

FIRST DIVISION

[G.R. No. 129291, July 03, 2002]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
ENRICO A. VALLEDOR, ACCUSED-APPELLANT.**

DECISION

YNARES-SANTIAGO, J.:

This is an appeal from the decision^[1] of the Regional Trial Court of Palawan and Puerto Princesa City, Branch 47, in Criminal Case Nos. 9359, 9401, and 9489, convicting accused-appellant of the crimes of murder, attempted murder and frustrated murder, respectively.

The informations filed against accused-appellant read:

In Criminal Case No. 9359, for murder:

That on or about the 6th day of March, 1991, in the afternoon, at Barangay Tagumpay, Puerto Princesa City, Philippines, and within the jurisdiction of this Honorable Court, the said accused, with treachery and evident premeditation, with intent to kill and while armed with a knife, did then and there willfully, unlawfully and feloniously assault, attack and stab therewith one Elsa Villon Rodriguez thereby inflicting upon the latter stabbed (*sic*) wound on the chest, which was the immediate cause of her death.

CONTRARY TO LAW.^[2]

In Criminal Case No.9401, for attempted murder:

That on or about the 6th day of March, 1991, in the afternoon, at Bgy. Tagumpay, Puerto Princesa City, Philippines and within the jurisdiction of this Honorable Court, the said accused, with intent to kill, with treachery and evident premeditation (*sic*) and while armed with a knife, did then and there willfully, unlawfully and feloniously assault, attack and stab therewith one Ricardo Maglalang thereby inflicting upon the latter physical injuries on the different parts of his body, thus commencing the commission of the crime of murder directly by overt acts and does not perform all the acts of execution which would produce the felony by reason of some causes or accident other than his own spontaneous desistance that is, by the timely and able medical assistance rendered to said Ricardo Maglalang which prevented his death.

CONTRARY TO LAW.^[3]

In Criminal Case No.9489, for frustrated murder:

That on or about the 6th day of March, 1991 at Bgy. Tagumpay, Puerto Princesa City, Philippines and within the jurisdiction of this Honorable Court the above-named accused, with intent to kill with treachery and evidence (*sic*) premeditation and while armed with a butcher knife, did then and there willfully, unlawfully and feloniously assault, attack and stab therewith on (*sic*) Roger Cabiguen, hitting him on his right forearm, thus performing all the acts of execution which produce the crime of murder as a consequence but which nevertheless did not produce it by reason of causes independent of his will, that is, by the timely and able medical attendance rendered to him which saved his life.

CONTRARY TO LAW.^[4]

After his arrest, accused-appellant was intermittently confined at the National Center for Mental Health. Thus, he was arraigned only on February 19, 1993 wherein he pleaded not guilty.^[5] Thereafter, the cases were archived until November 15, 1994, when accused-appellant was declared mentally fit to withstand trial.^[6] This time, accused-appellant admitted commission of the crimes charged but invoked the exempting circumstance of insanity. The lower court thus conducted reverse and joint trial, at which the following facts were established:

On March 6, 1991, at around 1:45 in the afternoon, Roger Cabiguen was in his house at Burgos Street, Barangay Tagumpay, Puerto Princesa City. He was working on a lettering job inside his bedroom together with his first cousin, then 25-year old Elsa Rodriguez, and his friends, Simplicio Yayen and Antonio Magbanua. Roger was working at his table and seated on his bed while Elsa was across the table. Antonio was on the left side, while Simplicio was seated near the door, on the right side of Roger.^[7]

All of a sudden, accused-appellant entered the room; uttered Roger's nickname ("Jer") and immediately attacked him with a knife, but Roger was able to parry the thrust and was stabbed instead on the right forearm. Accused-appellant then stabbed Elsa Rodriguez on the chest and said, "*Ako akabales den, Elsa.*" (I had my revenge, Elsa). Thereafter, accused-appellant fled, leaving the stunned Simplicio and Antonio unharmed.^[8]

Roger and Elsa were immediately brought to the hospital. On their way out, Antonio noticed a commotion and saw that Ricardo Maglalang, a neighbor of the victim, was wounded. Antonio learned from the by-standers that Ricardo was likewise stabbed by accused-appellant.^[9]

Upon reaching the hospital, Elsa was declared dead on arrival. Roger on the other hand was treated for the 5-centimeter wound sustained by him on his right forearm.^[10]

Prosecution witness Roger Cabiguen testified that sometime in 1980, accused-appellant suspected him of killing his pet dog. In 1989, accused-appellant courted Elsa but she jilted him. On one occasion, Elsa spat on and slapped accused-appellant.^[11]

Accused-appellant's defense of insanity was anchored on the following facts:

