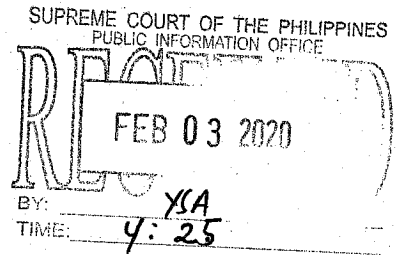




Republic of the Philippines  
Supreme Court  
Manila



FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **December 5, 2019** which reads as follows:*

**“G.R. No. 245396 - *People of the Philippines v. Dexter Louie Armonio Denila***

This is an appeal from the November 29, 2018 Decision<sup>1</sup> of the Court of Appeals in CA-G.R. CR-HC No. 02121 which affirmed with modification the July 22, 2015 Decision<sup>2</sup> of the Regional Trial Court, Branch 27, Lapu-Lapu City (RTC) in Criminal Case No. R-LLP-12-06981-CR finding accused-appellant Dexter Louie Armonio Denila (accused-appellant) guilty of parricide.

**The Facts**

In an Information, dated March 28, 2012, accused-appellant was charged as follows:

That on or about the 26<sup>th</sup> day of March 2012, more or less 2:45 o'clock dawn, in Block 5, Lot 24, Edison St., St. Dominique Subdivision, Sudtongan, Barangay Basak, Lapu-Lapu City, Philippines, the said accused, did, then and there willfully, unlawfully and feloniously, with intent to kill, stab KOTOKA KAJII DENILA, a Japanese National, with the use of a kitchen knife, hitting her at the different parts of her body, the latter being his legitimate wife, thereby inflicting upon her multiple stab wounds which caused her death shortly thereafter.

CONTRARY TO LAW.<sup>3</sup>

- over – seven (7) pages ...

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<sup>1</sup> Penned by Associate Justice Dorothy P. Montejo-Gonzaga, with Associate Justices Gabriel T. Ingles and Emily R. Alifio-Geluz, concurring; *rollo*, pp. 5-21.

<sup>2</sup> Penned by Judge Toribio S. Quiwag; *CA rollo*, pp. 49-59.

<sup>3</sup> *CA rollo*, p. 49.

Upon arraignment, accused-appellant pleaded not guilty to the charge.

*Version of the Prosecution*

The prosecution presented the following witnesses, namely: 1) Jupel Baldosano (Baldosano), the house helper of spouses Denila; 2) Franco Cedro (Cedro); 3) SPO1 Manolito Abellanosa (SPO1 Abellanosa), one of the police officers who responded to the report of the stabbing incident and who later on, apprehended accused-appellant; 4) PCI Dr. Joe Martin Fuentes (PCI Dr. Fuentes); 5) PSI Oliver Lariosa, the medico-legal officer who conducted the autopsy on the victim; 6) P/Insp. Zenaide Pastorfide, Jr.; and 7) Atty. Louella A. Matsumoto.

Baldosano narrated that on March 26, 2012, at about 2:45 in the morning, the victim, Kotoka Kajii Denila (Kotoka), woke him up and instructed him not to open the door of the house because she did not want accused-appellant to come in. After a few minutes, he noticed that Kotoka opened the door of the house and he saw accused-appellant entered. Thereafter, Kotoka proceeded to the master's bedroom while accused-appellant went to the kitchen. Afterwards, accused-appellant went to the master's bedroom. Then, Baldosano heard Kotoka screaming for help. He saw accused-appellant grabbing Kotoka's hair and repeatedly stabbing Kotoka with a knife on the different parts of her body. He ran outside the house to ask for help, but no one came to his aid. He then decided to go back to the house. At that moment, he saw accused-appellant, who was holding a bloodied knife, came out of the house. Baldosano went straight to the master's bedroom. He took the spouses' child and carried her outside the house. Again, he shouted for help. This time, one of their neighbors' helped them and called for the police.<sup>4</sup>

