

SPECIAL SECOND DIVISION

[G.R. No. 226615, January 13, 2021]

**EMILIO J. AGUINALDO IV, PETITIONER, VS. PEOPLE OF THE
PHILIPPINES, RESPONDENT.**

R E S O L U T I O N

PERLAS-BERNABE, J.:

In a Resolution^[1] dated October 10, 2018, the Court affirmed the Amended Decision^[2] dated August 25, 2016 of the Court of Appeals (CA) in CA-G.R. CR. No. 36063 and found petitioner Emilio J. Aguinaldo IV (petitioner) guilty beyond reasonable doubt of the crime of Estafa, defined and penalized under Article 315 (2) (a) of the Revised Penal Code (RPC), the pertinent portion of which reads:

WHEREFORE, premises considered, the Amended Decision dated August 25, 2016 of the Court of Appeals in CA-G.R. CR. No. 36063, finding petitioner Emilio J. Aguinaldo IV guilty beyond reasonable doubt of the crime of Estafa, defined and penalized under Article 315, paragraph 2(a) of the Revised Penal Code, is hereby **AFFIRMED**.^[3]

Verily, the assailed CA Amended Decision sentenced petitioner to suffer the penalty of imprisonment for an indeterminate period of four (4) years and two (2) months of *prison correccional*, as minimum, to twenty (20) years of *reclusion temporal*, as maximum,^[4] but deleted the awards of actual damages and interest due to petitioner's payment of the judgment award in the amount of P2,050,000.00 which was duly acknowledged by the private complainant.^[5]

Aggrieved, petitioner moved for reconsideration,^[6] which was denied with finality in a Resolution^[7] dated January 14, 2019. The said Resolution came with a directive that "[n]o further pleadings or motions shall be entertained in this case. Let entry of judgment be issued immediately."^[8] Accordingly, Entry of Judgment^[9] was issued on even date.

The foregoing notwithstanding, petitioner still filed the following motions, namely: (a) Omnibus Motion (1) For Leave to File Incorporated Second Motion for Reconsideration; (2) To Refer Case to the Honorable Court *En Banc*; and (3) For Second Reconsideration^[10] dated March 20, 2019; and (b) Urgent Motion for Recomputation of Penalty^[11] dated March 9, 2020. Essentially, the first motion insists on petitioner's innocence and prays for his acquittal from the crime charged; whereas the second motion prays that petitioner's sentence be readjusted in accordance with Republic Act No. (RA) 10951.^[12]

In a Resolution^[13] dated July 27, 2020, the Court, *inter alia*, required petitioner's

counsel to submit petitioner's prison record. However, in a Manifestation and Compliance^[14] dated September 4, 2020, petitioner informed the Court that he is on bail pending appeal, and therefore, not confined in any prison.

The Court now resolves.

At the outset, it must be noted that by virtue of the Entry of Judgment issued on January 14, 2019, petitioner's conviction for Estafa had become final and executory; and hence, immutable. In *Uy v. Del Castillo*,^[15] the Court explained the doctrine of immutability of judgment as follows:

Time and again, the Court has repeatedly held that "a decision that has acquired finality becomes immutable and unalterable, and may no longer be modified in any respect, even if the modification is meant to correct erroneous conclusions of fact and law, and whether it be made by the court that rendered it or by the Highest Court of the land. This principle, known as the doctrine of immutability of judgment, has a two-fold purpose, namely: (a) to avoid delay in the administration of justice and thus, procedurally, to make orderly the discharge of judicial business; and (b) to put an end to judicial controversies, at the risk of occasional errors, which is precisely why courts exist. Verily, it fosters the judicious perception that the rights and obligations of every litigant must not hang in suspense for an indefinite period of time. As such, it is not regarded as a mere technicality to be easily brushed aside, but rather, a matter of public policy which must be faithfully complied." However, this doctrine "is not a hard and fast rule as the Court has the power and prerogative to relax the same in order to serve the demands of substantial justice considering: (a) matters of life, liberty, honor, or property; (b) the existence of special or compelling circumstances; (c) the merits of the case; (d) a cause not entirely attributable to the fault or negligence of the party favored by the suspension of the rules; (e) the lack of any showing that the review sought is merely frivolous and dilatory; and (f) that the other party will not be unjustly prejudiced thereby."^[16]

Anent the first motion, suffice it to say that the Court finds that the issues raised therein are but mere reiterations of the grounds already evaluated and passed upon in the Assailed Resolution. Therefore, there is no cogent reason to warrant an application of any of the exceptions to the doctrine of immutability of judgment in order to reverse petitioner's conviction for Estafa.

On the other hand, the second motion merely asks that the Court readjust petitioner's prison sentence in accordance with RA 10951 which was enacted in 2017. As may be gleaned from the law's title, it adjusted the value of the property and the amount of damages on which various penalties are based, taking into consideration the present value of money, as opposed to its archaic values when the RPC was enacted in 1932. While it is conceded that petition committed the crime for which he was convicted way before the enactment of RA 10951, this law expressly provides for retroactive effect if it is favorable to the accused.^[17]

To recall, petitioner was found guilty beyond reasonable doubt of Estafa for having defrauded private complainant in the amount of **P2,050,000.00**. As such, he was sentenced to suffer the penalty of imprisonment for an indeterminate period of four