

## FIRST DIVISION

[ G.R. No. 183706, April 25, 2012 ]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.  
SAMSON ESCLETO, ACCUSED-APPELLANT.**

### D E C I S I O N

**LEONARDO-DE CASTRO, J.:**

On appeal is the Decision<sup>[1]</sup> dated December 13, 2006 of the Court of Appeals in CA-G.R. CR.-H.C. No. 01003, which affirmed an earlier Decision<sup>[2]</sup> dated March 2, 2005 of the Regional Trial Court (RTC), Branch 63, of Calauag, Quezon in Criminal Case No. 3471-C, finding accused-appellant Samson Escleto (Samson) guilty of murder under Article 248 of the Revised Penal Code.

In an Information dated January 7, 2000,<sup>[3]</sup> Samson was charged with the crime of murder committed as follows:

That on or about the 4<sup>th</sup> day of November 1999, at sitio Maligasang, Brgy. Villahermosa, Municipality of Lopez, Province of Quezon, Philippines, and within the jurisdiction of this Hon. Court, the above-named accused, with intent to kill, and with evident pre-meditation and treachery, armed with a fan knife, (*balisong*), did then and there willfully, unlawfully and feloniously attack, assault and stab with the said *balisong* one ALFREDO MARCHAN, thereby inflicting upon the latter a stab wound on his body, which directly cause his death.

When arraigned on January 23, 2001, Samson pleaded not guilty to the crime charged.<sup>[4]</sup>

During trial, the prosecution presented the following witnesses: (a) Merly Marchan (Merly), the widow of the victim Alfredo Marchan (Alfredo); (b) Benjamin Austria (Benjamin), a *barangay tanod*, who was personally present during the stabbing; and (c) Dr. Jose Mercado (Mercado), who conducted the postmortem examination of Alfredo's body.

According to the prosecution, Alfredo and Merly attended the birthday party of the son of Jaime Austria (Jaime) on November 4, 1999. Samson was also at the party. While engaged in a drinking spree, Samson drew out a knife (*balisong* or *beinte-nueve*), which he also later hid upon someone's advice. Samson thereafter left the party, followed by Merly and Alfredo less than an hour later. On their way home on their carabao, Merly and Alfredo passed by Benjamin's house at around 11:00 p.m. Benjamin and Samson were drinking wine at the balcony of said house. Samson called Alfredo, saying "*pare, pwede kang makausap.*" Samson went down from the

balcony of Benjamin's house as Alfredo dismounted from the carabao and approached Samson. However, once Samson and Alfredo were facing one another, Samson suddenly stabbed Alfredo in the chest, thus, causing Alfredo's death. Samson fled right after the stabbing. Neither Merly nor Benjamin was aware of any previous argument or ill feelings between Alfredo and Samson. Dr. Mercado's postmortem examination of Alfredo's body conducted on November 5, 1999 revealed the following:

#### FINDINGS:

- Stab wound 2.5 cm. 4<sup>th</sup> Intercoastal Space (L) midclavicular line penetrating directed downward.

#### CAUSE OF DEATH

Cartio-Respiratory Arrest

2<sup>o</sup> Severe hemorrhage

Due to stab wound<sup>[5]</sup>

Samson and his wife Florentina Escleto (Florentina) testified for the defense.

The defense presented a totally different version of the events that took place on November 4, 1999. Samson and Florentina arrived at Jaime's house at around 5:30 p.m. to attend a birthday party. A group of people were already drinking wine at the party. Eddie Marchan (Eddie) offered a jigger of wine to Samson but Samson refused to drink. While Florentina was in the kitchen, she heard a commotion among the men who were drinking. Florentina then saw Eddie and Alfredo talking to Samson. To prevent any trouble, Benjamin invited Samson to leave the party. Benjamin and Samson proceeded to Benjamin's house where they drank wine. Alfredo arrived at Benjamin's house and called Samson to go outside to talk. Samson complied but when he got outside, Alfredo met him carrying a weapon. While Samson and Alfredo grappled with each other, Benjamin approached them. Benjamin tried to stab Samson but accidentally hit Alfredo in the chest instead. Benjamin was also able to stab Samson's hand so Samson ran away. One Dr. Enrique Agra sutured the wound on Samson's hand. Both Samson and Florentina did not divulge anything to the police. Florentina, for her part, explained that she did not tell the police about Benjamin stabbing Alfredo because she thought that a wife could not testify in her husband's (Samson's) favor. Florentina still did not disclose anything to the police authorities as she visited Samson in prison because the police officers did not ask her about the stabbing.

The RTC promulgated its Decision on March 2, 2005, finding Samson guilty beyond reasonable doubt of the crime of murder. The RTC gave full credence to the testimonies of the prosecution witnesses which "were given in clear, straightforward manner and have the ring of truth[;]" as opposed to Samson's testimony which was "was self-serving, a pure hogwash and evidently a concoction in order to exculpate himself from criminal liability."<sup>[6]</sup> The RTC further found that Samson employed treachery in killing Alfredo, therefore, qualifying the crime committed to murder.

