



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **14 February 2022** which reads as follows:*

“G.R. No. 250305 (People of the Philippines v. Julius Mataranas y Corpuz a.k.a. “Kulot”). — This appeal¹ seeks the reversal of the October 19, 2017 Decision² of the Court of Appeals (CA) in CA-G.R. CR-HC No. 08381 to acquit accused-appellant Julius Mataranas y Corpuz *a.k.a.* “Kulot” (Mataranas) of the crime of Murder.

The Antecedents:

On September 3, 2013, Mataranas was charged with Murder before the Regional Trial Court (RTC), Branch 5 of Manila City. The Information alleged as follows:

That on or about June 18, 2013 in the City of Manila, Philippines, the said accused, did then and there willfully, unlawfully and feloniously, with intent to kill, evident premeditation and treachery, attack, assault and use personal violence upon one **REGINO GARDON y PELEA, a minor, 16 years of age**, by then and there repeatedly stabbing the latter with bladed weapon, hitting him thrice at the back, twice on his left arm and once below his right chest thereby inflicting upon the latter multiple stab wounds which were the direct and immediate cause of his death thereafter.

Contrary to law.³

Mataranas pleaded not guilty.⁴ After pre-trial concluded, trial ensued.

¹ *Rollo*, pp. 13-14.

² *Id.* at 3-11. Penned by Associate Justice Ricardo R. Rosario (now a Member of the Court) and concurred in by Associate Justices Ramon A. Cruz and Pablito A. Perez.

³ *Records*, p. 1.

⁴ *Rollo*, p. 4.

Version of the Prosecution

Mary Grace Villanueva (Mary Grace) was the main witness to the incident that happened in Punta, Sta. Ana, Manila. She knew Mataranas as she used to see him in the *bangkaan*, a docking area for passenger *bangkas* traversing the river between Punta, Sta. Ana and the market. In open court, Mary Grace identified Mataranas as “Kulot” and the accused in this case. She also knew the victim, Regino Gardon (Gardon) and referred to him as “Nonoy”.⁵

At 8:30 in the evening of June 18, 2013, Mary Grace was outside her house watching people play bingo. Not long after, she saw Mataranas approaching. He went to the left side of Mary Grace’s house and sat there. Mary Grace saw three *pedicabs* arrive at the area. She suddenly heard a loud noise as if someone was being punched, and then somebody shouted “Ah! Ah!” She saw Mataranas stab Gardon’s back three or four times. At the time that Gardon was stabbed, he was just sitting on his *pedicab*. Mary Grace tried to help Gardon but some people stopped her, saying that she might get involved. She then saw Gardon walk toward the street corner and board an empty passenger jeep that brought him to the hospital, where he died.⁶

Maryvel Magpale (Maryvel) was the custodian of the *bangkaan* in Sta. Ana, Manila where Mataranas used to work part-time. She testified that on June 18, 2013, she was on duty and she saw Mataranas at the *bangkaan* around 6:30 to 7:00 a.m. Maryvel recorded him as present at 6:00 a.m. in their logbook and her brother logged Mataranas out at 7:30 a.m.⁷

The Autopsy Report⁸ confirmed that Gardon sustained six stab wounds: one at the right side of the chest or torso, three at the back, and two on the upper left arm. Dr. Norberto Rey C. San Diego, the examining medico-legal, testified that the stab wound on Gardon’s right chest was fatal and the cause of his death.⁹

Francisco Ronato Gardon, the victim’s father, testified that he spent ₱24,000.00 for his son’s funeral.

Version of the Defense:

Mataranas interposed the defenses of alibi and denial.

On June 18, 2013, Mataranas stated that he was in Muntinlupa at his brother’s house, recuperating from stab wounds previously inflicted by Gardon. He spent two months in the hospital before going to his brother’s house. He was surprised when he learned that he was being suspected as Gardon’s killer. He could not have been in the *bangkaan* on the date of the incident as he was still

⁵ Id.

⁶ Id.

⁷ Id. at 5.

⁸ Records, p. 299.

⁹ *Rollo*, pp. 4-5.

healing from his stab wounds. He did not file a case against Gardon since the *barangay tanods* had already released Gardon, and Mataranas was afraid to file charges against Gardon.¹⁰

Gina Mataranas (Gina) corroborated the testimony of her son, Mataranas. On June 18, 2013, Gina claimed that she went to Muntinlupa to bring her son food and medicine. Mataranas was still very weak and could not move normally because of the stab wound on his back. On that day, she went to Muntinlupa at 11:00 a.m. and returned home to Sta. Ana, Manila at 7:00 p.m.¹¹

Both Mataranas and his mother were unaware of any ill motive that would impel Mary Grace and Maryvel to testify against Mataranas.¹²

Ruling of the Regional Trial Court:

