



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee,

G.R. No. 255750

Present:

LEONEN, *J.*, Chairperson,
LAZARO-JAVIER,
LOPEZ, M.,
LOPEZ, J., and
KHO, JR., *JJ.*

- versus -

DIANE ARGAYAN *y* OGNAYON
Accused-Appellant.

Promulgated:

JAN 30 2023

X-----X

DECISION

LOPEZ, J., J.

This Court resolves an Appeal¹ assailing the Decision² of the Court of Appeals (CA) in CA-G.R. CR HC No. 11369, which affirmed the Decision³ in Criminal Case No. 14-CR-10012 of the Regional Trial Court (RTC) finding accused-appellant Diane Argayan *y* Ognayon (*Diane*) guilty beyond reasonable doubt of the crime of parricide.

On July 7, 2014, an Information was filed charging Diane with parricide, which reads:

¹ *Rollo*, pp. 15–16; 18–19.

² *Id.* at 4–14. The CA September 24, 2020 Decision in CA-G.R. CR HC No. 11369 was penned by Associate Justice Nina G. Antonio-Valenzuela, and concurred in by Associate Justices Fernanda Lampas Peralta and Tita Marilyn B. Payoyo-Villordon of the Second Division, Court of Appeals, Manila.

³ *CA rollo*, pp. 38–46. The RTC May 10, 2018 Decision in Criminal Case No. 14-CR-10012 was penned by Judge Marietta S. Brawner-Cualing of Branch 9, First Judicial Region, La Trinidad, Benguet.

That on or about the 26th day of May, 2014 at Tiwitiw, Banangan, Municipality of Sablan, Province of Benguet, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, without any valid justification whatsoever, did then and there willfully, unlawfully and feloniously stab several times her daughter JEANA ROSE ARGAYAN MANGILI, a minor being 3 years 11 months of age at the time of the commission of the crime, on the different parts of her body, thereby inflicting upon her multiple stab wounds on her back and multiple hack wounds on her head which immediately cause[d] her death.

CONTRARY TO LAW.⁴

Upon arraignment, Diane pleaded not guilty to the crime charged.⁵ After pre-trial, trial on the merits followed.⁶

The version of the prosecution may be synthesized as follows:

On May 26, 2014, Raven Rhyzl Cha-ong (*Raven*), who was then six years of age, was at the house of her Lolo Harry. Her aunt Diane and the latter's three-year-old daughter, Jeana Rose Argayan Mangili (*Jeana*) whom she knows as Appi, were also present. After drinking coffee and eating, Raven went to harvest pechay at her lolo's garden located at the lower portion of the house. Diane followed not long after, leaving Jeana all by herself.⁷

When Raven went back to the house to soak the pechay she harvested in water, she saw Jeana by the door crying, with a knife embedded at her back and her clothes covered in blood. After she called her auntie to the house, Raven asked Jeana who did that to her. The latter answered that it was her mother who stabbed her. When she heard what Jeana said, Diane exclaimed, "[a]nya syak? (*What me?*)." Diane then removed the knife from Jeana's back, treated her wounds with *agua* and bathe her, doing all these while Jeana was crying. She also changed Jeana's clothes and washed them before putting Jeana to sleep. Diane then asked Raven to go to the garden.⁸

When Diane arrived moments later, she asked Raven to continue cleaning in the garden. Not long after, Diane asked Raven to go back to the house to check on Jeana as the dogs had started barking. When Raven reached the house, she saw Jeana lying face down on the kitchen floor, her head and back oozing with blood. Raven again called her Aunt Diane.⁹

⁴ Records, p. 1.

⁵ *Id.* at 80.

⁶ *Id.* at 148-150.

⁷ *Id.* at 5.

⁸ *Id.* at 5-6; 202.

⁹ *Id.* at 6.

