

FIRST DIVISION

[G.R. No. 215424, December 09, 2015]

**ADINA B. MANANSALA, PETITIONER, VS. PEOPLE OF THE
PHILIPPINES, RESPONDENT.**

D E C I S I O N

PERLAS-BERNABE, J.:

Assailed in this petition for review on *certiorari*^[1] are the Decision^[2] dated April 16, 2014 and the Resolution^[3] dated October 7, 2014 of the Court of Appeals (CA) in CA-G.R. CR No. 34763, affirming the conviction of petitioner Adina B. Manansala (Manansala) for the crime of Falsification of Private Documents, defined and penalized under Article 172 (2), in relation to Article 171 (4), of the Revised Penal Code (RPC).

The Facts

On May 31, 1999, private complainant Kathleen L. Siy (Siy), former Vice President for Finance of Urban Finance and Leasing Corporation, now UMC Finance and Leasing Corporation (UMC), instructed her secretary, Marissa Bautista (Bautista), to withdraw via Automated Teller Machine (ATM) the amount of P38,000.00 from her Metrobank and Bank of the Philippine Islands bank accounts. However, Bautista was not able to make such withdrawal as the ATM was offline so she took it upon herself to get such amount from the petty cash custodian of UMC instead, but she forgot to inform Siy where she got the money. On June 9, 1999, UMC Finance Manager Violeta Q. Dizon-Lacanilao (Lacanilao) informed Siy that as per the Petty Cash Replenishment Report (subject report) of the same date prepared by UMC Petty Cash Custodian Manansala, she allegedly made a cash advance in the amount of P38,000.00 which remained unliquidated. It was only then that Siy found out what Bautista had done, and she immediately rectified the situation by issuing two (2) checks to reimburse UMC's petty cash account. As the checks were eventually encashed resulting in the replenishment of UMC's petty cash account, Lacanilao instructed Manansala to revise the subject report by deleting the entry relating to Siy's alleged cash advance, to which Manansala acceded. On June 11, 1999, Lacanilao reported the incident to UMC President Conrado G. Marty (Marty).^[4]

Sometime in March 2000, Lacanilao instructed Manansala to retrieve the subject report, re-insert the entry relating to Siy's alleged cash advance therein, reprint the same on a scratch paper, and repeatedly fold the paper to make it look old. On the basis of the reprinted subject document, Siy was administratively charged for using office funds for personal use. On April 18, 2000, Siy was terminated from her job and Lacanilao succeeded the former in the position she left vacant. The foregoing prompted Siy to pursue criminal charges against Marty, Lacanilao, and Manansala for Falsification of Private Documents. Eventually, the charge against Marty was withdrawn, and an Amended Information^[5] dated July 19, 2001 for the aforesaid

crime was filed against Lacanilao and Manansala before the Metropolitan Trial Court of Makati City, Branch 65 (MeTC).^[6]

In her defense, Manansala maintained that she was just following Lacanilao's orders as the latter is her superior who approves her work. She added that when Lacanilao instructed her to reprint the subject report, she was apprehensive to follow because she suspected something, but nevertheless acquiesced to such instruction.^[7]

The MeTC Ruling

In a Decision^[8] dated October 27, 2010, the MeTC both found Lacanilao and Manansala guilty beyond reasonable doubt of committing the crime of Falsification of Private Documents and, accordingly: (a) sentenced Lacanilao to suffer the penalty of imprisonment for the indeterminate period of one (1) year and one (1) day of *arresto mayor maximum* to *prision correccional minimum*, as minimum, to three (3) years, six (6) months, and twenty one (21) days of *prision correccional medium* and *maximum*, as maximum, and to pay a fine of P3,000.00; (b) sentenced Manansala to suffer the penalty of imprisonment for the indeterminate period of four (4) months and one (1) day of *arresto mayor maximum* to *prision correccional minimum*, as minimum, to two (2) years, four (4) months, and one (1) day of *prision correccional medium* and *maximum*, as maximum, and to pay a fine of P2,000.00; and (c) ordered each of the accused to pay Siy the amounts of P100,000.00 as moral damages and P50,000.00 as attorney's fees.^[9]

The MeTC found that Lacanilao and Manansala conspired in falsifying the subject report by stating therein that Siy made a cash advance and used it for her personal use, despite knowing all along that Siy never did so; thus, resulting in Siy's termination from her work. In this regard, the MeTC tagged Lacanilao as the mastermind of the crime as she benefited the most from Siy's termination, while Manansala aided Lacanilao in the realization of her sinister motive.^[10]

Nonetheless, the MeTC appreciated the mitigating circumstance of acting under an impulse of uncontrollable fear in favor of Manansala, noting that she merely acted upon Lacanilao's instructions and that she only performed such acts out of fear that she would lose her job if she defied her superior's orders.^[11] Manansala moved for reconsideration^[12] but was denied in an Order^[13] dated January 31, 2011.

Aggrieved, Manansala appealed her conviction to the Regional Trial Court of Makati, Branch 142 (RTC).^[14] Records are, however, bereft of any showing that Lacanilao made any similar appeal, thus, her conviction had lapsed into finality.

The RTC Ruling

In a Decision^[15] dated October 20, 2011, the RTC affirmed the MeTC ruling *in toto*. It held that Manansala clearly falsified the subject report by inserting a statement therein which she knew from the start to be untruthful - that Siy made a cash advance for her personal needs - resulting in prejudice on the part of Siy.^[16]

Manansala moved for reconsideration,^[17] but was denied in an Order^[18] dated January 30, 2012. Undaunted, she elevated the matter to the CA via a petition for

review.^[19]

The CA Ruling

In a Decision^[20] dated April 16, 2014, the CA affirmed the RTC ruling. The CA agreed with the MeTC and RTC's findings that Manansala made untruthful statements in the subject report which was contrary to her duty as UMC Petty Cash Custodian and that such findings were utilized to the detriment of Siy who was terminated on the basis of said falsified report.^[21]

Dissatisfied, Manansala moved for reconsideration,^[22] which was, however, denied in a Resolution^[23] dated October 7, 2014; hence, this petition.

The Issue Before the Court

The core issue for the Court's resolution is whether or not the CA correctly affirmed Manansala's conviction for Falsification of Private Documents.

The Court's Ruling

The petition is without merit.

At the outset, it must be stressed that in criminal cases, an appeal throws the entire case wide open for review and the reviewing tribunal can correct errors, though unassigned in the appealed judgment, or even reverse the trial court's decision based on grounds other than those that the parties raised as errors. The appeal confers the appellate court full jurisdiction over the case and renders such court competent to examine records, revise the judgment appealed from, increase the penalty, and cite the proper provision of the penal law.^[24]

Proceeding from the foregoing, the Court agrees with the ruling of the courts *a quo* convicting Manansala of the crime of Falsification of Private Documents, but disagrees in the appreciation of the "mitigating circumstance" of acting under an impulse of uncontrollable fear in her favor.

As already stated, Manansala was charged with committing the crime of Falsification of Private Documents defined and penalized under Article 172 (2), in relation to Article 171 (4), of the RPC, which respectively read as follows:

ART. 171. *Falsification by public officer, employee; or notary or ecclesiastical minister.* - The penalty of *prision mayor* and a fine not to exceed 5,000 pesos shall be imposed upon any public officer, employee, or notary who, taking advantage of his official position, shall falsify a document by committing any of the following acts:

x x x x

4. Making untruthful statements in a narration of facts;

x x x x