



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

PEOPLE OF THE PHILIPPINES,  
Plaintiff-Appellee,

G.R. No. 229087

Present:

PERALTA, C.J., Chairperson,  
CAGUIOA,  
REYES, J., JR.,  
LAZARO-JAVIER, and  
LOPEZ, JJ.

- versus -

JEFFREY LIGNES Y PAPILLERO,  
Accused-Appellant.

Promulgated:

JUN 17 2020 *mtf/whd*

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DECISION

PERALTA, C.J.:

On appeal is the Decision<sup>1</sup> dated August 31, 2016 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 07011, which affirmed the Decision<sup>2</sup> of the Regional Trial Court (RTC), Quezon City, Branch 94, in Criminal Case No. Q-12-179191, finding accused-appellant Jeffrey Lignes y Papillero guilty beyond reasonable doubt of the crime of *Robbery with Homicide* under Article 294 of the Revised Penal Code.

The antecedent facts, as culled from the records, are as follows:

Jeffrey Lignes y Papillero (*Lignes*) and a Child In Conflict with the Law (CICL) were charged with Robbery with Homicide in an Information,<sup>3</sup> which read:

<sup>1</sup> Penned by Associate Justice Normandie B. Pizarro, with Associate Justices Samuel H. Gaerlan (now a member of the Court) and Ma. Luisa C. Quijano-Padilla concurring; *rollo*, pp. 2-13.

<sup>2</sup> CA *rollo*, pp. 44-56.

<sup>3</sup> Records, pp. 1-2.

That on or about the 13<sup>th</sup> day of October 2012, in Quezon City, Philippines, the above-named accused, JEFFREY LIGNES y PAPILLERO[,] conspiring [and] confederating with [CICL XXX], a minor, 16 years old, but acting with discernment, and mutually helping each other, with intent to gain[,] and by means of force, violence against and/or intimidation of persons, did, then and there, willfully, unlawfully[,] and feloniously take the personal properties of one JOVEN LAURORA y RANCES in the manner as follows: while complainant was inside his house at Block 7, Kaingin I, Brgy. Pansol, this City, accused[,] pursuant to their conspiracy[,] robbed and divested him of his following items, to wit: one (1) unit Acer laptop with charger worth P30,000.00; one (1) unit cellphone iPhone 4s with charger worth P40,000.00; one (1) unit cellphone Samsung Corby worth P7,000.00; black wallet containing his personal identification cards; one (1) pair of leather shoes; one (1) bottle of kingsgate perfume; one (1) tin of Johnson baby powder; one (1) small black flashlight; one (1) color green [ballpen]; one (1) black coin purse containing P62.25 coins; one (1) unit [screwdriver]; one (1) checkered [backpack] (Jansport); and cash money of P12,560.00, all valued in the total amount of P89,622.25, Philippine Currency; that the accused[,] by reason or on occasion of[,] and in the course of the commission of the said robbery, did, then and there, with intent to kill[,] with evident premeditation, treachery[,] and abuse of superior strength, attack, assault, and employ personal violence upon said Joven Laurora y Rances, by[,] then and there[,] stabbing him several times in the body, thereby inflicting upon him serious and mortal wounds which were the direct and immediate cause of his untimely death, to the damage and prejudice of the heirs of the said victim.


CONTRARY TO LAW.

Accused-appellant pleaded not guilty, and thus, trial ensued.

#### Prosecution

The prosecution established that on October 12, 2012, at around 9:00 or 10:00 p.m., Raul Jayson (*Jayson*), Ryan Libo-on (*Libo-on*), and Jonathan Verdadero (*Verdadero*) were having a conversation in their house when two (2) persons asked them where the house of Kagawad Joven Laurora (*Laurora*) was located. They pointed to the house of Laurora, who was their neighbor. Thereafter, they closed the gate of their house and had a drinking spree.

The following day, at around 1:00 a.m., Jayson, Libo-on, and Verdadero heard someone shouting and moaning inside the house of Laurora. Verdadero went out of the house and saw somebody waving a flashlight inside Laurora's house, as if looking for something. This prompted him to call Jayson and Libo-on. They immediately went out of their house and was joined



by Francisco Villamor, Jr. (*Villamor*), another neighbor who was also stirred up from his sleep when he heard the shouting and moaning coming from Laurora's house. Verdadero then left to get help from the *barangay*.