The trial court declared Mataranas guilty as charged.¹³

The prosecution positively established Mataranas' identity as the accused and Gardon's assailant. Mary Grace was categorical when she testified that she saw Mataranas stab Gardon. Maryvel's statements that Mataranas was in the Sta. Ana *bangkaan* at the time of the killing negated the defense that he was in Muntinlupa. The trial court found that by suddenly attacking from behind and stabbing Gardon six times, Mataranas had the intent to kill Gardon, and the killing was aggravated to murder by the circumstance of treachery.¹⁴

In its May 11, 2016 Decision,¹⁵ the trial court convicted Mataranas as follows:

WHEREFORE, in view of the foregoing disquisition, accused JULIUS MATARANAS y CORPUZ @ 'KULOT' is hereby CONVICTED of the felony of Murder, defined and penalized under Article 248 of the *Revised Penal Code*.

He is hereby sentenced **(a)** to suffer the penalty of *reclusion perpetua*; **(b)** to pay the Heirs of REGINO GARDON y PELEA the amounts of **(i)** P24,000.00 as actual damages; **(ii)** P75,000.00 as civil indemnity, **(iii)** P50,000.00 as moral damages; and **(iv)** P30,000.00 as exemplary damages pursuant to prevailing jurisprudence; and **(c)** to pay the costs.

The monetary award shall include the interest on all damages at the rate of six percent 6% per annum from the finality of judgment until fully paid.

SO ORDERED.¹⁶

¹⁰ Id. at 5-6.

¹¹ Id. at 6.

¹² Id.

¹³ *CA rollo*, p. 45.

¹⁴ Id. at 45-56.

¹⁵ Id. at 39-57.

¹⁶ Id. at 56-57.

Mataranas appealed to the CA.¹⁷

Ruling of the Court of Appeals:

The CA affirmed Mataranas' conviction for the crime of Murder but with modifications of the damages granted to Gardon' heirs.

Citing *People v. Jugueta*,¹⁸ the CA increased the awards of civil indemnity, moral damages and exemplary damages to ₱75,000.00. It also awarded temperate damages for ₱25,000.00 in lieu of the trial court's ₱24,000.00 in actual damages, explaining that when actual damages proven by receipts amount to less than ₱25,000.00, the award of temperate damages for ₱25,000.00 is justified.

In its October 19, 2017 Decision, the CA held:

WHEREFORE, the appealed 11 May 2016 Decision of Branch 5 of the Regional Trial Court of Manila, convicting accused-appellant *Julius Mataranas y Corpuz* of murder and sentencing him to *reclusion perpetua* is **AFFIRMED** with **MODIFICATIONS** that the awards of *moral* and *exemplary* damages are *each* increased to Seventy-Five Thousand (P75,000.00) and accused-appellant is declared ineligible for parole pursuant to Section 3 of Republic Act No. 9346. In *lieu* of the actual damages of Twenty-Four Thousand Pesos (P24,000.00), temperate damages of Twenty-Five Thousand Pesos (P25,000.00) is hereby awarded.

*SO ORDERED.*¹⁹

Thus, this appeal before this Court.

Issues:

Mataranas raises the following issues for review:

I.

THE TRIAL COURT GRAVELY ERRED IN CONVICTING [MATARANAS] OF THE CRIME CHARGED DESPITE THE GROSS AND MATERIAL INCONSISTENCY AND IMPROBABILITY OF THE PROSECUTION EYEWITNESS' TESTIMONY.

II.

THE TRIAL COURT GRAVELY ERRED IN FINDING THE EXISTENCE OF TREACHERY DESPITE THE ABSENCE OF EVIDENCE TO PROVE THE SAME BEYOND REASONABLE DOUBT.²⁰

¹⁷ Id. at 14.

¹⁸ 783 Phil. 806, 848 (2016).

¹⁹ *Rollo*, p. 11.

²⁰ *CA rollo*, p. 28.

Our Ruling

The Court affirms Mataranas' conviction.

Minor inconsistencies are badges of credibility.

Mataranas pleads material inconsistencies in the testimonies against him. He asserts that while Mary Grace stated that Mataranas stabbed Gardon at the back, the Autopsy Report reveals that Gardon died from a stab wound on his chest. Mataranas anchors his exoneration on the fact that nothing on record showed that he stabbed Gardon on the chest. Mary Grace never even saw what kind of weapon Mataranas had used to stab Gardon. Mataranas viewed this to be improbable, theorizing that since Mary Grace saw Mataranas stab Gardon, she should have likewise seen the weapon used.²¹

The Court disagrees.