Accused-appellant, then 30 years of age, was a resident of Barangay Tagumpay, Puerto Princesa City, and employed as provincial jail guard at the Palawan Provincial Jail. Sometime in January 1990, Pacita Valledor, his mother noticed that accused-appellant was behaving abnormally. For days he was restless and unable to sleep. He likewise complained that their neighbors were spreading rumors that he was a rapist and a thief. This prompted Pacita to bring his son to Dr. Deriomedes de Guzman, a medical practitioner. Pacita disclosed to Dr. de Guzman that insanity runs in their family. After examining accused-appellant, Dr. de Guzman diagnosed him as suffering from "psychosis with schizophrenia."^[12] He prescribed a depressant known as Thoracin, which kept accused-appellant sane for a period two months.^[13]

On March 4, 1991, Pacita noticed that accused-appellant was again acting strangely. She left to buy Thoracin but when she returned he was nowhere to be found.^[14]

On March 6, 1991, at around 6:00 in the morning, accused-appellant was seen swimming across the river of Barangay Caruray, San Vicente, Palawan. Barangay Captain Rufino Nuñez and Barangay Councilman Antonio Sibunga took accused-appellant out of the water and took him on board a pump boat. Inside the boat, accused-appellant kept on crying and uttering words to the effect that his family will be killed. Suspecting that accused-appellant was mentally ill, Barangay Captain Nuñez, asked Councilman Sibunga to accompany accused-appellant to Puerto Princesa City. Sibunga acceded and thereafter took a jeepney with accused-appellant at Barangay Bahile. At about 1:00 in the afternoon, they reached Junction I at the intersection of the National Highway and Rizal Avenue, Puerto Princesa City. Suddenly, accused-appellant jumped off the jeepney. Sibunga tried but failed to chase accused-appellant, who immediately boarded a tricycle. Later that day, he learned that accused-appellant killed and harmed somebody.^[15]

Meanwhile, at around 2:00 in the afternoon of March 6, 1991, Pacita Valledor was awakened by her daughter who told her that accused-appellant has returned. She rushed out of the house and saw him standing in the middle of the road, dusty and dirty. She asked him where he came from but his answer was "*Pinatay niya kayong lahat.*" Pacita dragged him inside the house and later learned that he killed and wounded their neighbors. Thirty minutes later, accused-appellant was arrested and detained at the city jail.^[16]

On March 11, 1991, Dr. Manuel Bilog, City Health Officer I of Puerto Princesa City interviewed accused-appellant and thereafter made the following conclusions and recommendation, to wit:

PHYSICAL EXAMINATION:

Cooperative; talkative but incoherent
Disoriented as to time, place and person

DISPOSITION AND RECOMMENDATION:

Respectfully recommending that subject patient be committed to the National Mental Hospital, Metro Manila for proper medical care

and evaluation soonest.^[17]

The defense offered in evidence the April 27, 1992 medical findings on accused-appellant by Dr. Guia Melendres of the National Center for Mental Health, pertinent portion of which reads:

REMARKS AND RECCOMENDATION:

In view of the foregoing history, observations, physical mental and psychological examinations the patient Enrico Valledor y Andusay is found suffering from Psychosis or Insanity classified under Schizophrenia. This is a thought disorder characterized by deterioration from previous level of functioning, auditory hallucination, ideas of reference, delusion of control, suspiciousness, poor judgment and absence of insight.

Likewise, he is found to be suffering from Psychoactive Substance Use Disorder, Alcohol, abuse. This is characterized by a maladaptive pattern of psychoactive substance use indicated by continued use despite knowledge of having a persistent or recurrent social, occupational, psychological or physical problems.^[18]

Dr. Oscar Magtang, a psychiatrist assigned at the Medical Service of the PNP, Puerto Princesa City was likewise presented by the defense to interpret the aforesaid findings of Dr. Melendres.^[19]

On February 28, 1997, the trial court rendered the assailed judgment of conviction. The dispositive portion thereof reads:

WHEREFORE, premises considered, the accused ENRICO A. VALLEDOR is hereby found guilty beyond reasonable doubt of the crimes of MURDER in Criminal Case No. 9359; of FRUSTRATED MURDER in Criminal Case No. 9489; and of ATTEMPTED MURDER in Criminal Case No. 9401 as charged herein. Accordingly he is hereby sentenced to suffer the penalty of reclusion perpetua in Criminal Case No. 9359; reclusion perpetua in Criminal Case No. 9489; and imprisonment of from EIGHT (8) YEARS and ONE (1) DAY to TEN (10) YEARS in Criminal Case No. 9401. It is understood that the accused shall serve these penalties successively or one after the other.

The accused is also ordered to indemnify the heirs of the deceased victim Elsa Villon Rodriguez the sum of P50,000.00 and to indemnify the victim Roger Cabiguen, the sum of P14,000.00 as actual damages, and the sum P15,000.00 for loss of income.

Considering that the accused is found to be suffering from a serious mental disorder at present as certified to by the National Center for Mental Health, Mandaluyong City, Metro Manila, the service of his sentence is hereby ordered SUSPENDED pursuant to Article 12 and 79 of the Revised Penal Code. He (Enrico Valledor) is ordered shipped to and confined at the National Center for Mental Health, Mandaluyong City, Metro Manila, for his treatment, until such time that he becomes fit for