

THIRD DIVISION

[G.R. No. 225599, March 22, 2017]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
CHRISTOPHER MEJARO ROA, ACCUSED-APPELLANT.**

D E C I S I O N

VELASCO JR., J.:

The Case

This is an appeal from the Decision^[1] promulgated on August 27, 2015, in CA-G.R. CR-H.C. No. 06456, which affirmed accused-appellant's conviction for the offense of murder, punished under Article 248 of the Revised Penal Code, by the Regional Trial Court (RTC), Branch 32, Pili, Camarines Sur, in its Decision in Criminal Case No. P-4100, promulgated on September 3, 2013.

The present case stems from an Information filed against accused-appellant Christopher Mejaro Roa (Roa) on June 5, 2007, charging him for the murder of Eliseo Delmiguez (Delmiguez), committed as follows:

That on or about 16 March 2007 at around 3:30 in the afternoon at Barangay San Miguel, Municipality of Bula, Province of Camarines Sur, Philippines, and within the jurisdiction of this Court, the above-named accused, with intent to kill and without justifiable cause, did then and there willfully, unlawfully, and feloniously attack, assault, and stab Eliseo Delmiguez with the use of a bladed weapon, locally known as "ginunting," hitting and injuring the body of the latter, inflicting multiple mortal hack wound[s] thereon, which were the immediate and direct cause of his instantaneous death, to the damage and prejudice of the heirs of the victim in such amount that may be proven in court.

That the killing was committed 1) with treachery, as the qualifying circumstance or which qualified the killing to murder, and 2) [w]ith taking advantage of superior strength, as aggravating circumstance.^[2]

The Facts

The facts surrounding the incident, as succinctly put by the RTC, are as follows:

A resident of Brgy. San Miguel, Bula, Camarines Sur, accused [Roa] is known to have suffered mental disorder prior to his commission of the crime charged. While his uncle, Issac [Mejaro], attributes said condition to an incident in the year 2000 when accused was reportedly struck in

the head by some teenagers, SPO1 [Nelson] Ballebar claimed to have learned from others and the mother of the accused that the ailment is due to his use of illegal drugs when he was working in Manila. When accused returned from Manila in 2001, Issac recalled that, in marked contrast to the silent and formal deportment with which he normally associated his nephew, the latter became talkative and was observed to be "always talking to himself" and "complaining of a headache."

On September 27, 2001, accused had a psychotic episode and was brought to the [Don Susano J. Rodriguez Mental Hospital] DSJRM by his mother and Mrs. Sombrero. Per the October 10, 2005 certification issued by Dr. Benedicta Aguirre, accused consulted and underwent treatment for schizophrenia at the [Bicol Medical Center] BMC in the years 2001, 2002, 2003, 2004, and 2005. In her Psychiatric Evaluation Report, Dr. [Edessa Padre-]Laguidao also stated that accused was prescribed antipsychotic medication which he was, however, not able to continue taking due to financial constraints. Edgar [Sapinoso] and Rico [Ballebar], who knew accused since childhood, admitted hearing about the latter's mental health issues and/or his treatment therefor. Throughout the wake of an unnamed aunt sometime in March 2007, it was likewise disclosed by Issac that accused neither slept nor ate and was known to have walked by himself all the way to Bagumbayan, Bula.

On March 16, 2007, Issac claimed that accused was unusually silent, refused to take a bath and even quarreled with his mother when prompted to do so. At about 3:30 p.m. of the same day, it appears that Eliseo, then 50 years old, was walking with Edgar on the street in front of the store of Marieta Ballecer at Zone 3, San Miguel, Bula, Camarines Sur. From a distance of about 3 meters, the pair was spotted by Rico who, while waiting for someone at the roadside, also saw accused sitting on the sidecar of a trimobile parked nearby. When Eliseo passed by the trimobile, he was approached from behind by accused who suddenly stabbed him on the left lower back with a bolo locally known as *ginunting* of an approximate length of 8 to 12 inches. Taken aback, Eliseo exclaimed "*Tara man,* " before falling to the ground. Chased by both Edgar and Rico and spotted running by Mrs. Sombrero who went out of the Barangay Hall upon hearing the resultant din, accused immediately fled and took refuge inside the house of his uncle, Camilo Mejaro.