When Diane arrived, she took a brown blanket, laid it on the floor, and covered Jeana with it. She was crying while doing this. Diane then swept the shards of glass scattered on the floor, chair and dining table. Thereafter, she called for two male persons.¹⁰

At around 2:00 p.m., Senior Police Officer I Nixon P. Banasen (*SPOI Banasen*) and Police Officer III Wilfredo P. Sabas (*PO3 Sabas*) of the Sablan Municipal Police Station proceeded to Tiwitiw, Banangan, Sablan, Benguet in response to a text message received by the former pertaining to an incident that took place at the residence of Harry. When they arrived, the police officers noticed broken bottles of alcoholic drinks scattered under a bench. Inside a room, they saw the body of a lifeless child wrapped in brown blanket with the back portion of her head exposed and showing several wounds. Diane was inside the room with another girl gathering clean laundry from the clothesline.¹¹

When the police officers approached Diane and asked her what happened, the latter narrated, in between sobs, that while she and Raven were harvesting pechay, she heard the dogs barking. At this, she sent Raven to the house to check if there was any problem. Shortly, her niece called for her, and when she got to the house, she saw Jeana, her daughter, slumped on the kitchen floor, her head and back covered with blood. PO3 Sabas then took photographs and prepared a sketch of the crime scene. The pieces of evidence gathered by the police officers were placed inside a brown envelope. Jeana was then brought to the hospital where she was declared dead on arrival.¹²

On the same day, the body of Jeana was autopsied by Police Superintendent Jaime Rodrigo Leal (*Dr. Leal*), medico legal officer of the Philippine National Police Crime Laboratory. His medico-legal report¹³ revealed that Jeana sustained six hack wounds at the back of the head, all of which were fatal as they caused bleeding in the brain. She also sustained seven stab wounds at the back, one of which caused laceration on her left lung. The cause of death was found to be hemorrhagic shock secondary to multiple stab wounds at the back and multiple hack wounds at the head, which were likely caused by a bladed weapon.¹⁴

The following day, the police officers went back to the crime scene with Raven where she narrated what happened the previous day. She described the knife she saw embedded on Jeana's back as the kitchen knife with black handle that they used in the kitchen. Her narration was reduced into a sworn

¹⁰ *Id.*

¹¹ *Id.* at 3.

¹² *Id.* at 3-4; 23-68.

¹³ *Id.* at 17-19. Medico-Legal Report No. BSD-050-14.

¹⁴ *Id.* at 212-214.

statement¹⁵ executed in the presence and with the assistance of Girlie O. Willie (*Girlie*), Social Welfare Officer I of the Municipality of Sablan, Benguet.¹⁶

Diane waived her right to present evidence for her defense.¹⁷

In its Decision,¹⁸ the RTC found Diane guilty beyond reasonable doubt of parricide. It held that the prosecution was able to sufficiently prove all the elements of the crime charged. It gave full credence to the testimony of Raven, not only because she never wavered in stating that the victim told her that it was Diane who stabbed her, but also because she was able to identify the weapon used to kill Jeana. Raven's testimony was also consistent with the medico-legal report of Dr. Leal that the victim's injuries were caused by a bladed weapon.¹⁹

Even if the defense did not present any evidence on Diane's mental state, the RTC nonetheless proceeded to evaluate the same and held that Diane was of sound mind before, during and after she killed Jeana. In holding that Diane was sane and must be held accountable for her crimes, the RTC took into account that she managed to make up a story of another person's involvement in order to cover up her crime; never showed any concern for her child when she saw her with a knife embedded at her back and bloodied; and admitted to the social worker, Girlie, that it was she who killed Jeana.²⁰ Thus, the RTC disposed as follows:

WHEREFORE, from the foregoing, there being proof beyond reasonable doubt that accused DIANE ARGAYAN y OGNAYON committed the crime of parricide, she is hereby found GUILTY thereof. There being no mitigating or aggravating circumstance present in this case, she is hereby imposed the penalty of *Reclusion Perpetua*.