While waiting if somebody would come out of the house of Laurora, Villamar, Jayson, and Libo-on heard someone washing inside the house, and they noticed that the water coming out therefrom was red in color. A few minutes later, a man wearing a black t-shirt and carrying a backpack, followed by another man wearing a green shirt and carrying a pair of shoes, came out of the house of Laurora. Libo-on and Jayson immediately ran after them unto the basketball court, and saw that the two were already on board a black Yamaha motorcycle. Luckily, Verdadero arrived with the *barangay tanod* and immediately accosted the two men.

Libo-on, Jayson, and Verdadero recognized the two as the same persons who asked them earlier about the location of Laurora's house. The man wearing black shirt was identified as the accused-appellant, while the one wearing green shirt was identified as CICL XXX. Recovered from their possession was a Jansport backpack containing several personal items owned by Laurora, *i.e.*, one (1) Acer laptop with charger, one (1) iPhone 4s with charger, one (1) Samsung Corby, black wallet containing his personal identification cards and credit cards, one (1) bottle of perfume, one (1) tin of baby powder, one (1) small black flashlight, one (1) ballpen, one (1) black coin purse containing Sixty-Two Pesos and Twenty-Five Centavos (₱62.25), and cash money of Twelve Thousand Five Hundred Sixty Pesos (₱12,560.00). Accused-appellant was further frisked and a screw driver was found in his possession.

Villamor then asked a certain Cora, Laurora's laundrywoman, to check on Laurora. When she returned, she told them that Laurora was killed. Cora also identified that the green shirt worn by CICL XXX belongs to Laurora.

Dr. Rhodney G. Rosario, the officer who conducted the autopsy on the body of Laurora, found that the latter's death was caused by the multiple stab wounds in the head, neck, trunk, and upper extremities of Laurora.<sup>4</sup>

### Defense

Both accused opted not to present evidence despite careful explanation of the RTC as to the possible consequences of their action and the possible impossible penalty.

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<sup>4</sup> Records, p. 25 (Dorsal side).





**Ruling of the RTC**

The trial court rendered judgment against the accused-appellant and CICL XXX. Its decision read –

WHEREFORE, premises considered, the court finds accused Jeffrey Lignes y Papillero and CICL XXX guilty beyond reasonable doubt of the crime of Robbery with Homicide[,] defined and penalized under Article [2]94 of the Revised Penal Code. Accused Lignes is sentenced to suffer the penalty of *reclusion perpetua* and to pay the cost.

In view of the minority of CICL XXX[,] and taking into consideration the Indeterminate Sentence Law, he is hereby sentenced to suffer the penalty of Eight (8) Years and One (1) Day of *prision mayor*[,] as minimum, to Twelve (12) Years and One (1) Day of *reclusion temporal*[,] as maximum, and to pay the cost.

Accused Lignes and CICL XXX are further ordered to jointly and severally pay the heirs of the victim Joven Laurora y Rances [the amount of] P177,742.00 as actual damages, P75,000.00 as moral damages[,] and P25,000.00 as exemplary damages.

Considering that CICL XXX was a minor at the time of the commission of the crime and [is] still below twenty-one (21) years of age, his sentence is hereby suspended. He is committed to the National Training School for Boys (NTSB), Sampaloc, Tanay, Rizal. The NTSB is directed to submit the corresponding report.

X X X X.

SO ORDERED.<sup>5</sup>

The trial court held that the prosecution was able to prove the guilt of the accused Lignes and CICL XXX of the offense charged beyond reasonable doubt through circumstantial evidence.

The circumstances established by the prosecution, all taken together are consistent with the hypothesis that accused Lignes and CICL XXX are guilty, and at the same time inconsistent with the hypothesis that they are innocent.

Aggrieved, accused Lignes filed an appeal before the Court of Appeals.

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<sup>5</sup> CA rollo, pp. 54-55.



### Ruling of the CA

In its Decision dated August 31, 2016, the CA denied Lignes's appeal and affirmed with modification the ruling of the trial court.

It held that the circumstantial evidence proven by the prosecution sufficiently established that the accused-appellant committed the offense charged, and that these circumstances make out an unbroken chain which leads to but one fair and reasonable conclusion which points to the accused-appellant and CICL XXX as the perpetrators of the crime, to the exclusion of all other conclusions.

Thus, the present appeal.