Cedro testified that on March 25, 2012, at about 11:00 p.m., he was having a drinking session with accused-appellant and two other friends at the adjacent portion of the spouses' house. After a few hours, he accompanied accused-appellant towards the latter's house. Accused-appellant knocked on the door. At first, Kotoka refused to open the door but she eventually yielded and opened the same. When accused-appellant went inside, Cedro returned to his companions to continue their drinking session. Minutes later, he and his companions heard a woman screaming for help. However, they did not pay attention to it because they thought that the spouses were just having a

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<sup>4</sup> Id. at 50-51.

fight. Thereafter, Baldosano ran outside the house and asked for help. He told them that accused-appellant stabbed Kotoka. After a few seconds, Cedro and his companions saw accused-appellant leaving the house and heading towards the gate of St. Dominique Place.<sup>5</sup>

SPO1 Abellanosa recounted that he, SPO1 Manuel Pasadoble and SPO1 Allan Pantaleon, responded to a report about a stabbing incident. They went to the spouses' house where they observed Kotoka's lifeless body lying on her back on the floor. After interviewing Baldosano, they conducted a hot pursuit operation. Consequently, they arrested accused-appellant. Upon arrest, they noticed blood stains on accused-appellant's shirt and short pants. They took possession of accused-appellant's clothes and submitted them to the Regional Crime Laboratory.<sup>6</sup>

PCI Dr. Fuentes conducted the post-mortem examination on Kotoka. He identified the Autopsy Report stating that the cause of Kotoka's death was multiple stab wounds. He testified that out of the six stab wounds, five of which were fatal.<sup>7</sup>

#### *Version of the Defense*

Accused-appellant averred that on March 26, 2012, at around 2:00 a.m., he arrived at his house. Thereat, he saw his wife Kotoka being stabbed by Ruel Ceniza (Ceniza), the spouses' former house helper. According to accused-appellant, Kotoka terminated Ceniza because the former found out that the latter stole money from them. Accused-appellant, who was being chased by Ceniza with a knife, ran towards the other room where he hid for about 10 minutes. Afterwards, he ran outside the room, took the iron brace of the television, entered their bedroom and saw his bloodied wife on the floor. He then hugged his wife. At this moment, Baldosano came in and offered to go to the guard house to ask for help. When nobody arrived, he decided to go out to look for a vehicle to bring his wife to the hospital. When he was outside the house, he saw his neighbor riding a motorcycle while being followed by a patrol car and mediamen. He was then arrested for killing his wife.<sup>8</sup>

#### *The Regional Trial Court's Ruling*

In a Decision, dated July 22, 2015, the RTC found accused-appellant guilty of parricide. It ruled that the accused-appellant's

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<sup>5</sup> Id. at 51-52.

<sup>6</sup> Id. at 52-53.

<sup>7</sup> Id. at 54.

<sup>8</sup> Id.

denial could not prevail over the witnesses' unwavering and positive testimonies. The trial court noted that Baldosano testified on his account of the crime in a coherent and forthright manner and that there was no motive for him to concoct such story and no doubt was raised as to his credibility. The *fallo* reads:

**WHEREFORE**, premises considered, accused **DEXTER LOUIE ARMONIO DENILA** is hereby found **guilty beyond reasonable doubt** of the crime of **parricide** under Art. 246 of the Revised Penal Code.

The said accused is hereby sentenced the penalty of [*reclusion*] [*perpetua*]. He is ordered to pay the parents of the victim, spouses Yasuo Kajii and Yuko Kajii the amount of **Five Hundred Forty-Seven Thousand, One Hundred Eighty-Six Pesos and Fifty Centavos (₱547,186.50)** Philippine currency, as **actual damages**; **Seventy-Five Thousand Pesos (₱75,000.00)** Philippine currency for **civil indemnity *ex delicto***; **Seventy-Five Thousand (₱75,000.00)** Philippine currency for moral damages; and **Thirty Thousand (₱30,000.00)** Philippine currency as **exemplary damages**.