The disposition portion of said RTC decision reads:

WHEREFORE, in view of all the foregoing considerations, this Court finds the accused Samson Escleto GUILTY beyond reasonable doubt of the crime of murder and in the absence of any aggravating or mitigating circumstances, hereby sentences him to suffer the penalty of RECLUSION PERPETUA and to pay the heirs of the victim Alfredo Merchan the sum of Fifty Thousand Pesos (P50,000.00) as civil indemnity and Fifty Thousand Pesos (P50,000.00) as moral damages.

The accused is to be credited of his preventive imprisonment, if proper and any, pursuant to Article 29 of the Revised Penal Code as amended by R.A. No. 6127 and E.O. No. 214.<sup>[7]</sup>

Insisting on his innocence, Samson appealed to the Court of Appeals.<sup>[8]</sup> In a Decision dated December 13, 2006, the Court of Appeals affirmed the judgment of conviction rendered against Samson by the RTC. The Court of Appeals decreed:

WHEREFORE, premises considered, the March 2, 2005 Decision of the Regional Trial Court (RTC) of Calauag, Quezon, Branch 63, in Criminal Case No. 3471-C, is hereby **AFFIRMED**.

Pursuant to Section 13 (c), Rule 124 of the 2000 Rules of Criminal Procedure as amended by A.M. No. 00-5-03-SC dated September 28, 2004, which became effective on October 15, 2004, this judgment of the Court of Appeals may be appealed to the Supreme Court by notice of appeal filed with the Clerk of Court of the Court of Appeals.<sup>[9]</sup>

Refusing to accept the verdict of the RTC and Court of Appeals, Samson comes before this Court via the instant appeal. Both the People<sup>[10]</sup> and Samson<sup>[11]</sup> waived the filing of supplemental briefs and stood by the briefs they had already filed before the Court of Appeals.

Samson made the following assignment of errors in his appeal:

## I

THE TRIAL COURT GRAVELY ERRED IN CONVICTING THE ACCUSED-APPELLANT DESPITE THE FACT THAT HIS GUILT WAS NOT PROVEN BEYOND REASONABLE DOUBT.

## II

ASSUMING ARGUENDO THAT THE ACCUSED-APPELLANT IS GUILTY IN CRIMINAL CASE NO. 3471-C, THE TRIAL COURT ERRED IN CONVICTING

## THE ACCUSED-APPELLANT OF THE CRIME OF MURDER.

### III

ASSUMING FURTHER THAT A CRIME WAS COMMITTED, THE LOWER COURT ERRED IN FINDING THAT THE SAME WAS QUALIFIED BY TREACHERY.

Samson's appeal has no merit.

There are two entirely different versions of the events of November 4, 1999: The prosecution asserts that it was Samson who stabbed Alfredo, while the defense maintains that it was Benjamin who actually stabbed Alfredo. The RTC, affirmed by the Court of Appeals, gave credence to the evidence of the prosecution, mainly consisting of witnesses' testimonies, and found Samson guilty of murdering Alfredo.

We emphasize that the assessment by the trial court of a witness' credibility, when affirmed by the Court of Appeals, is conclusive and binding, if not tainted with arbitrariness or oversight of some fact or circumstance of weight or influence. This is so because of the judicial experience that trial courts are in a better position to decide the question of credibility, having heard the witnesses themselves and having observed firsthand their deportment and manner of testifying under grueling examination. [12]

When it comes to the matter of credibility of a witness, settled are the guiding rules, some of which are that "(1) the appellate court will not disturb the factual findings of the lower court, unless there is a showing that it had overlooked, misunderstood or misapplied some fact or circumstance of weight and substance that would have affected the result of the case; (2) the findings of the trial court pertaining to the credibility of a witness is entitled to great respect since it had the opportunity to examine his demeanor as he testified on the witness stand, and, therefore, can discern if such witness is telling the truth or not; and (3) a witness who testifies in a categorical, straightforward, spontaneous and frank manner and remains consistent on cross-examination is a credible witness." [13]

There is no compelling reason for us to depart from the foregoing rules. We are bound by the factual findings of the RTC absent any showing that it overlooked, misunderstood or misapplied some fact or circumstance of weight and substance that would have affected the result of the case. The prosecution witnesses positively and categorically identified Samson as the person who stabbed Alfredo to death.

Merly candidly recounted the stabbing incident on the witness stand:

Q After you left the house of Jaime Austria, what happened next?

A We passed in front of the house of Benjamin Austria and Samson Escleto was there and he called my husband.

Q According to you, Samson Escleto was in the house of Benjamin Austria, was Samson Escleto inside the house of