With the incident already attracting people's attention, Barangay Captain Herminion Ballebar called for police assistance even as Isaac tried to appease Eliseo's relatives. Entering Camilo's house, Issac saw accused who said nothing when queried about what he did. Shortly thereafter, SPO1 Hermilando Manzano arrived on board a motorcycle with SPO1 Ballebar who called on accused to surrender. Upon his voluntary surrender and turn over of the jungle knife he was holding to the police officers, accused was brought to the Bula Municipal Police Station for investigation and detention. In the meantime, Eliseo was brought to the Bula Municipal Health Center where he was pronounced dead on arrival and, after the necropsy examination, later certified by Dr. Consolacion to have died of *Hypovolemia secondary to multiples tab wounds*.^[3] (citations omitted)

When arraigned, accused-appellant pleaded "not guilty," but in the certificate of arraignment, he signed his name as "Amado M. Tetangco." Trial on the merits ensued. There was no contest over the fact that accused-appellant, indeed, stabbed the victim, but he interposed the defense of insanity.

The Ruling of the RTC

In its Decision promulgated on September 3, 2013, the RTC of Pili, Camarines Sur found that accused-appellant is guilty of the offense of Murder. The RTC ruled that the defense of insanity was not sufficiently proven as to exculpate accused-appellant from the offense charged. The RTC noted that as an exempting circumstance, insanity presupposes that the accused was completely deprived of reason or discernment and freedom of will at the time of the commission of the crime. Thus, the RTC said, the accused must be shown to be deprived of reason or that he acted without the least discernment because there is a complete absence of the power to discern, or that there is a total deprivation of the will. It is the accused who pleads the exempting circumstance of insanity that has the burden of proving the same with clear and convincing evidence. This entails, the RTC added, opinion testimony which may be given by a witness who has rational basis to conclude that the accused was insane based on the witness' own perception of the accused, or by a witness who is qualified as an expert, such as a psychiatrist.^[4]

In the case of accused-appellant, the RTC ruled, he failed to discharge the burden of proving the claim of insanity. *First*, while Isaac Mejaro's testimony was able to sufficiently prove that accused-appellant started having mental health issues as early as 2001, the trial court ruled that his past medical history does not suffice to support a finding that he was likewise insane at the time that he perpetrated the killing of Delmiguez in 2007. To the trial court, the lack of showing of any psychotic incidents from the time of his discharge in 2002 until March 2007 suggests that his insanity is only occasional or intermittent and, thus, precludes the presumption of continuity.^[5]

Second, the trial court acknowledged that accused-appellant exhibited abnormal behavior after the incident, particularly in writing the name of Amado M. Tetangco in his certificate of arraignment. It also noted that midway through the presentation of the prosecution's evidence, accused-appellant's mental condition worsened, prompting his counsel to file another motion for psychiatric evaluation and treatment, and that he was subsequently diagnosed again to be suffering from schizophrenia of an undifferentiated type. The trial court, however, cited the rule that the evidence of insanity after the fact of commission of the offense may be accorded weight only if there is also proof of abnormal behavior immediately before or simultaneous to the commission of the crime. The trial court then ruled that the witnesses' account of the incident provides no clue regarding the state of mind of the accused, and all that was established was that he approached Delmiguez from behind and stabbed him on his lower back. To the trial court, this actuation of the accused, together with his immediate flight and subsequent surrender to the police authorities, is not indicative of insanity.

Finally, while the accused was reputed to be "crazy" in his community, the trial court

ruled that such is of little consequence to his cause. It said:

The popular conception of the word "crazy" is to describe a person or act that is unnatural or out of the ordinary. A man may, therefore, behave in a crazy manner but it does not necessarily or conclusively prove that he is legally so. The legal standard requires that the accused must be so insane as to be incapable of entertaining a criminal intent.^[6]

Hence, the RTC found accused-appellant guilty of the crime of murder, and sentenced him as follows:

WHEREFORE, premises considered, judgment is rendered finding accused Christopher Mejaro Roa **GUILTY** beyond reasonable doubt of the crime of Murder defined and penalized under Article 248 of the Revised Penal Code, and imposing upon him the penalty of *reclusion perpetua*.