Before Us, both Lignes and the People manifested that they would no longer file their Supplemental Brief, taking into account the thorough and substantial discussions of the issues in their respective appeal briefs before the CA.<sup>6</sup>

### Issues

The accused-appellant Lignes raises the following issues:

1. Whether or not the court *a quo* gravely erred in convicting him of Robbery with Homicide based on circumstantial evidence; and
2. Whether or not the court *a quo* gravely erred in convicting him of Robbery with Homicide despite the prosecution's failure to prove his guilt beyond reasonable doubt.<sup>7</sup>

### Our Ruling

The appeal lacks merit.

Essentially, accused-appellant maintains that the prosecution's evidence failed to prove that he took Laurora's personal properties with violence or intimidation against a person and to establish with moral certainty that the killing was by reason of or on the occasion of the Robbery. He points

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<sup>6</sup> Rollo, pp. 21-30.

<sup>7</sup> CA rollo, p. 28.



out that the totality of evidence cannot be considered as an unbroken chain leading to the conclusion that he committed the crime charged.

We are not persuaded.

The crime for which appellant was charged and convicted was Robbery with Homicide. It is a special complex crime against property.<sup>8</sup> It exists when a homicide is committed either by reason, or on the occasion, of the robbery. In charging Robbery with Homicide, the *onus probandi* is to establish: (a) the taking of personal property with the use of violence or intimidation against a person; (b) the property belongs to another; (c) the taking is characterized with *animus lucrandi* or with intent to gain; and (d) on the occasion or by reason of the robbery, the crime of homicide, which is used in the generic sense, was committed.<sup>9</sup>

Admittedly, there was no direct evidence to establish appellant's commission of the crime charged. However, direct evidence is not the only matrix wherefrom a trial court may draw its conclusion and finding of guilt.<sup>10</sup> It is a settled rule that circumstantial evidence is sufficient to support a conviction, and that direct evidence is not always necessary. This Court has recognized the reality that in certain cases, due to the inherent attempt to conceal a crime, it is not always possible to obtain direct evidence.

The lack or absence of direct evidence does not necessarily mean that the guilt of the accused cannot be proved by evidence other than direct evidence. Direct evidence is not the sole means of establishing guilt beyond reasonable doubt, because circumstantial evidence, if sufficient, can supplant the absence of direct evidence.<sup>11</sup> The crime charged may also be proved by circumstantial evidence, sometimes referred to as indirect or presumptive evidence.<sup>12</sup> Circumstantial evidence has been defined as that which "goes to prove a fact or series of facts other than the facts in issue, which, if proved, may tend by inference to establish a fact in issue."<sup>13</sup>

The Rules of Court itself recognizes that circumstantial evidence is sufficient for conviction, under certain circumstances. Section 4, Rule 133 of the Rules of Court provides:

Sec. 4. *Circumstantial evidence, when sufficient.* –  
Circumstantial evidence is sufficient for conviction if:

(1) There is more than one circumstance;

<sup>8</sup> *People v. Arondain*, 418 Phil. 354, 362 (2001).

<sup>9</sup> *People v. Beriber*, 693 Phil. 629, 640-641 (2012).

<sup>10</sup> *Salvador v. People*, 581 Phil. 430, 439 (2008); *People v. Almoguerra*, 461 Phil. 340, 356 (2003)

<sup>11</sup> *People v. Caparas*, 471 Phil. 210, 221 (2004).

<sup>12</sup> *People v. Buntag*, 471 Phil. 82, 94 (2004).

<sup>13</sup> *People v. Modesto*, 134 Phil. 38, 43 (1968).

(2) The facts from which the inferences are derived are proven; and

(3) The combination of all the circumstances is such as to produce a conviction beyond a reasonable doubt.

Circumstantial evidence may be resorted to when to insist on direct testimony would ultimately lead to setting felons free.<sup>14</sup> The standard that should be observed by the courts in appreciating circumstantial evidence was extensively discussed in the case of *People v. Modesto*,<sup>15</sup> thus:

x x x No general rule can be laid down as to the quantity of circumstantial evidence which in any case will suffice. All the circumstances proved must be consistent with each other, consistent with the hypothesis that the accused is guilty, and at the same time inconsistent with the hypothesis that he is innocent, and with every other rational hypothesis except that of guilt.