She is likewise directed to pay to the heirs of JEANA ROSE ARGAYAN MANGILI, civil indemnity, moral damages and exemplary damages in the amount of Php75,000.00 each. These damages shall incur interest at the rate of six percent (6%) per annum from the time of finality of this decision until fully paid.

SO ORDERED.²¹

On appeal, Diane contended that the RTC erred in convicting her of parricide since the prosecution failed to prove that she was the one responsible for the death of Jeana. She pointed out that none of the prosecution witnesses saw her in the act of killing her child. In fact, she was with Raven at the

¹⁵ *Id.* at 5-7.

¹⁶ *Id.* at 4, 7.

¹⁷ *Id.* at 241.

¹⁸ *CA rollo*, pp. 38-46.

¹⁹ *Id.* at 42-43.

²⁰ *Id.* at 43-44.

²¹ *Id.* at 45-46.

pechay garden immediately before Raven went back to the house and found Jeana dead, making it improbable for her to be the perpetrator of the crime. Also, her alleged admission of guilt was inadmissible in evidence as it was not made in writing.²²

The People of the Philippines, through the Office of the Solicitor General, countered that all the elements of the crime charged had been shown to exist and the credible testimony of Raven indubitably established that Diane was the one responsible for the brutal killing of Jeana. Aside from positively identifying Diane as the person who killed Jeana, Raven's testimony was also consistent with the medico-legal findings that the victim died due to hemorrhagic shock secondary to multiple hack wounds at the head caused by a bladed weapon. Moreover, Diane's admission of guilt was admissible in evidence pursuant to Section 26, Rule 130 of the Rules of Court as it was freely and voluntarily made.²³

In its assailed Decision,²⁴ the CA sustained the conviction of Diane for parricide after finding that all the elements of the crime charged had been duly proved. It also explained that while none of the prosecution witnesses saw the actual killing of the victim, the totality of their testimonies showed that Diane was the one responsible for the crime. It held:

[W]hen Raven asked the victim Jeana who stabbed her in the back, the victim Jeana answered "*ni mama ngamin isu na nang kabil*" (mama put it); the appellant Diane did not exert any effort to bring the victim Jeana to the hospital when she first saw the victim Jeana with a knife embedded in the victim Jeana's back, and, instead, removed the knife, treated the victim Jeana, bathed the victim Jeana, washed the victim Jeana's bloodstained clothes, and then put the victim Jeana to sleep; Raven positively identified the appellant Diane as the last person seen with the victim Jeana when the victim Jeana was alive; when the appellant Diane discovered the bloodied body of her daughter the victim Jeana, the appellant Diane merely covered the victim Jeana's body with a blanket, cleaned the broken bottle on the floor, and called Jaime and Dennis; the appellant Diane admitted to Social Welfare Officer Girlie that she (the appellant Diane) killed her daughter the victim Jeana; Dr. Leal testified that the cause of death of the victim Jeana as "Hemorrhage secondary to Multiple Stab Wounds, Back and Multiple Hacked Wounds, Head."²⁵

The CA added that while the testimony of Girlie as regards Diane's admission cannot serve as proof that Diane extrajudicially confessed to the killing of Jeana since the same was not in writing, the RTC correctly gave weight to her testimony on such matter as corroborative evidence on the commission of the crime charged. It further clarified that the testimony of Girlie as to the admission of Diane was in the nature of an independently

²² *Id.* at 30–33.

²³ *Id.* at 61–67.

²⁴ *Rollo*, pp. 4–14.

²⁵ *Id.* at 11.

relevant statement where only the fact that such statement was made is relevant, and the truth or falsity thereof is immaterial.²⁶

The CA likewise sustained the penalty imposed on Diane by the RTC for being consistent with prevailing jurisprudence.²⁷ The dispositive portion of the CA Decision reads:

ACCORDINGLY, we DISMISS the appeal, and AFFIRM the Decision dated 10 May 2018 issued by the Regional Trial Court, Branch 9, La Trinidad, Benguet, in Criminal Case No. 14-CR-10012.

