

SECOND DIVISION

[G.R. No. 233104, September 02, 2020]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. EDDIE
MANANSALA Y ALFARO, ACCUSED-APPELLANT.**

D E C I S I O N

HERNANDO, J.:

Before Us is an appeal^[1] filed by herein accused-appellant Eddie Manansala y Alfaro (Manansala) assailing the January 5, 2017 Decision^[2] of the Court of Appeals (CA) in CA-G.R. CR HC No. 07893 which found him guilty beyond reasonable doubt of the crime of Murder.

The Information^[3] by which Manansala was charged, alleged:

That on or about November 2, 2013, in the City of Manila, Philippines, the said accused, did then and there willfully, unlawfully and feloniously, with intent to kill and with treachery and evident premeditation, attack, assault and use personal violence upon one ARMANDO RAMOS y SANTOS, by then and there shooting him with a handgun hitting the left portion of his upper body (back), thereby inflicting upon him mortal gunshot wound which was the direct and immediate cause of his death thereafter.

Contrary to law.

During arraignment, Manansala pleaded "not guilty" to the crime charged.^[4] Thereafter, pre-trial and trial ensued. The prosecution presented the eyewitness accounts of Edward Reyes (Edward)^[5] and Renato R. Mananquil (Mananquil).^[6] It likewise presented the testimonies of Corazon Ramos (Corazon),^[7] the victim's wife; Asas Ramos (Asas),^[8] the victim's son; Barangay Kagawad Jume Piojo (Piojo);^[9] Police Officer 1 Leopoldo N. Tuazon (PO1 Tuazon);^[10] Dr. Romeo T. Salen (Dr. Salen),^[11] medico-legal expert; and Senior Police Officer 1 Jonathan L. Moreno (SPO1 Moreno),^[12] the investigating officer.

The defense, on the other hand, presented the testimony of Manansala^[13] and his daughter, Kiera Noreen Manansala (Kiera).^[14]

Version of the Prosecution:

On November 2, 2013, at around 8 o'clock in the evening, brothers Edward and Elmer Reyes were in front of their rented apartment owned by the victim Armando Ramos (Ramos) at No. 2637 Severino Reyes Street, Tondo, Manila, where the latter also resides. The Reyes brothers were watching Mananquil play his guitar beside the door of their rented apartment when suddenly they heard a gunshot inside the house. Edward then saw Manansala facing towards the direction of the stairs and holding a gun aimed upwards.^[15] Thereafter, Manansala hurriedly left towards Lico Street while still holding a gun. Shouts and commotion soon followed upstairs. Edward also saw Ramos fall from the stairs with blood oozing from his left chest.^[16]

Corazon, for her part, testified that she was taking a bath at the second floor of their house when Manasala came and shot her husband. When she heard the gunshot, she immediately ran and saw her husband lying at the bottom of the stairs covered with blood. Asas, the victim's son who was also inside the house, likewise heard the gunshot and his father's shout. He quickly ran towards the door and saw his father falling down the stairs.^[17]

Several onlookers rushed Ramos to the Chinese General Hospital. Corazon immediately followed but upon her arrival, she was told husband had already expired.^[18]

A concerned citizen reported the shooting incident to the Police authorities. PO1 Marinito Daya and PO1 Tuazon went to verify the report. Upon confirmation, Police Superintendent Roderick Mariano formed a team headed by Police Senior Inspector (PSI) Alvin Balagat (PSI Balagat) to conduct an extensive follow-up and hot pursuit operation for the apprehension of Manansala.^[19]

Meanwhile, upon Corazon's request, Ramos's cadaver was examined by Dr. Salen. The medical findings indicated that the entry point of the gunshot wound was at the victim's back, particularly at the lumbar region, while the exit point was at the front portion of the body. The trajectory of the bullet from the entrance to the exit was upward and the distance between the muzzle of the gun and the victim's body was about two feet or more.^[20] The gunshot wound fatally lacerated the lungs and the heart which caused the victim's death.^[21]

On November 6, 2013, the team of PSI Balagat received an information that Manansala was hiding in San Jose Del Monte, Bulacan. They immediately coordinated with Chief PSupt. Joel Estaris (CPSupt. Estaris). The next day, PSI Balagat and his team went to San Jose Del Monte after receiving information from CPSupt. Estaris that Manansala is already in their custody. PSI Balagat and his team verified the identity of Manansala and thereafter brought him to Jose Abad Santos Police Station (PS-7), Manila Police District (MPD) for verification. Manansala was then turned over to MPD's Crime Against Person Section.^[22]

During trial, the closed-circuit television (CCTV) footages of the crime scene were presented in court where a man appearing to be Manansala was seen entering the house while armed with a gun and proceeding upstairs. The man then aimed his gun, shot the victim and immediately thereafter left the house.^[23]

Asas testified that he was the one who transferred the video footages from the

barangay-owned CCTV that was located outside their house to the compact disc that was submitted in court as evidence. When the footage was played in court and the enlarged screenshot was presented, he identified said person as Manansala and the perpetrator of the crime.

The prosecution also presented the testimony of Barangay Kagawad Piojo who confirmed the location of the CCTV. He also impressed upon the trial court that prior to the killing incident, there were several complaints filed against Manasala concerning the installation of illegal electric connections/jumpers. These complaints became the subject of the altercation between Manasala and Ramos one day before the latter was killed.^[24]

Version of the Defense:

Manansala, on the other hand, averred that on November 2, 2013, at around 7 o'clock in the evening, he was on his way to Bulacan to visit his friend, Allan Bautista (Bautista). While on his way, he passed by the house of Ramos then took the bus bound for Bulacan and arrived thereat past 8 o'clock in the evening.