It has been said, and we believe correctly, that the circumstances proved should constitute an unbroken chain which leads to one fair and reasonable conclusion which points to the accused, to the exclusion of all others, as the guilty person. From all the circumstances, there should be a combination of evidence which in the ordinary and natural course of things, leaves no room for reasonable doubt as to his guilt. Stated in another way, where the inculpatory facts and circumstances are capable of two or more explanations, one of which is consistent with innocence and the other with guilt, the evidence does not fulfill the test of moral certainty and is not sufficient to convict the accused.

In this case, We agree with the RTC, as affirmed by the CA, that the circumstantial evidence proven by the prosecution sufficiently established that appellant committed the offense charged.

Based on the records, the following circumstances were established by the prosecution:

*First.* On October 12, 2012, at around 9:00 or 10:00 p.m., Lignes and XXX asked Jayson, Verdadero, and Libo-on the location of Laurora's house;

*Second.* Lignes and XXX went to Laurora's house;

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<sup>14</sup> *Alvarez v. Court of Appeals*, 412 Phil. 137, 144 (2001).

<sup>15</sup> *Supra* note 13, at 44.



*Third.* At around 1 a.m., the following day, Jayson, Verdadero, and Libo-on, together with Villamor, heard the shouting and moaning from Laurora's house;

*Fourth.* Verdadero went out and noticed somebody waving a flashlight inside Laurora's house, as if looking for something;

*Fifth.* While they were waiting if somebody would come out of Laurora's house, the witnesses heard a faucet being opened, and they noticed that the water coming out of the drainage was brownish, as if mixed with blood (Lignes and XXX's body and hair were wet at the time they were captured);

*Sixth.* After a few moments, Lignes, wearing a black t-shirt and carrying a backpack, and followed by XXX, wearing a green shirt and carrying a pair of shoes, rushed out of Laurora's house;

*Seventh.* Laurora's personal belongings were recovered from the backpack that Lignes was carrying;

*Eighth.* Lignes was further frisked and a screw driver was found in his possession;

*Ninth.* Laurora's death was due to multiple stab wounds in her head, neck, trunk, and upper extremities; and


*Tenth.* Cora identified the green shirt worn by XXX as Laurora's.

The foregoing factual circumstances constitute evidence of weight and probative force. The peculiarity of circumstantial evidence is that the guilt of the accused cannot be deduced from scrutinizing just one particular piece of evidence. Circumstantial evidence is like a rope composed of many strands and cords. One strand might be insufficient, but five together may suffice to give it strength.<sup>16</sup> Thus, all evidentiary facts weaved together compels Us to conclude that the crime of Robbery with Homicide has been committed, and that the appellant cannot hide behind the veil of presumed innocence.

Furthermore, We note that both the trial court and the CA failed to take into account dwelling as an ordinary aggravating circumstance, despite the fact that the Information contains sufficient allegation to that effect:

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<sup>16</sup> *People v. Fernandez*, 460 Phil. 194, 213 (2003), citing *Francisco*, Evidence, 3rd Ed., citing *Reg. vs. Exall*, 4 F. & F. 922, 929.





x x x while complainant was inside his house at Block 7, Kaingin I, Brgy. Pansol, this City, accused x x x robbed and divested him of his following items x x x.

In *People v. Mesias*,<sup>17</sup> We held that “dwelling is not inherent in the crime of *Robbery with Homicide* and should be appreciated as an aggravating circumstance since the author thereof could have accomplished the heinous deed without having to violate the domicile of the victim.” Dwelling is aggravating because of the sanctity of privacy which the law accords to human abode. He who goes to another's house to hurt him or do him wrong is more guilty than he who offends him elsewhere.<sup>18</sup> Dwelling aggravates a felony where the crime is committed in the dwelling of the offended party provided that the latter has not given provocation therefor.<sup>19</sup>

Here, the prosecution established the fact that Robbery with Homicide was committed inside the victim's home, without provocation on the part of the latter. Hence, the trial court should have appreciated dwelling as an ordinary aggravating circumstance.