Accused is ordered to pay the Heirs of Eliseo Delmiguez the following sums: (1) P75,000.00 as civil indemnity for the death of said victim; (b) P50,000.00 as moral damages; and (c) P30,000.00 as exemplary damages.

Aggrieved, accused-appellant appealed his conviction to the CA.

The Ruling of the CA

In its presently assailed Decision, the CA affirmed the finding of conviction by the trial court. The CA first noted that all the elements of the crime of murder had been sufficiently established by the evidence on record. On the other hand, the defense of insanity was not sufficiently proven by clear and convincing evidence. The CA said:

Record shows that the accused-appellant has miserably failed to prove that he was insane when he fatally stabbed the victim on March 16, 2007. To prove his defense, accused-appellant's witnesses including Dr. Edessa Padre-Laguirdao testified that they knew him to be insane because he was brought and confined to the Bicol Medical Center, Department of Psychiatry for treatment in the year 2001. However, such fact does not necessarily follow that he still suffered from *schizophrenia* during the time he fatally attacked and stabbed the victim, Eliseo Delmiguez. No convincing evidence was presented by the defense to show that he was not in his right mind, or that he had acted under the influence of a sudden attack of insanity, or that he had generally been regarded as insane around the time of the commission of the acts attributed to him.

An inquiry into the mental state of the accused should relate to the period immediately before or at the very moment the act under prosecution was committed. Mere prior confinement in a mental institution does not prove that a person was deprived of reason at the time the crime was committed. It must be noted that accused-appellant

was discharged from the mental hospital in 2002, or long before he committed the crime charged. He who relies on such plea of insanity (proved at another time) must prove its existence also at the time of the commission of the offense. This, accused-appellant failed to do.^[7] (citations ommitted)

Moreover, the CA ruled that the testimonies of the defense witnesses that purport to support the claim of insanity are based on assumptions, and are too speculative, presumptive, and conjectural to be convincing. To the CA, their observation that accused-appellant exhibited unusual behavior is not sufficient proof of his insanity, because not every aberration of the mind or mental deficiency constitutes insanity.

^[8] On the contrary, the CA found that the circumstances of the attack bear *indicia* that the killing was done voluntarily, to wit: (1) the use of a long bolo locally known as *ginunting*, (2) the location of the stab wounds, (3) the attempt of accused-appellant to flee from the scene of the crime, and (4) his subsequent surrender upon being called by the police authorities.

Thus, the CA dismissed the claim of insanity, and affirmed the conviction of the RTC for the offense charged. The CA merely modified the award of damages, and dispositively held, thus:

WHEREFORE, in view of the foregoing, the Judgment dated September 3, 2013 of the Regional Trial Court of Pili, Camarines Sur, Branch 32, is hereby **AFFIRMED with MODIFICATION**. Accused-appellant Christopher Mejaro Roa is found **GUILTY** beyond reasonable doubt of Murder as defined in Article 248 of the Revised Penal Code, and he is sentenced to suffer the penalty of *Reclusion Perpetua*. Accused-appellant is **ORDERED** to pay the heirs of the victim, Eliseo Delmiguez, the amount of: (1) P75,000.00 as civil indemnity for the death of the said victim, (b) P50,000.00 as moral damages, and (c) P30,000.00 as exemplary damages as provided by the Civil Code in line with recent jurisprudence, with costs. In addition, all awards for damages shall bear legal interest at the rate of six [percent] (6%) per annum from the date of finality of judgment until fully paid.^[9]

Aggrieved by the ruling of the CA, accused-appellant elevated the case before this Court by way of a Notice of Appeal.^[10]

The Issue

The sole issue presented in the case before the Court is: whether there is sufficient evidence to uphold the conviction of accused-appellant for the offense of Murder, punishable under Article 248 of the Revised Penal Code. However, there being no contest that accused-appellant perpetrated the stabbing of the victim, which caused the latter's death, the resolution of the present issue hinges on the pleaded defense of insanity.

The Court's Ruling