



Republic of the Philippines
 Supreme Court
 Manila

FIRST DIVISION

PEOPLE OF THE PHILIPPINES,
 Plaintiff-Appellee,

G.R. No. 250330

Present:

PERALTA, C.J., Chairperson,
 CAGUIOA,
 CARANDANG,
 ZALAMEDA, and
 GAERLAN, JJ.

- versus -

RENANTE SEGUISABAL y
 TRASONA,
 Accused-Appellant.

Promulgated:

MAR 18 2021

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DECISION

PERALTA, C.J.:

On appeal is the May 28, 2019 Decision¹ of the Court of Appeals (CA) rendered in CA-G.R. CR HC No. 02490, which affirmed the February 28, 2017 Decision² of the Regional Trial Court (RTC) of Cebu City, Branch 20, finding Renante Seguisabal y Trasona (*accused-appellant*) guilty beyond reasonable doubt of the crime of murder.

In an information³ filed by the City Prosecutor of Naga City, Cebu City, accused-appellant was charged with the crime of murder, committed as follows:

That on or about the 17th day of August, 2008, at about 2:00 A.M. more or less, in the City of Naga, Cebu, Philippines, and within the jurisdiction of this Honorable Court, the said accused, armed with a bladed

¹ Penned by Associate Justice Pamela Ann Abella Maxino, with Associate Justices Emily R. Aliño-Geluz and Dorothy P. Montejo-Gonzaga concurring; *rollo*, pp. 5-15.

² Penned by Acting Presiding Judge James Stewart Ramon E. Himalalaoan; *CA rollo*, pp. 38-58.

³ Records, p. 1.

weapon, with deliberate intent, with intent to kill and with treachery and evident premeditation, did then and there attack, assault, stab one JOSE MARVIN B. CANDOL, with the use of said weapon, thereby causing injuries which have resulted in the death of said JOSE MARVIN B. CANDOL.

Contrary to law.

Accused-appellant entered a plea of *not guilty* upon arraignment on November 19, 2008.

The prosecution presented the testimony of Jose Rolando Candol (*Rolando*), Kindred Bartolata (*Kindred*), Justino Dakay (*Dakay*), Mario Martinez (*Martinez*) and Police Officer 2 Ken Cabrera (*PO2 Cabrera*).

The prosecution presented the following factual antecedents.


On August 17, 2008, at around 2:00 a.m., the victim Jose Marvin B. Candol (*Marvin*), and his cousins Rolando, Kindred, Yulmar and Gacho, attended a disco event at the basketball court of *Barangay Uling*, Naga, Cebu City. The cousins formed a circle while dancing and they were more or less at two arms' length from each other. While dancing, Rolando observed that Marvin inadvertently elbowed and stepped on accused-appellant, who was then an unfamiliar person to the group. Rolando and Kindred, thereafter, noticed that accused-appellant was seemingly incensed at Marvin as he kept nudging and staring at the latter. Accused-appellant later positioned himself behind Marvin and suddenly stabbed him from behind. Defendant-appellant then hastily fled the scene.

Martinez, who was on duty as *barangay tanod* at the time of the incident, saw accused-appellant exiting the basketball court with bloodied hands. Martinez immediately reported what he witnessed to the councilor on the apprehension that someone might have been stabbed at the disco. Later, at 6:00 a.m., Martinez recounted the incident to *Barangay Captain Dakay* and the same was entered in the *barangay blotter*.

Rolando brought Marvin to the South General Hospital in Naga City, but the latter expired. Marvin's Certificate of Death⁴ stated that cause of death was "ACUTE MASSIVE BLOOD LOSS, SECONDARY TO STAB WOUND, RIGHT UPPER QUADRANT."

PO2 Cabrera of the Naga City Police learned of the stabbing incident at late afternoon of the same day. He, together with several other police officers, went to Dakay to identify the perpetrator. Dakay called Martinez,

⁴ *Id.* at 13.



and Martinez led them to accused-appellant's house, which happened to be his neighbor. The team saw accused-appellant in the neighborhood and caused his arrest after reading his rights. PO2 Cabrera brought accused-appellant to the Naga Police Station where he was identified by Rolando and Kindred as the one who stabbed Marvin.

The defense presented accused-appellant as their lone witness.

Accused-appellant denied the crime and stated that he was just sleeping at home at the time of the stabbing incident, as he was too tired after working overtime as a carpenter for Carmen Copper Corporation.

Accused-appellant also narrated that he went to work on August 17, 2008 and he was apprehended once he got home by a group of policemen when Martinez pointed at him as the perpetrator of a crime. He denied that Martinez was his neighbor, but said that he knew the latter because Martinez threatened him with "*One day I will get even with you,*" when he refused to bring Martinez's bio-data to his office.