In view of the attendant ordinary aggravating circumstance, the Court must modify the penalty imposed on appellant. Robbery with Homicide is punishable by *reclusion perpetua* to death. Article 63 of the Revised Penal Code provides that in all cases in which the law prescribes a penalty composed of two indivisible penalties, and when in the commission of the deed there is present only one aggravating circumstance, the greater penalty shall be applied. Thus, with an ordinary aggravating circumstance of dwelling, the imposable penalty is death. However, pursuant to Republic Act No. 9346, which proscribed the imposition of the death penalty, the penalty to be imposed on appellant should be *reclusion perpetua*, without eligibility for parole.<sup>20</sup>

As regards the award of damages, the same must accordingly be modified. In *People v. Jugueta*,<sup>21</sup> We exhaustively explained that in the award of damages where the imposable penalty is *reclusion perpetua* to death, such as in a case involving Robbery with Homicide, the principal consideration is the penalty provided for by law or imposable for the offense because of its

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<sup>17</sup> 276 Phil. 21, 29 (1991).

<sup>18</sup> *People v. Agcanas*, 674 Phil. 626, 635 (2011).

<sup>19</sup> *People v. Evangelio*, 672 Phil. 229 (2011).

<sup>20</sup> Pursuant to A.M. No. 15-08-02-SC (*Guidelines for the proper use of the phrase “without eligibility for parole” in indivisible penalties*).

<sup>21</sup> 783 Phil. 708 (2016).

heinousness, not the public penalty actually imposed on the offender. In the case at bar, the crime was aggravated by dwelling, and the penalty to be imposed is death, but is reduced to *reclusion perpetua* because of Republic Act No. 9346. Thus, following *Jugueta*, the award of damages must be:

IV. For Special Complex Crimes like Robbery with Homicide x x x, where the penalty consists of indivisible penalties:

1.1 Where the penalty imposed is Death but reduced to *reclusion perpetua* because of R.A. 9346:

- a. Civil indemnity – ₱100,000.00
- b. Moral damages – ₱100,000.00
- c. Exemplary damages – ₱100,000.00

**WHEREFORE**, premises considered, the appeal is hereby **DENIED**. The Decision dated August 31, 2016 of the Court of Appeals in CA-G.R. CR-HC No. 07011 is hereby **AFFIRMED** with the following **MODIFICATIONS**:

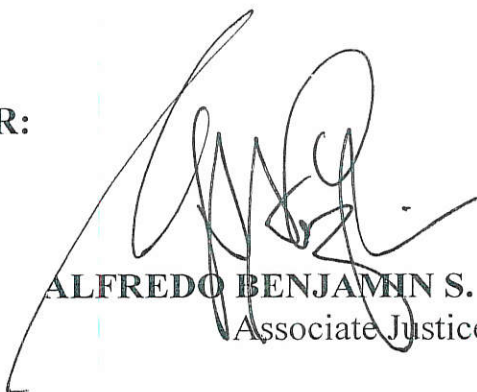
- (1) The Court finds accused-appellant Jeffrey Lignes y Papillero **GUILTY** beyond reasonable doubt of the crime of Robbery with Homicide under Article 294 of the Revised Penal Code, and is hereby sentenced to suffer the penalty of *reclusion perpetua* without eligibility for parole;
- (2) Accused-appellant Lignes is **FURTHER ORDERED** to **PAY** the heirs of Joven Laurora y Rances the following amounts: (a) ₱100,000.00 as civil indemnity; (b) ₱100,000.00 as moral damages, and (c) ₱100,000.00 as exemplary damages, in addition to the actual damages awarded by the trial court; and
- (3) Six percent (6%) interest *per annum* is imposed on all the amounts awarded, reckoned from the date of finality of this Decision until fully paid.

**SO ORDERED.**

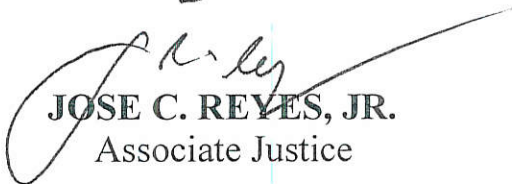
  
**DIOSDADO M. PERALTA**  
Chief Justice



**WE CONCUR:**



**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice



**JOSE C. REYES, JR.**  
Associate Justice



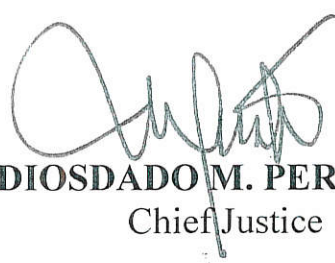
**AMY C. LAZARO-JAVIER**  
Associate Justice



**MARIO Y. LOPEZ**  
Associate Justice

**CERTIFICATION**

Pursuant to Section 13, Article VIII of the Constitution, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



**DIOSDADO M. PERALTA**  
Chief Justice