SO ORDERED.²⁸

The sole issue in this case is whether the CA erred in affirming the conviction of Diane for the crime of parricide.

This Court's Ruling

This Court finds no merit in the Appeal.

Article 246 of the Revised Penal Code defines the crime of parricide as follows:

Art. 246. Parricide. — Any person who shall kill his father, mother, or child, whether legitimate or illegitimate, or any of his ascendants, or descendants, or his spouse, shall be guilty of parricide and shall be punished by the penalty of *reclusion perpetua* to death.

To be liable for the crime of parricide, the following elements must be established: (1) a person is killed; (2) the accused is the killer; and (3) the deceased is either the legitimate spouse of the accused, or any legitimate or illegitimate parent, child, ascendant or descendant of the accused.²⁹

The first and third elements of the crime charged are beyond dispute. The death of Jeana has been established by Medico-Legal Report No. BSD-050-14,³⁰ Jeana's certificate of death,³¹ the testimony of Dr. Leal,³² as well as the photographs³³ of the lifeless body of the victim. The certificate of live

²⁶ *Id.* at 12–13.

²⁷ *Id.* at 13.

²⁸ *Id.*

²⁹ *People v. Delos Santos, Jr.*, G.R. No. 248929, November 9, 2020 [Per J. Lazaro-Javier, Second Division] at 5. This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website. (Citation omitted)

³⁰ Records, pp. 17–19.

³¹ *Id.* at 22, including dorsal side.

³² *Id.* at 209–215.

³³ *Id.* at 25–28; 55–65.

birth³⁴ of Jeana also shows that Diane is her mother. Moreover, Diane admitted to the fact of death of Jeana as well as their filial relationship during the pre-trial conference of the case.³⁵ Hence, only the second element remains in issue.

Diane contends that the prosecution failed to prove that she was responsible for the death of Jeana as there is absence of direct evidence pointing to her as the perpetrator of the crime. According to her, since there was no witness who actually saw that she was the one who killed Jeana, her acquittal is in order.

Diane's argument fails to persuade. The prosecution has sufficiently proved that Diane killed Jeana.

One. Diane extrajudicially confessed killing Jeana. Girlie testified that she and another social worker visited Diane on several occasions to provide her counselling as the latter had been asking for moral support. In one of her visits, Girlie averred that Diane admitted killing Jeana. The pertinent portions of Girlie's testimony are reproduced below:

PROS. PATARAS:

- Q. Aside from assisting Raven in the taking of her statement, what else did you do in this case?
- A. During that time, we also visited Ms. Diane, since she always asked for moral support and at the same time we give her some advice and the other Social Worker, sir, and likewise, we keep on visiting, talking with the parents of the child, of Raven, sir.

That would be all, you honor.

COURT ON CLARIFICATORY QUESTIONS:

Just a few questions.

- Q. You saw Diane after the incident?
- A. Your Honor, last 2014.
- Q. After the incident?
- A. No[,] your honor, it was the police person who went to the site.
- Q. At what time did you see Diane?
- A. The following day, your honor.
- Q. She appeared to be in her right senses at the time you saw her?
- A. Your honor, she was then crying and cannot speak, cannot talk clearly, she keeps on crying and at that time we keep on pacifying her.

³⁴ *Id.* at 20–21.

³⁵ *Id.* at 148–150.

- Q. So, she was aware of what she did?
A. After how many days that she admitted, because she keeps on crying and she had also been fainting in the office, but her sister and her brother-in-law was there also.
- Q. So that was only what you notice[d] of Diane?
A. Yes[,] your honor, but after [some time] she admitted when she came from the province[,] and they came back.
- Q. She admitted what she did?
A. Yes, your honor.³⁶

For an extrajudicial confession to be admissible, the same must conform to the requirements provided under Section 12, Article III of the Constitution, which states:

Section 12. (1) Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel.