On November 3, 2013, he was surprised upon being informed by his daughter, Kiera, that he was the suspect in the killing of Ramos and that the killing was all over the local news. He denied killing Ramos and planned to surrender to a certain "Col. Pascual", Kiera's godparent. However, on November 5, 2013, he was suddenly arrested in Bautista's home by the police forces of San Jose Del Monte, Bulacan.

Manansala claimed that he had known Ramos since he was 13 years old and that he was the one doing the repairs for his electricity and water supply. However, Ramos had ill-feelings towards him because of the jumpers he installed which Manansala claimed even benefitted Ramos and his tenants. He denied the allegations against him, as well as of owning a gun.^[25] Kiera corroborated his story.

Ruling of the RTC:

In its October 20, 2015 Decision,^[26] the RTC adjudged Manansala guilty as charged. The dispositive portion of the judgment reads:

WHEREFORE, in the light of the foregoing, the prosecution having proven the guilt of the accused beyond reasonable doubt of the crime of Murder, the accused EDDIE MANANSALA y ALFARO, alias "Eddie Pusa", alias "Bulag" is hereby sentenced to RECLUSION PERPETUA.

As to the civil liability, the accused is hereby ordered to pay the heirs of the deceased Armando Ramos, the following:

1. P107,286.17 as actual damages[;]
2. P75,000.00 as civil indemnity[; and]
3. P50,000.00 as moral damages[.]

SO ORDERED.^[27]

The RTC relied heavily on the accounts of the eyewitnesses pointing to Manansala as the author of the crime, especially since their accounts were corroborated by the CCTV footages.

The RTC found that treachery attended the commission of the crime because the shooting was sudden and unexpected, leaving the victim no chance to defend himself. As revealed by the medical findings, the entrance of the fatal gunshot wound was at the back of the victim's body.^[28] The trial court also found the qualifying circumstance of evident premeditation to be present. The RTC noted that there was a prior public confrontation and altercation between the victim and Manansala on the alleged installation of electric jumpers. The trial court surmised that Manansala must have harbored resentment against the victim and resolved to kill him as a form of retaliation.^[29]

All in all, the trial court held that the prosecution satisfactorily established the guilt of Manansala beyond reasonable doubt and successfully proved all the elements of Murder.

Ruling of the CA:

Upon review, the CA sustained the finding of the RTC that the prosecution was able to establish all the elements of the crime of Murder and has proved the guilt of Manansala beyond reasonable doubt.

The CA gave credence to the circumstantial evidence presented by the prosecution which reasonably and positively pointed to Manansala as the person who shot the victim as the same was corroborated by the CCTV footages played and viewed in open court.^[30]

The CA held that the RTC correctly admitted the CCTV footages as evidence as well as the competency of Asas in attesting to the accuracy of the footages. The appellate court rejected the argument of Manansala that Asas was not qualified to authenticate the footages as he was not the one who made the recording and that the CCTV was owned by the barangay. The CA held that the Rules on Electronic Evidence provides that the one who made the recording can authenticate the video, as well as any other person competent to testify on the accuracy of the video.^[31]

Finally, the CA held that considering the qualifying circumstances of treachery and evident premeditation, the proper imposable penalty is death. However, due to its proscription, the CA imposed instead the penalty of *reclusion perpetua* without eligibility for parole. The CA also modified the monetary awards by increasing the amounts of civil indemnity and moral damages to P100,000.00 each and awarding exemplary damages for the same amount.^[32]

Thus, the dispositive portion of the January 5, 2017 Decision^[33] of the CA states:

WHEREFORE, the assailed Decision dated October 20, 2015 of the Regional Trial Court, Branch 25, Manila finding accused-appellant EDDIE

MANANSALA y ALFARO @ "Eddie Pusa", "Bulag" guilty beyond reasonable doubt of the crime of murder is **AFFIRMED** without eligibility for parole.

The civil liabilities of accused-appellant are hereby **MODIFIED**, and he is ordered to pay the heirs of deceased Armando Ramos the following:

1. Php 100,000.00 by way of civil indemnity *ex delicto*;
2. Php 100,000.00 by way of moral damages;
3. Php 100,000.00 by way of exemplary damages;
4. Php 107,286.17 as actual damages; and
5. All monetary awards shall earn interest at the rate of six percent (6%) *per annum* from date of finality of this Decision until fully paid.

SO ORDERED.^[34]

Undeterred, Manansala filed his appeal before Us.^[35]

Assignment of Errors

I.

THE COURT A QUO GRAVELY ERRED IN FINDING THE ACCUSED-APPELLANT GUILTY OF THE CRIME CHARGED DESPITE THE INSUFFICIENCY OF THE PROSECUTION'S EVIDENCE TO PROVE THAT IT WAS THE FORMER WHO SHOT THE VICTIM.

II.

THE COURT A QUO GRAVELY ERRED IN FINDING THE ACCUSED-APPELLANT GUILTY OF THE CRIME CHARGED DESPITE THE PROSECUTION'S FAILURE TO SUFFICIENTLY ESTABLISH THE EXISTENCE OF TREACHERY AND EVIDENT PREMEDITATION.^[36]

Our Ruling

The instant appeal is dismissed.

Settled is the rule that an appeal in a criminal case throws the entire case wide open for review. Thus, it becomes the duty of the appellate court to correct any error that may be found in the appealed judgment, whether assigned as an error or not. In the crime of murder, the elements of murder and the aggravating circumstances qualifying the killing must be proven beyond reasonable doubt by the prosecution.^[37]

Here, Manansala was charged with Murder qualified by evident premeditation and treachery. Article 248 of the Revised Penal Code (RPC) states: