

## THIRD DIVISION

[ G.R. No. 200537, July 13, 2016 ]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.  
RODRIGO QUITOLAY BALMONTE, ACCUSED-APPELLANT.**

### D E C I S I O N

**PEREZ, J.:**

Before this Court is an appeal of the May 13, 2011 Decision<sup>[1]</sup> of the Court of Appeals (CA) in CA-G.R. CR.-H.C. No. 04237 affirming the October 21, 2009 Decision<sup>[2]</sup> of the Regional Trial Court (RTC) of Urdaneta City, Pangasinan, Branch 47 in Crim. Case No. U-15476, finding accused-appellant Rodrigo Quitola y Balmonte (accused-appellant) guilty beyond reasonable doubt of the special complex crime of Robbery with Homicide as defined and penalized under Article 294, sub-paragraph (1) of the Revised Penal Code.

On March 19, 2008, an Information<sup>[3]</sup> for the special complex crime of Robbery with Homicide was filed against accused-appellant, to wit:

"That on or about March 15, 2008 at Nice Place Compound, Bgy. Poblacion, [Urdaneta City,] Pangasinan, and within the jurisdiction of this Honorable Court, the above-named accused, armed with a bladed weapon, with intent to gain by means of force and violence, did then and there willfully, unlawfully and feloniously *take, steal and rob* **Maria Fe Valencia y Supan** her *cash money amounting to PHP6,000.00, one (1) Nokia Cellphone and assorted jewelries* against her will, and by reason or on the occasion of the robbery, accused with intent to kill, did, then and there willfully, unlawfully and feloniously with abuse of superior strength and cruelty *[stabbed] to death* said Maria Fe Valencia y Supan, inflicting upon her *multiple stab wounds*, to the damage and prejudice of her heirs.

Contrary to Art. 294, par. 1, Revised Penal Code as amended by R.A. 7659."<sup>[4]</sup>

On arraignment, accused-appellant entered a plea of GUILTY.<sup>[5]</sup> However, during the scheduled hearing for the presentation of the prosecution's evidence, accused-appellant withdrew his earlier plea and entered a plea of NOT GUILTY.<sup>[6]</sup> Trial on the merits ensued thereafter.

### The Facts

The antecedent facts culled from the Appellee's Brief<sup>[7]</sup> and the records of the case are summarized as follows:

On March 15, 2008, the lifeless body of Maria Fe Valencia y Supan was found inside her rented room at Nice Place Compound, Bgy. Nancayasan, Urdaneta City, Pangasinan.<sup>[8]</sup> Based on the joint investigation conducted by P/Supt. Regis, Sr., PO2 Ramos and their team, it was determined that the victim suffered several stab wounds on her chest, right hand, left elbow, neck and back. The initial investigation conducted disclosed that the victim entered the room at about 10:00 in the evening of March 14, 2008, as recorded in the logbook of on duty security guard, Rodrigo Quitola. The investigation also revealed that some of her personal belongings were missing.<sup>[9]</sup> The investigating team also found a broken knife with blood stains, uprooted hair strands of the victim, other hair strands of unknown origin, and blood stains on the walls and floor.<sup>[10]</sup>

In the course of the follow-up investigation, Police Officer 2 Herminigildo Ramos (PO2 Ramos) discovered that accused-appellant, who happened to be the outgoing security guard of the Nice Place Compound on March 15, 2008, was- seen by one Chat Siquig Baculad (Baculad). The witness, a coffee vendor, narrated that at around 5:30 in the morning, the accused-appellant bought a cup of coffee from her. She noticed that the latter's right arm was covered and when she asked him about it, he merely said he had an accident. According to the witness, accused-appellant asked for her help in packing his and his pregnant wife's clothes as they were leaving the city, but she declined. The witness left the compound and returned after a couple of hours. Upon her return, she chanced upon accused-appellant and his wife boarding a black car, allegedly owned by Maria Fe Valencia (Valencia), with all their belongings already loaded.