SO ORDERED.<sup>9</sup>

Aggrieved, accused-appellant elevated an appeal before the CA.

#### *The Court of Appeals' Ruling*

In a Decision, dated November 29, 2018, the CA affirmed the conviction of accused-appellant. It opined that accused-appellant's emphasis on the fact that the prosecution's eyewitness Baldosano failed to mention any prior marital altercation that happened before the stabbing of the victim which could have established his reason to kill his wife, is devoid of merit and unnecessary. The CA held that the motive of the accused in a criminal case is immaterial and does not have to be proven. It added that the testimony of a lone witness if found by the trial court to be positive, categorical and credible, is sufficient to support a conviction. Thus, it disposed the case in this wise:

\* **WHEREFORE**, the appeal is **DENIED** for lack of merit. The Decision dated July 22, 2015 of the Regional Trial Court, 7<sup>th</sup> Judicial Region, Branch 27, Lapu-Lapu City, in Criminal Case No. R-LLP-12-06981-CR, is hereby **AFFIRMED with the MODIFICATION**. The accused-appellant is **ORDERED** to pay the heirs of the victim the following amounts: [PhP] 75,000.00 as civil indemnity, [PhP] 75,000.00 as moral damages,

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<sup>9</sup> Id. at 59.

[PhP]75,000.00 as exemplary damages, and [PhP] 405,634:86 as actual damages. He is likewise directed to pay interest on all monetary awards for damages at the rate of six percent (6%) [per annum] from the date of finality of this [Decision] until fully satisfied.

Furthermore, the accused-appellant's immediate commitment to the New Bilibid Prison in Muntinlupa City, Metro Manila, is hereby **ORDERED**.

**SO ORDERED.**<sup>10</sup> (Emphasis in the original)

Hence, this appeal.

### Issue

Whether the guilt of accused-appellant for parricide has been proven beyond reasonable doubt.

### The Court's Ruling

The appeal is denied.

Parricide is committed when: (1) a person is killed; (2) the deceased is killed by the accused; (3) the deceased is the father, mother, or child, whether legitimate or illegitimate, or a legitimate other ascendant or other descendant, or the legitimate spouse of accused.<sup>11</sup> In the instant case, all the elements of the crime were clearly and sufficiently proved beyond reasonable doubt by the prosecution.

Among the three requisites, the relationship between the offender and the victim is the most crucial.<sup>12</sup> This relationship is what actually distinguishes the crime of parricide from homicide.<sup>13</sup> In parricide involving spouses, the best proof of the relationship between the offender and victim is their marriage certificate.<sup>14</sup>

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<sup>10</sup> *Rollo*, pp. 20-21.

<sup>11</sup> LUIS B. REYES, *THE REVISED PENAL CODE*, 2006 Edition, Book II, p. 457.

<sup>12</sup> *People v. Paycana, Jr.*, 574 Phil. 780, 789 (2008).

<sup>13</sup> Article 249 of the Revised Penal Code provides:

Art. 249. *Homicide*. — Any person who, not falling within the provisions of Article 246, shall kill another without the attendance of any of the circumstances enumerated in the next preceding article, shall be deemed guilty of homicide and be punished by *reclusion temporal*.

<sup>14</sup> *People v. Malabago*, 333 Phil. 20, 27 (1996).

In this case, the spousal relationship between Kotoka and accused-appellant is beyond dispute. The defense already admitted that Kotoka was the legitimate wife of accused-appellant during the pre-trial conference.<sup>15</sup> Such admission was even reiterated by accused-appellant in the course of the trial of the case.<sup>16</sup> Hence, the key element that qualifies the killing to parricide was satisfactorily demonstrated in this case.