(2) No torture, force, violence, threat, intimidation or any other means which vitiate the free will shall be used against him. Secret detention places, solitary, incommunicado or other similar forms of detention are prohibited.

(3) Any confession or admission obtained in violation of this or Section 17 hereof shall be inadmissible in evidence against him.

(4) The law shall provide for penal and civil sanctions for violations of this Section as well as compensation to and rehabilitation of victims of torture or similar practices, and their families.

To strengthen the constitutional edict protecting the rights of persons arrested, detained or under custodial investigation, Republic Act No. 7438³⁷ was enacted. The same law also provides the requirements for a valid extrajudicial confession. Its pertinent provisions read:

Section 2. Rights of Persons Arrested, Detained or Under Custodial Investigation; Duties of Public Officers. –

(a) Any person arrested, detained or under custodial investigation shall at all times be assisted by counsel.

³⁶ TSN, December 5, 2017, pp. 4–5.

³⁷ AN ACT DEFINING CERTAIN RIGHTS OF PERSON ARRESTED, DETAINED OR UNDER CUSTODIAL INVESTIGATION AS WELL AS THE DUTIES OF THE ARRESTING, DETAINING AND INVESTIGATING OFFICERS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF; APPROVED ON APRIL 27, 1992.

(b) Any public officer or employee, or anyone acting under his order or in his place, who arrests, detains or investigates any person for the commission of an offense shall inform the latter, in a language known to and understood by him, of his rights to remain silent and to have competent and independent counsel, preferably of his own choice, who shall at all times be allowed to confer privately with the person arrested, detained or under custodial investigation. If such person cannot afford the services of his own counsel, he must be provided with a competent and independent counsel by the investigating officer.

(c) The custodial investigation report shall be reduced to writing by the investigating officer, provided that before such report is signed, or thumbmarked if the person arrested or detained does not know how to read and write, it shall be read and adequately explained to him by his counsel or by the assisting counsel provided by the investigating officer in the language or dialect known to such arrested or detained person, otherwise, such investigation report shall be null and void and of no effect whatsoever.

(d) Any extrajudicial confession made by a person arrested, detained or under custodial investigation shall be in writing and signed by such person in the presence of his counsel or in the latter's absence, upon a valid waiver, and in the presence of any of the parents, elder brothers and sisters, his spouse, the municipal mayor, the municipal judge, district school supervisor, or priest or minister of the gospel as chosen by him; otherwise, such extrajudicial confession shall be inadmissible as evidence in any proceeding.

(e) Any waiver by a person arrested or detained under the provisions of Article 125 of the Revised Penal Code, or under custodial investigation, shall be in writing and signed by such person in the presence of his counsel; otherwise, the waiver shall be null and void and of no effect.

(f) Any person arrested or detained or under custodial investigation shall be allowed visits by or conferences with any member of his immediate family, or any medical doctor or priest or religious minister chosen by him or by any member of his immediate family or by his counsel, or by any national nongovernmental organization duly accredited by the Commission on Human Rights or by any international nongovernmental organization duly accredited by the Office of the President. The person's "immediate family" shall include his or her spouse, fiancé or fiancée, parent or child, brother or sister, grandparent or grandchild, uncle or aunt, nephew or niece, and guardian or ward[.]

In *People v. Agustin*,³⁸ this Court provided the guidelines for a valid extrajudicial confession:

To be acceptable, extrajudicial confession must conform to the constitutional requirements. An extrajudicial confession is not valid and inadmissible in evidence when the same is obtained in violation of any of the following rights of an accused during custodial investigation: (1) to

³⁸ G.R. No. 247718, March 3, 2021 [Per C.J. Peralta, First Division]. (Citation omitted)

remain silent, (2) to have an independent and competent counsel preferably of his choice, (3) to be provided with such counsel, if unable to secure one, (4) to be assisted by one in case of waiver, which should be in writing, of the foregoing, and (5) to be informed of all such rights and of the fact that anything he says can and will be used against him.³⁹