Upon finding out that accused-appellant, the security guard on duty, was nowhere to be found during the initial investigations, the police investigators proceeded to his rented room in Camanang, Urdaneta City. When they got there, the room was already abandoned. Convinced that accused-appellant was a possible suspect, the policemen conducted further investigations. Accused-appellant's relatives from Natividad, Pangasinan averred no knowledge regarding the whereabouts of accused-appellant. On September 8, 2008, accused-appellant was eventually arrested in Aklan.

On September 10, 2008, accused-appellant was interviewed by Joana Fe Tacason (Tacason), ABS-CBN field reporter. The interview was conducted inside the detention cell. During said interview, accused-appellant voluntarily relayed to Tacason that at early dawn of March 15, 2008, he was in the apartment of the deceased because he tried to borrow money from her.<sup>[11]</sup> He narrated that deceased refused to lend him money. In frustration, he got money from deceased's bag he saw lying on top of the table.<sup>[12]</sup> When asked what happened next, accused-appellant responded with "*Hindi ko na alam ang sumunod na nangyari.*" The interview was taped and was aired the next day. The recorded interview forms part of the records of the case as Exhibit "U".

The deceased's car, a black Mitsubishi Lancer with Plate No. AEM-184, was later surrendered by Raffy Quitola (Raffy), accused-appellant's brother. Raffy claimed that the same was left in his possession by his brother, who paid him a visit on August 17, 2008 and stayed with him for about a month. Surmising that the car was related to the crime his brother was arrested for, Raffy turned over the car to the Philippine National Police (PNP) of Calamba, Laguna.<sup>[13]</sup>

Accused-appellant vehemently denied the accusation. According to accused-appellant, at around 9 o'clock in the morning of March 15, 2008, he and his wife left for Cubao, Quezon City after he had rendered duty at the Nice Place Compound the night before. Accused-appellant claimed that they were bound for Aklan for the reason that his wife wanted to give birth there. He also denied visiting his brother in Laguna. More notable is his claim that his confession before Tacason was merely prompted by fear.

### **Ruling of the Regional Trial Court**

The RTC admitted the extra-judicial confession and held that the denial of accused-appellant did not overcome the overwhelming evidence of the prosecution. The court found accused-appellant guilty of the crime of Robbery with Homicide. The dispositive portion of the decision reads:

WHEREFORE, premises considered, judgment is rendered as follows:

1. FINDING accused RODRIGO QUITOLA y BALMONTE GUILTY beyond reasonable doubt of the crime of robbery with homicide, he is hereby sentenced to suffer *reclusion perpetua*.
2. ORDERING accused to pay the heirs of the deceased the amount of P50,000.00 as indemnity and the additional sum of P50,000.00 as moral damages.

Costs against the accused.

SO ORDERED.<sup>[14]</sup> (Boldface omitted)

### **Ruling of the Court of Appeals**

Aggrieved by the RTC decision, accused-appellant elevated the case to the CA. In an attempt to shatter the prosecution's case, accused-appellant contends that the interview was impelled by extreme fear because the same was conducted while accused-appellant was inside the detention cell and while police officers were around. In addition, the defense argues that the circumstantial evidence relied upon by the RTC were insufficient to establish accused-appellant's guilt.

The appellate court found no cogent reason to disturb the ruling of the trial court. The dispositive portion of the decision reads:

**"WHEREFORE**, the instant appeal is **DISMISSED**. The Decision dated October 21, 2009 of the Regional Trial Court of Urdaneta City, Pangasinan, Branch 47, that convicted accused-appellant Rodrigo B. Quitola for the special complex crime of **ROBBERY WITH HOMICIDE** as defined and penalized under Article 294, sub paragraph (1) of the Revised Penal Code, is hereby **AFFIRMED**.