In affirming the RTC, the CA have already disposed of the above issues completely and accurately:

The supposed inconsistencies are more apparent than real. Contrary to [Mataranas'] submission, Mary Grace's testimony even finds support in the Autopsy Report which confirmed that the victim sustained three (3) stab wounds on his back. The fact that Mary Grace failed to mention that [Gardon] was likewise stabbed on the chest or that he was stabbed with the use of a knife does not necessarily impair her testimony nor erode her credibility. What is important is that her testimonies on material points are consistent and straightforward, especially in positively identifying [Mataranas] as [Gardon]'s assailant.

Moreover, even [Mataranas] believes that Mary Grace was not impelled by any ill motive to falsely accuse him of murder and there being no motive on the part of said witness to testify, other than her inherent desire to tell the truth and to bring the culprit to justice, her testimony deserves the credence accorded to her by the trial court.²² (Citations omitted)

The Court finds no reason to reverse these findings. The testimony proffered by the prosecution was clear, categorical, and convincing. The alleged inconsistencies are too trivial to negate Mataranas' culpability for the stabbing of Gardon. Jurisprudence has already established that discrepancies on the minute details that do not touch upon the very crime charged do not impair the witness' credibility.²³ Minor inconsistencies even serve as badges of truth and trustworthiness, fortifying the claimant's statements by discounting the possibility of the same being rehearsed.²⁴

²¹ Id. at 32-35.

²² *Rollo*, p. 7.

²³ *People v. Moreno*, G.R. No. 191759, March 2, 2020.

²⁴ Id.

Treachery entirely deprives a victim the chance to defend oneself at the inception of the attack.

The Court also affirms the finding of treachery in this case.

The qualifying circumstance of treachery exists with the following elements:

(1) The employment of means, method, or manner of execution that would ensure the safety of the malefactor from the defensive or retaliatory acts of the victim, and

(2) The means, method, or manner of execution was deliberately or consciously adopted by the offender.²⁵

Mary Grace candidly recounted the circumstances of Mataranas' attack upon Gardon:

Q Considering your declaration earlier that "Kulot" was from another area did you see how "[K]ulot" approach Nonoy?

A I saw him [go] behind Nonoy and I suddenly turned because I heard the sound "Ah! Ah!", punching sound and I learned later that he was already stabbed.

Q **In relation to the position of Nonoy from where did this "[K]ulot" come from?**

A **From the back.**

Q From the back. Did you see whether or not Nonoy saw "Kulot"?

A No.

Q Why did you say that?

A Because if he knew it he might have run away.

Q **When he was stabbed what was he doing?**

A **He was sitting on the side car and then he was suddenly stabbed at the back. He could do nothing. He just stood up.²⁶**

In appreciating treachery as a qualifying circumstance, it is enough that the victim had no chance and means to defend oneself at the inception of the attack. A treacherous assailant consciously employs the element of surprise to insure the success of his criminal intent.

²⁵ Id., citing *People v. Amora*, 748 Phil. 608, 621 (2014).

²⁶ TSN, February 4, 2015, p. 11.

From Mary Grace's testimony, Mataranas' attack upon Gardon was surprising and treacherous. She saw not just how the stabbing occurred, but also how the attack started. Gardon's behavior before he was stabbed showed that he was absolutely unaware of the approaching danger to his life. He was just sitting on his *pedicab*, and while all of his sides were open and unguarded, Mataranas chose to stab Gardon from behind. "The characteristic and unmistakable manifestation of treachery is the deliberate and unexpected attack on the victim without any warning and without giving him the opportunity to defend or repel the initial assault."²⁷ This holds true whether the victim eventually puts up a fight, escapes wounded but alive, or ends up fully unscathed. For as long as the victim is wholly unsuspecting of any danger to one's own person *at the very beginning of the attack*, there is already treachery.²⁸

The defense of alibi requires physical impossibility, not mere difficulty, to be present at the crime scene.

Mataranas continues to insist that he was in Muntinlupa at the time of the killing, and recuperating from a stab wound himself. Being allegedly debilitated at the time, he could not have killed Gardon in Sta. Ana, Manila.

The Court remains unconvinced. Solid reasons militate against the reliability of Mataranas' alibi.

First, the defense did not present any tangible proof substantiating his allegations that he was suffering from a grave injury. Medical certifications, hospital receipts, or drug prescriptions definitively attesting to the existence and gravity of his alleged injury would have sufficed but were lacking.

Second, even assuming that Mataranas' injury was true, his presence at the crime scene may be difficult, but it was certainly not impossible.

*People v. Mosquera*²⁹ laid out the requisites for the defense of alibi to prosper:

To establish alibi, the accused must prove (a) that he was present at another place at the time of the perpetration of the crime, and (b) that it was physically impossible for him to be at the scene of the crime. Physical impossibility "refers to the distance between the place where the accused was when the crime transpired and the place where it was committed, as well as the facility of access between the two places."³⁰

²⁷ *People v. Moreno*, supra note 23; citing *People v. Baltazar*, 455 Phil 320, 333 (2003).