In *People v. Marra*,⁴⁰ this Court defined custodial investigation as follows:

Custodial investigation involves any questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way. It is only after the investigation ceases to be a general inquiry into an unsolved crime and begins to focus on a particular suspect, the suspect is taken into custody, and the police carries out a process of interrogations that lends itself to eliciting incriminating statements that the rule begins to operate.⁴¹

Applying the foregoing jurisprudential principles, the safeguards that must be observed under Section 12, paragraphs 1 and 3, Article III of the Constitution clearly do not find application in Diane's uncounseled confession inasmuch as the same was: (1) made of her own volition, (2) not made while she was under custodial investigation, and (3) not given in response to any interrogation.⁴² In *People v. Andan*,⁴³ this Court declared as admissible the confession Andan made before the mayor even though he was not assisted by his counsel as it was not made in response to any interrogation. In that case, Andan was the one who approached the mayor, requested for a private talk, and confessed to him as a confidant.⁴⁴ Akin to *Andan*, Diane was also the one who sought out Girlie for moral support, and in one of their talks admitted her crime. Girlie did not have any inkling that Diane would confess. There is also absence of evidence that she coerced Diane into admitting her crime or interrogated her on behalf of the police authorities which compelled her to confess.

It must be stressed that the constitutional procedure on custodial investigation finds no application to an extemporaneous statement, not educed through interrogation by authorities, but given in an ordinary manner where the appellant orally admitted having committed the crime. What the Constitution abhors is the forced disclosure of incriminating facts or confessions. The rights enumerated under Section 12 are guaranteed to debar the slightest use of coercion by the State as would lead the accused to admit something false, not to prevent him or her from freely and voluntarily disclosing the truth.⁴⁵

³⁹ *Id.* at 9. This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website.

⁴⁰ 306 Phil. 586 (1994) [Per J. Regalado, Second Division].

⁴¹ *Id.* at 594. (Citation omitted)

⁴² See *People v. Guting*, 769 Phil. 538, 548-549 (2015) [Per J. Leonardo-De Castro, First Division].

⁴³ 336 Phil. 91 (1997) [Per Curiam, *En Banc*].

⁴⁴ *Id.* at 105.

⁴⁵ *Id.* at 106. (Citations omitted)

Two. A confession made outside of court proceedings is not sufficient for conviction unless accompanied by evidence of the *corpus delicti*.⁴⁶ This is clearly provided under Section 3,⁴⁷ Rule 133 of the Rules of Court.

Corpus delicti is the body, foundation or substance of a crime, and which refers to the fact of the commission of the crime, not the physical body of the deceased.⁴⁸ Jurisprudence explains that in order to prove *corpus delicti*, “it is sufficient for the prosecution to be able to show that (1) a certain fact has been proven—say, a person has died or a building has been burned; and (2) a particular person is criminally responsible for the act.”⁴⁹

Section 3, Rule 133 does not require that each and every element of the crime charged must be incontrovertibly established by independent evidence apart from the confession. It only means that there must be some evidence tending to show the commission of the crime other than the confession. Otherwise, utility of the confession as a species of proof would vanish if it would still be necessary, in addition to the confession, to proffer other evidence sufficient to justify conviction independently of such confession. Stated otherwise, the other pieces of evidence need not, independently of the confession, establish the *corpus delicti* beyond reasonable doubt.⁵⁰

In the case at bench, the prosecution was able to sufficiently corroborate the extrajudicial confession of Diane that she committed the crime charged with evidence of the *corpus delicti*. As discussed earlier, the fact of Jeana’s death has been established by the unrebutted evidence consisting of her death certificate, Medico-Legal Report No. BSD-050-14, testimony of Dr. Leal, as well as the photos of her dead body. As such, Diane’s conviction for parricide must perforce stand.