On February 28, 2017, the RTC rendered its Decision⁵ finding accused-appellant guilty of the crime charged, the dispositive portion of which reads:

WHEREFORE, in view of the foregoing, the court finds accused RENANTE SEGUISABAL y TRASONA *GUILTY* beyond reasonable doubt of the crime of Murder as provided under Art. 248 of the Revised Penal Code, as amended, and hereby sentences him to a prison term of *Reclusion Perpetua* without eligibility [for] parole.

The accused is also hereby ordered to pay the heirs of Jose Marvin B. Candol the sum of P75,000.00 as civil indemnity *ex delict[o]*; moral damages of P75,000.00; and exemplary damages of P25,000.00.

SO ORDERED.⁶

The RTC upheld the version of the prosecution after determining that its witnesses were credible. The RTC also found that the testimonies of Kindred and Rolando, as eyewitnesses for the prosecution, were corroborated by Martinez.

Accused-appellant filed an appeal⁷ before the CA, with the sole assignment of error:

⁵ CA *rollo*, pp. 38-58.

⁶ *Id.* at 58.

⁷ *Id.* at 68-84.

THE TRIAL COURT ERRED IN CONVICTING THE ACCUSED-APPELLANT OF THE CRIME CHARGED DESPITE THE FAILURE OF THE PROSECUTION TO PROVE HIS GUILT BEYOND REASONABLE DOUBT.

On May 28, 2019, the CA rendered its Decision,⁸ affirming the RTC with modifications as to the damages, thus:

IN LIGHT OF ALL THE FOREGOING, the Decision dated February 28, 2017, of the Regional Trial Court, Branch 20, Cebu City, in Criminal Case No. CBU-84121, finding accused-appellant Renante T. Seguisabal guilty beyond reasonable doubt of the crime of murder, is AFFIRMED with MODIFICATION as to the award of exemplary damages.

Accused-appellant Renante T. Seguisabal is found guilty of the murder of Jose Marvin Candol, and is sentenced to suffer the penalty of *reclusion perpetua*. He is further ordered to pay the heirs of Jose Marvin Candol the amounts of Seventy[-]Five Thousand Pesos (PhP75,000.00), as civil indemnity, Seventy[-]Five Thousand Pesos (PhP75,000.00), as moral damages, and Seventy[-]Five Thousand Pesos (PhP75,000.00), as exemplary damages.

All monetary awards for damages shall earn interest at the legal rate of six percent (6%) *per annum* from the date of finality of this Decision until fully paid.

SO ORDERED.⁹

Hence, this appeal which adopted accused-appellant's Brief before the CA.

The Court resolves to dismiss this appeal for failure to show any reversible error in the judgment of conviction against accused-appellant.

The task of the prosecution is always two-fold, that is, (1) to prove beyond reasonable doubt the commission of the crime charged; and (2) to establish with the same quantum of proof the identity of the person or persons responsible therefor, because, even if the commission of the crime is a given, there can be no conviction without the identity of the malefactor being likewise clearly ascertained.¹⁰ The prosecution has undoubtedly satisfied the foregoing.

It is undisputed that Marvin died from a single stab wound on his body. Rolando and Kindred, who were eyewitnesses to the crime, positively

⁸ *Rollo*, pp. 5-18.

⁹ *Id.* at 14-15.

¹⁰ *People v. Sota*, G.R. No. 203121, November 29, 2017.

identified accused-appellant as the offender. Accused-appellant, on the other hand, presented a defense of denial and alibi.

The Court finds no reason to disturb the findings of the lower court that accused-appellant's weak defense of denial and alibi cannot defeat the positive identification of eyewitnesses, whose testimonies were strengthened by the corroborative testimony of Martinez. Unless substantiated by clear and convincing proof, denial and alibi is negative, self-serving and undeserving of any weight in law.¹¹ Thus, for the defense of alibi to prosper, the accused must prove (a) that he was present at another place at the time of the perpetration of the crime, and (b) that it was physically impossible for him to be at the scene of the crime during its commission.¹²

Furthermore, the Court upholds the credibility, as witnesses, of Rolando and Kindred. They were disinterested witnesses whose testimonies cannot be tainted with malice to falsely testify against accused-appellant. Absent any evidence showing a reason or motive for the prosecution witnesses to perjure their testimonies, the logical conclusion is that no improper motive exists, and that their testimonies are worthy of full faith and credit.¹³

The Court also sustains the propriety of the charge of murder against accused-appellant.

Article 248 of the RPC, which defines and provides for the penalty of murder, provides that:

Article 248. *Murder*. - Any person who, not falling within the provisions of Article 246, shall kill another, shall be guilty of murder and shall be punished by *reclusion perpetua*, to death if committed with any of the following attendant circumstances:

1. With treachery, taking advantage of superior strength, with the aid of armed men, or employing means to weaken the defense or of means or persons to insure or afford impunity;

x x x

Murder requires the following elements: (1) a person was killed; (2) the accused killed him or her; (3) the killing was attended by any of the qualifying circumstances mentioned in Article 248 of the Revised Penal Code; and (4) the killing does not amount to parricide or infanticide.¹⁴

¹¹ *People v. Narciso*, 440 Phil. 964, 977 (2002).