Just like the marital relationship between Kotoka and accused-appellant, the fact of Kotoka's death is incontestable. Witnesses, from both the prosecution and defense, were in agreement that Kotoka expired on March 26, 2012. As additional proof of her demise, the prosecution presented Kotoka's Certificate of Death which was admitted by the RTC, and the defense did not object to its admissibility.

Anent the remaining element, there is no doubt that Kotoka was killed by accused-appellant. Baldosano positively and categorically identified accused-appellant as the one who stabbed and killed Kotoka. His narration was corroborated by Cedro's testimony. Moreover, there is no showing that Baldosano and Cedro were impelled by any ill motive to testify against accused-appellant. It has been held that in the absence of any ill motives on the part of the witnesses, their testimonies are worthy of full faith and credit.<sup>17</sup> On the other hand, accused-appellant only offered his bare denial of the offense. However, "[t]he Court had consistently stressed that denial, like alibi, is a weak defense that becomes even weaker in the face of positive identification of the accused by prosecution witnesses."<sup>18</sup> The Court, therefore, finds no reason to disturb the factual findings of the trial court. It is a well-settled rule that factual findings of the trial court involving the credibility of witnesses are accorded respect since trial courts have firsthand account on the witnesses' manner of testifying and demeanor during trial. The Court shall not supplant its own interpretation of the testimonies for that of the trial judge since he is in the best position to determine the issue of credibility.<sup>19</sup> Furthermore, in the absence of misapprehension of facts or grave abuse of discretion on the court *a quo*, and especially when the findings of the judge have been adopted and affirmed by the CA, the factual findings of the trial court shall not be disturbed.<sup>20</sup>

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<sup>15</sup> CA rollo, p. 49.

<sup>16</sup> Id. at 54.

<sup>17</sup> *People v. Jumamoy*, 293 Phil. 351, 363 (1993).

<sup>18</sup> *People v. Macatingag*, 596 Phil. 376, 389 (2009), citing *People v. Delmendo*, 357 Phil. 363, 373 (1998).

<sup>19</sup> *People v. Ramos*, 715 Phil. 193, 208 (2013).

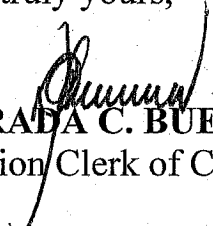
<sup>20</sup> Id.

Clearly, all the elements of the crime of parricide as defined in Article 246 of the Revised Penal Code, are present in this case.

**WHEREFORE**, premises considered, the appeal is hereby **DISMISSED**. The November 29, 2018 Decision of the Court of Appeals in CA-G.R. CR-HC No. 02121 finding accused-appellant Dexter Louie Armonio Denila **GUILTY** beyond reasonable doubt of the crime of parricide and sentencing him to suffer the penalty of *reclusion perpetua* is **AFFIRMED**. Accused-appellant is directed to pay the heirs of Kotoka Kajii Denila civil indemnity of ₱75,000.00; moral damages of ₱75,000.00; exemplary damages of ₱75,000.00; and actual damages of ₱405,634.86. In addition, all monetary awards shall earn interest at the legal rate of 6% per annum from the finality of this Decision until full payment.

**SO ORDERED.**” *Inting, J., additional member per Special Order 2726 dated October 25, 2019.*

Very truly yours,

  
**LIBRADA C. BUENA**  
Division Clerk of Court *of 11/24/19*  
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The Solicitor General  
134 Amorsolo Street, Legaspi Village  
1229 Makati City

Court of Appeals  
6000 Cebu City  
(CA-G.R. CR HC No. 02121)

The Hon. Presiding Judge  
Regional Trial Court, Branch 27  
Lapu-Lapu City, 6015 Cebu  
(Crim. Case No. R-LLP-12-06981-CR)

The Director General  
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No. 12-7-1-SC)

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Accused-Appellant  
c/o The Director General  
Bureau of Corrections  
1770 Muntinlupa City

Judgment Division (x)  
Supreme Court

UR



*NOT*