Three. Diane’s culpability was proven by circumstantial evidence.

Time and again, this Court has held that “direct evidence is not the only matrix wherefrom a trial court may draw its conclusion and finding of guilt. The rules of evidence allows a [RTC] to rely on circumstantial evidence to support its conclusion of guilt.”⁵¹

⁴⁶ *People v. Suarez*, 334 Phil. 779, 796 (1997) [Per J. Regalado, Second Division].

⁴⁷ Sec. 3. Extrajudicial confession, not sufficient ground for conviction. — An extrajudicial confession made by an accused, shall not be sufficient ground for conviction, unless corroborated by evidence of corpus delicti.

⁴⁸ *People v. Bacares*, G.R. No. 243024, June 23, 2020 [Per C.J. Peralta, First Division].

⁴⁹ *People v. Yanson*, G.R. No. 238453, July 31, 2019, 912 SCRA 1, 33 [Per J. Leonen, Third Division].

⁵⁰ *People v. Barlis*, 301 Phil. 433, 450 (1994) [Per J. Davide, Jr., First Division].

⁵¹ *People v. Quitola*, 790 Phil. 75, 87 (2016) [Per J. Perez, Third Division]. (Citation omitted)

Circumstantial evidence consists of “proof of collateral facts and circumstances from which the main fact in issue may be inferred based on reason and common experience.”⁵² A valid conviction may rest on circumstantial evidence so long as the proven circumstances constitute an unbroken chain leading to one fair reasonable conclusion pointing to the accused, to the exclusion of all others, as the guilty person.⁵³

Section 4, Rule 133 of the Rules of Court enumerates the requisites that should be established to sustain a conviction based on circumstantial evidence, thus:

Section 4. Circumstantial evidence, when sufficient. — Circumstantial evidence is sufficient for conviction if:

- (a) There is more than one circumstance:
- (b) The facts from which the inferences are derived are proven; and
- (c) The combination of all the circumstances is such as to produce a conviction beyond reasonable doubt.

Here, while no one saw Diane in the act of killing Jeana, the prosecution was able to show set of circumstances, which, when taken together, all point to Diane as the one responsible for her death. These circumstances can be gathered from the uncontroverted declarations of Raven.

First, at the time of the incident in question, only Raven, Diane and Jeana were at Lolo Harry’s house.⁵⁴

Second, Jeana was left all alone with Diane when Raven went to the garden to gather pechay.⁵⁵

Third, when Raven went back to the house to soak the pechay she harvested in water, she saw Jeana crying, with a knife embedded on her back and bloodied.⁵⁶

Fourth, when Raven asked Jeana who stabbed her, the latter answered that it was her mother.⁵⁷

⁵² *People v. Juare*, G.R. No. 234519, June 22, 2020 [Per J. Inting, Second Division]. (Citation omitted)

⁵³ *Id.* (Citation omitted)

⁵⁴ Records, pp. 5, 7.

⁵⁵ *Id.* at 5.

⁵⁶ *Id.* at 5–6.

⁵⁷ *Id.* at 6.

Fifth, Diane did not refute Jeana's declaration. She only said, "[a]nya syak? (What, me?)."⁵⁸

Sixth, after removing the knife from Jeana's back, cleaning her wound, bathing her and putting her to sleep, Diane asked Raven to go to the garden. Jeana, again, was left all alone with Diane.⁵⁹

Seventh, Raven noticed blood on Diane's feet when she followed her to the pechay garden.⁶⁰

Eighth, when Raven went back to the house to check on Jeana, she found her lifeless, with blood flowing out of her head and back.⁶¹

It is worthy to note that the RTC found the testimony of Raven credible. The CA likewise found nothing questionable in Raven's declarations. This Court has consistently held that the findings of the trial court on the credibility of witnesses, when affirmed by the appellate court are generally binding and conclusive upon this Court.⁶² Absent any showing that the RTC and the CA overlooked, misapprehended, or misapplied any fact or circumstance of weight and substance, this Court will not disturb such courts' findings on the matter.⁶³

All told, the CA did not err in affirming the conviction of Diane for parricide. Absent any modifying circumstances, she was properly sentenced to *reclusion perpetua*.