¹² *People v. Macaranas*, 811 Phil. 610, 624 (2017).

¹³ *People v. Inngo*, 452 Phil. 678, 692 (2003).

¹⁴ *People v. Albino*, G.R. No. 229928, July 22, 2019.

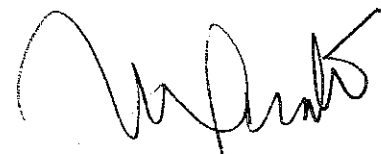
Undoubtedly, treachery can be appreciated against accused-appellant because the manner of attack was “deliberate, sudden and unexpected,”¹⁵ when he stabbed Marvin from behind while the latter was obliviously dancing. His actions satisfied the two elements for treachery which are: (1) at the time of the attack, the victim was not in a position to defend himself; and (2) the accused consciously and deliberately adopted the particular means, methods, or forms of attack employed by him.¹⁶

Thus, the Court finds accused-appellant guilty of the crime of murder for which Article 248 of the Revised Penal Code imposes the penalty of *reclusion perpetua*. The CA correctly modified the award of damages by increasing the civil indemnity to ₱75,000.00, moral damages to ₱75,000.00 and exemplary damages to ₱75,000.00, in line with the Court’s pronouncement in *People v. Jugueta*.¹⁷

The award of temperate damages is also proper, considering that the RTC and the CA did not award actual damages. Marvin’s untimely death caused pecuniary loss to his heirs, which although the exact amount was not proved during trial, allows for the award of temperate damages in the amount of ₱50,000.00.¹⁸

WHEREFORE, the appeal is **DISMISSED**. The Decision of the Court of Appeals dated May 28, 2019 in CA-G.R. CR HC No. 02490, affirming the Decision of the Regional Trial Court of Cebu City, Branch 20, dated February 28, 2017 in Criminal Case No. CBU-84121, finding accused-appellant Renante Seguisabal y Trasona guilty of the crime of murder, is hereby **AFFIRMED**. Accused-appellant is sentenced to suffer the penalty of *reclusion perpetua* and is **ORDERED** to **PAY** the heirs of Jose Marvin B. Candol the amounts of ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, ₱75,000.00 as exemplary damages and ₱50,000.00 as temperate damages. In addition, interest is imposed on all damages awarded at the rate of six percent (6%) *per annum* from date of finality of this Decision until fully paid.

SO ORDERED.



DIOSDADO M. PERALTA
Chief Justice

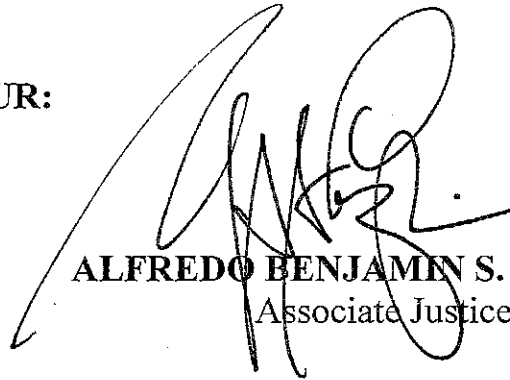
¹⁵ CA rollo, p. 57.

¹⁶ *Id.*

¹⁷ 783 Phil. 806, 853 (2016).

¹⁸ *People v. Gunda*, 726 Phil. 289, 296-297 (2014).

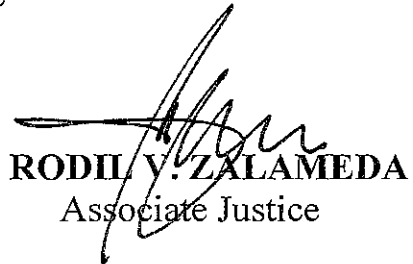
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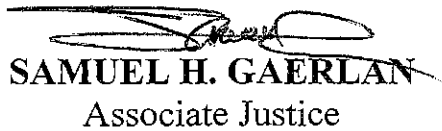
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



ROSMARI D. CARANDANG
Associate Justice



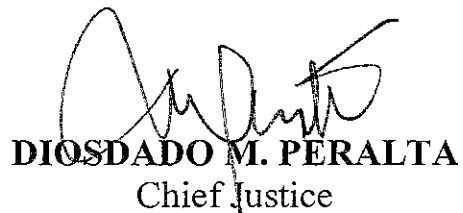
RODIL V. ZALAMEDA
Associate Justice



SAMUEL H. GAERLAN
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, 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.



DIOSDADO M. PERALTA
Chief Justice

