Q: When you said it occurred once in a while, this relapse may occur once a week?

A: Yes, sir.

**Q: Prior to March 12, 2009, when did you first observe that Solomon Verdadero appears not in his proper mind?**

**A: He was not in his proper mind for a long time, sir.**

Q: Maybe it could be 5 months before March 12, 2009?

A: Yes, sir.

xxx

Court

Q: You testified that you observed the accused not in his proper mind for the passed (sic) years before this incident was he also violent like what happened on March 12, 2009?

Witness

A: Yes, your honor.

Q: When you went to the police station you allegedly reported the stolen fan belt do I get you right that Solomon Verdadero was with you at the police station?

A: Yes, your honor.

**Q: When he was with you at the police station what did you observe?**

**A: He was not again in his proper mind (*sumro manen*), your Honor.**

xxx

Q: Can you describe his appearance?

A: His eyes was (sic) very sharp and reddish.

xxx

Q: As far as his appearance is concern (sic) do you remember his actuation or how he was reacting?

A: Yes, your honor. He was somewhat drank (sic).

**Q: You said that he was not on his proper mind for the passed (sic) years?**

**A: Yes, your honor.<sup>27</sup>**

[Emphases Supplied]

---

<sup>27</sup> TSN, dated May 4, 2012, pp. 12-22.

Maynard was familiar with Verdadero as the latter was his neighbor for a long time. He had observed that there were times that Verdadero appeared to be of unsound mind as he would sometimes become violent. On the day of the stabbing incident, Maynard perceived that Verdadero was again of unsound mind noting that he had reddish eyes and appeared to be drunk. Moreover, he was immediately transferred to the psychiatry department because of his impaired sleep and to control him from harming himself and others.<sup>28</sup>

These circumstances are consistent with Dr. Paggadu's testimony that **drinking wine, poor sleep and violent behavior were among the symptoms of a relapse**, the same testimony that was used as basis for his previous diagnosis.<sup>29</sup> The evidence on record supports the finding that Verdadero exhibited symptoms of a relapse of schizophrenia at the time of the stabbing incident. Thus, Dr. Paggadu reiterated Dr. Andre-Juliana's conclusion that Verdadero was having a relapse of his illness on that fateful day.

Further, on March 22, 2009, he was officially diagnosed to have suffered a relapse of schizophrenia. Generally, evidence of insanity after the commission of the crime is immaterial. It, however, may be appreciated and given weight if there is also proof of abnormal behavior before or simultaneous to the crime.<sup>30</sup>

Indeed, the grant of absolution on the basis of insanity should be done with utmost care and circumspection as the State must keep its guard against murderers seeking to escape punishment through a general plea of insanity.<sup>31</sup> The circumstances in the case at bench, however, do not indicate that the defense of insanity was merely used as a convenient tool to evade culpability.

The Court notes that at the very first opportunity, Verdadero already raised the defense of insanity and remained steadfast in asserting that he was deprived of intelligence at the time of the commission of the offense. He no longer offered any denial or alibi and, instead, consistently harped on his mental incapacity. Unlike in previous cases<sup>32</sup> where the Court denied the defense of insanity as it was raised only when the initial defense of alibi failed to prosper, Verdadero's alleged insanity was not a mere afterthought.

In exonerating Verdadero on the ground of insanity, the Court does not totally free him from the responsibilities and consequences of his acts. Article 12(1) of the RPC expressly states that "[w]hen an insane person has

---

<sup>28</sup> TSN, dated July 31, 2012, p. 7.

<sup>29</sup> Id. at 12.

<sup>30</sup> *People v. Belonio*, 473 Phil. 637, 649 (2004).

<sup>31</sup> *People v. Florendo*, 459 Phil. 470, 481 (2003).

<sup>32</sup> *People v. Ocfemia*, 398 Phil. 210 (2000); *People v. Opuran*, 469 Phil. 698 (2004).

committed an act which the law defines as a felony, the court shall order his confinement in one of the hospitals or asylums established for persons thus afflicted, which he shall not be permitted to leave without first obtaining the permission of the same court.” Instead of incarceration, Verdadero is to be confined in an institution where his mental condition may be addressed so that he may again function as a member of society. He shall remain confined therein until his attending physicians give a favorable recommendation for his release.

*Verdadero still liable for damages in spite of his exoneration*

In appreciating insanity in favor of Verdadero, the Court absolves him from criminal responsibility. He is, nevertheless, responsible to indemnify the heirs of Romeo for the latter’s death. An exempting circumstance, by its nature, admits that criminal and civil liabilities exist, but the accused is freed from the criminal liability.<sup>33</sup>

The amount of damages awarded, however, must be modified in order to conform to recent jurisprudence.<sup>34</sup> The ₱50,000.00 civil indemnity and ₱50,000.00 moral damages awarded by the RTC must each be increased to ₱75,000.00. In addition, an interest at the rate of six per cent (6%) per annum should be imposed on all damages awarded computed from the finality of the decision until the same have been fully paid.

**WHEREFORE**, the Court grants the petition and **ACQUITS** accused-appellant Solomon Verdadero y Galera of Homicide by reason of insanity. He is ordered confined at the National Center for Mental Health for treatment and shall be released only upon order of the Regional Trial Court acting on a recommendation from his attending physicians from the institution.

He is also ordered to pay the heirs of Romeo B. Plata the amounts of ₱75,000.00 as civil indemnity; ₱75,000.00 as moral damages; and ₱30,000.00 as stipulated actual damages, plus interest on all damages awarded at the rate of 6% per annum from the date of finality of this decision until the same shall have been fully paid.

**SO ORDERED.**

  
**JOSE CATRAL MENDOZA**  
Associate Justice

<sup>33</sup> *Sierra v. People*, 609 Phil. 446, 460 (2009).

<sup>34</sup> *Wacoy v. People*, G.R. No. 213972, June 22, 2015.

**WE CONCUR:**



**ANTONIO T. CARPIO**  
Associate Justice  
Chairperson

(On Leave)  
**ARTURO D. BRION**  
Associate Justice



**MARIANO C. DEL CASTILLO**  
Associate Justice



**MARVIC M.V.F. LEONEN**  
Associate Justice

**ATTESTATION**

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



**ANTONIO T. CARPIO**  
Associate Justice  
Chairperson, Second Division

**CERTIFICATION**

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



**MARIA LOURDES P. A. SERENO**  
Chief Justice