**SO ORDERED.**"<sup>[15]</sup>

In a Resolution<sup>[16]</sup> dated March 19, 2012, this Court required the parties to submit their respective supplemental briefs. Both the Solicitor General (Sol Gen.) and the accused-appellant manifested that they are adopting all the arguments contained in their respective briefs in lieu of filing supplemental briefs.<sup>[17]</sup>

In his brief, accused-appellant assigned the following errors:

"I.

THE COURT A QUO GRAVELY ERRED IN ADMITTING AS EVIDENCE THE ACCUSED-APPELLANT'S EXTRA-JUDICIAL CONFESSION.

II.

THE COURT A QUO GRAVELY ERRED IN FINDING THAT THE PROSECUTION ESTABLISHED THE ACCUSED-APPELLANT'S GUILT FOR THE CRIME CHARGED BEYOND REASONABLE DOUBT."

### **Our Ruling**

This Court finds no merit in the appeal for reasons to be discussed hereunder. We find no reason to deviate from the findings and conclusions of the courts below as the degree of proof required in criminal cases has been met in the case at bar.

We agree with the Sol Gen. that extra-judicial confession given by accused-appellant during the interview conducted by the field reporter is admissible in evidence. Accused-appellant asserts that the confession was involuntarily given and was made under extreme fear because he was interviewed while he was inside the detention cell and while surrounded by police officers. We are not persuaded. That the confession was given without the assistance of counsel and was therefore involuntary is immaterial. We have consistently held that the Bill of Rights does not concern itself with relations between private individuals.<sup>[18]</sup> The prohibitions therein are primarily addressed to the State and its agents; thus, accused-appellant's confession to field reporter Tacason is not covered by Section 12(1) and (3) of Article III of the Constitution. Furthermore, accused-appellant would have this Court believe that the confession was given under a tense and fearful atmosphere, similar to that of a custodial investigation. In a previous case<sup>[19]</sup> with similar circumstances, We observed that the presence of the police officers did not exert any undue pressure or influence on the accused, coercing him into giving his confession. The interview was not in the nature of a custodial investigation as the

response of the accused-appellant was made in answer to questions asked by the reporter and not by the police. There is no showing that the field reporter colluded with the police authorities to elicit inculpatory evidence against accused-appellant. Neither is there anything on record which suggests that the reporter was instructed by the police to extract information from him. Moreover, accused-appellant could have refused to be interviewed, but instead, he agreed. A review of the taped interview<sup>[20]</sup> would show that he answered the questions freely and spontaneously. The same can also be inferred from the testimony of the field reporter, to wit:<sup>[21]</sup>

Q: And were you able to interview the suspect, Rodrigo Quitola [y] Balmonle, Madam Witness?

A: Yes sir.

Q: Where Madam Witness?

A: At the City Police Station of Urdaneta, sir.

Q: So when you were able to interview the accused, what did he tell you if any?.

A: I asked him if we could interview him.

COURT:

Q: Was he already inside the detention jail or still outside the detention jail?

A: Inside the detention jail sir.

Q: Of PNP-Urdaneta City?

A: Yes sir.

COURT Proceed.

:

ATTY. TINIO:

Q: So when the accused consented to be interviewed by you, were you able to interview the accused?

A: Yes sir.

Q: So what did the accused tell you during the course of the interview if any?

A: He told me that Madam Fe arrived at early dawn.

Q: What else did he tell you?

A: He said that Madam Fe entered the house and he also entered the house.

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Q: Then after that what happened next?

A: He said that the accused was requesting Madam Fe to lend him money.

Q: What did this [Madame] Fe, the deceased tell the accused relative to his request to be extended a loan?

A: He said the deceased did not mind him.

Q: So when he told you that the deceased did not mind him, what did he tell you afterwards?

A: I asked him what did he do?

Q: And what did he tell you?

A: He said "I saw her place[d] her bag on top of the table".

Q: After that what did he tell you?

A: He said that he saw money inside the bag.

Q: When accused saw money inside the bag what else did he do and tell you during the course of interview?

A: He said he tried to get the money inside the bag but Madam Fe saw him getting the money.