²⁸ *Id.*, citing *People v. Warriner*, 736 Phil. 425, 436 (2014).

²⁹ 414 Phil. 740 (2001).

³⁰ *Id.*

Accused must prove these requisites of physical impossibility by positive, clear, and satisfactory evidence.³¹

In *Lejano v. People* and *People v. Webb*,³² one of the accused therein presented a properly-documented alibi. His claim was that he was in the United States when the crime imputed to him occurred. He presented arrival and departure stamps on his passport that showed that he was in the US for seven months, a period of time which included the date of the commission of the crime. Records of flights taken and certifications of the Philippine and United States immigration services also supported the fact of his travel to and back from the United States. Other than mere surmises, there was no proof that he used connections to secretly go back to the Philippines to commit the crime and also secretly fly back to the United States within that seven-month period. The foregoing is combined with the Court's doubts upon the testimonial credibility of the prosecution's main witness. It suffices to state that these factual conditions and pieces of evidence are not obtaining in the present case.

Third, Gina's testimony in support of Mataranas' alibi should be treated with utmost circumspect. Credible corroborations are usually offered by disinterested witnesses.³³ However, Gina cannot be considered a disinterested witness. Being Mataranas' mother, she is presumed to be invested in her son's exoneration. A close relationship with the accused increases the likelihood that a witness would voluntarily perjure oneself for the sake of one's relative.³⁴ Thus, Gina's words are considered suspect even if uttered in open court. This is more so as the defense offered no corroborating witness other than Gina.

Lastly, the fact that Mary Grace positively identified Mataranas in open court as the accused in this case and Gardon's killer supports Mataranas' conviction.

In any case, the courts *a quo* were sure that Mary Grace and Maryvel saw Mataranas in Sta. Ana, Manila that day when Gardon was stabbed, and this Court believes them, too. In so testifying, Mary Grace and Maryvel have never been impelled by any ill motive against Mataranas. Even Mataranas and his mother, Gina, admitted to this fact. Mary Grace had no altercation with Mataranas or any occasion to at least exchange pleasantries with the latter prior to the incident that she had witnessed.³⁵ She just knew Mataranas as "Kulot", who she would often see at the *bangkaan*. As with Maryvel, she was not personally acquainted with Mataranas other than she knew him to be a worker in the *bangkaan*. "It is a well-settled rule that positive identification of the accused, where categorical and consistent and without any showing of ill motive on the part of the eyewitness testifying on the matter, prevails over alibi and denial which if not substantiated by clear and convincing evidence are negative

³¹ *Lejano v. People/People v. Webb*, 652 Phil. 512, 583 (2010).

³² *Id.* at 583-586.

³³ *People v. Moreno*, supra note 23.

³⁴ *Id.*

³⁵ *Rollo*, p. 6.

and self-serving evidence undeserving of weight in law.”³⁶

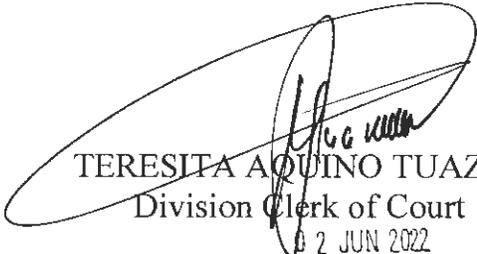
Anent the monetary awards to Gardon’s heirs, the Court affirms the awards of civil indemnity, moral damages, and exemplary damages in the amount of ₱75,000.00 each. Per prevailing jurisprudence,³⁷ however, the Court grants temperate damages in lieu of actual damages in the increased amount of ₱50,000.00.

Again, all monetary awards shall earn six percent (6%) interest per *annum* from finality of this judgment until full payment.

WHEREFORE, the conviction of accused-appellant Julius Mataranas y Corpuz a.k.a. “Kulot” for the Murder of Regino Gardon y Pelea **STANDS**. The assailed October 19, 2017 Decision of the Court of Appeals in CA-G.R. CR-HC No. 08381 is **AFFIRMED with MODIFICATION**, in that the amount of temperate damages awarded to the heirs of the deceased victim in lieu of actual damages is increased from ₱25,000.00 to ₱50,000.00. All monetary awards shall earn interest at the rate of six percent (6%) per *annum* from date of finality of this Resolution until full payment.

SO ORDERED.”

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court
JUN 2 2022

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THE DIRECTOR (reg)
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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 5
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(Crim. Case No. 13-303001)

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*with copy of CA Decision dated 19 October 2017
Please notify the Court of any change in your address.
GR250305. 02/14/2022(197)URES

³⁶ *People v. Lumikid*, G.R. No. 242695, June 23, 2020.

³⁷ *People v. Moreno*, supra note 23.