Pursuant to *People v. Jugueta*,⁶⁴ the CA likewise aptly affirmed the award to the heirs of the victim of civil indemnity, moral damages and exemplary damages in the amount of PHP 75,000.00 each. In accordance with prevailing jurisprudence, temperate damages in the amount of PHP 50,000.00 is also granted since it cannot be denied that the heirs of the victim suffered pecuniary loss although the exact amount had not been proved.⁶⁵ These amounts shall earn six percent (6%) interest *per annum* from the finality of this decision until fully paid.

⁵⁸ *Id.*

⁵⁹ *Id.* at 6, 202.

⁶⁰ *Id.* at 6.

⁶¹ *Id.* at 6, 203.

⁶² *Labosta v. People*, G.R. No. 243926, June 23, 2020 [Per J. J. Reyes, Jr., First Division].

⁶³ *People v. Agalot*, 826 Phil. 541, 550 (2018) [Per J. Martires, Third Division].

⁶⁴ 783 Phi. 806 (2016).

⁶⁵ *People v. Delos Santos, Jr.*, G.R. No. 248929, November 9, 2020 [Per J. Lazaro-Javier, Second Division] at 9. This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website (Citation omitted)

ACCORDINGLY, the Appeal is **DISMISSED**. The Decision dated September 24, 2020 of the Court of Appeals in CA-G.R. CR HC No. 11369, finding appellant Diane Argayan y Ognayon guilty beyond reasonable doubt of the crime of parricide, is **AFFIRMED** with **MODIFICATION** in that appellant Diane Argayan y Ognayon is sentenced to suffer the penalty of *reclusion perpetua*, and **ORDERED** to **PAY** the heirs of the victim Jeana Rose Argayan Mangili PHP 75,000.00 as civil indemnity; PHP 75,000.00 as moral damages; PHP 75,000.00 as exemplary damages; and PHP 50,000.00 as temperate damages. All damages awarded shall be subject to six percent (6%) interest *per annum* to be computed from the date of finality of this Decision until fully paid.

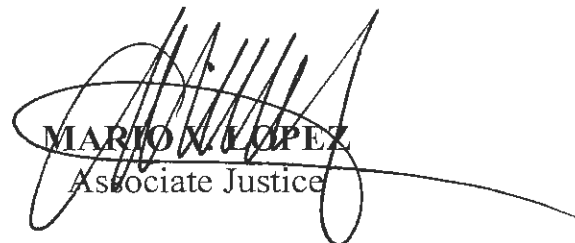
SO ORDERED.


JHOSEPH LOPEZ
 Associate Justice

WE CONCUR:


MARVIC MV.F. LEONEN
 Senior Associate Justice
 Chairperson

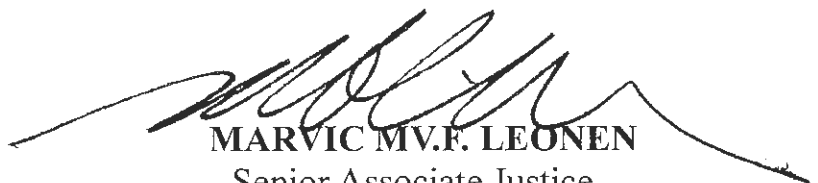

AMY C. LAZARO-JAVIER
 Associate Justice


MARIO N. LOPEZ
 Associate Justice


ANTONIO T. KHO, JR.
 Associate Justice

ATTESTATION

I attest 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.


MARVIC MV.F. LEONEN
 Senior Associate Justice
 Chairperson, Second Division

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, and the Division Chairperson's Attestation, 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.


ALEXANDER G. GESMUNDO
Chief Justice