

POLI

If the power of expropriation is delegated to a private entity, a writ of possession may only be issued after a hearing that confirms compliance with legal requirements, including necessary approvals, and shows the expropriation's necessity.— *Iloilo Grain Complex Corp. v. Enriquez-Gaspar* (2023)

COMM

Under the Intellectual Property Code, works of the Philippine government are not covered by copyright protection and may be freely used for meetings of public character; prior approval is required only when used for profit.— *Domingo v. Civil Service Commission* (2020)

CIV

An action to declare a contract inexistent is imprescriptible under Article 1410 of the Civil Code.
— *Spouses Viovicente v. Spouses Viovicente* (2020)

LABOR

Abandonment requires unjustified absence and a clear intent to sever the employment relationship. Filing a complaint for constructive dismissal negates intent to abandon.— *JS Unitrade Merchandise, Inc. v. Samson, Jr.* (2020)

CRIM

Actual confinement that restrains freedom of movement, even without physical barriers, constitutes serious illegal detention when committed against a minor.— *People v. Delos Reyes y Tungol* (2023)

REM

Bail in capital offenses is not a matter of right and may be denied when strong evidence of guilt is shown through credible confessions and corroborating proof.
— *De Guzman III v. People* (2024)

1

PowerLink was authorized by a legislative franchise to operate electric transmission facilities, which includes the delegated power to expropriate private lands for its projects, subject to approval by the ERC. Before securing such approval, PowerLink filed a complaint to expropriate land owned by Greenfield Farms for transmission lines and deposited ₱111 million, equal to the land's full zonal value. The trial court issued a writ of possession without a hearing, citing the OCA Circular, where such issuance is ministerial upon filing the complaint and payment of the deposit. **Was the trial court's issuance of the writ valid?**

Suggested answer: No. The trial court's issuance of the writ of possession was invalid.

In *Iloilo Grain Complex Corp. v. Enriquez-Gaspar*, the Supreme Court ruled that when the power of eminent domain is delegated to a private entity like PowerLink, it must comply with all statutory requirements, including obtaining prior approval from the ERC and demonstrating the necessity of the expropriation. The trial court erred in granting possession without confirming that these conditions were met, rendering the issuance of the writ of possession invalid.

2

Ms. Belmonte, an officer of the National Archives of the Philippines, was invited to speak at a records management seminar hosted by the Bacoor City Government. She used agency materials during her lecture. The presentation was given as a public service and without any compensation. She was later charged with unauthorized use of government materials, allegedly violating the Intellectual Property Code. **Did Ms. Belmonte's use of National Archives materials violate the law?**

Suggested answer: No. Ms. Belmonte's use of National Archives materials did not violate the Intellectual Property Code.

In *Domingo v. Civil Service Commission*, the Supreme Court ruled that under the Intellectual Property Code, no copyright subsists in any work of the Philippine government which can be used freely in meetings of public character. Prior approval is only necessary when such work will be exploited for profit. Here, Ms. Belmonte's use of National Archives materials was non-commercial and for public service. Hence, no violation of copyright law occurred.

3

In 1991, Adrian visited his parents, Roger and Lorna, and demanded that they sign a deed of sale transferring the property to him. When they refused, Adrian threw a briefcase at Roger. Out of fear, they signed without reading the document or receiving any payment. In 2002, they learned the property had been transferred to Adrian and his wife using another deed, which Roger also denies signing. In 2013, the spouses filed an action to nullify both deeds and recover the property. Adrian argues that the action is barred by prescription. **Is the action barred by prescription?**

Suggested answer: No. The action is not barred by prescription.

In *Spouses Vivicente v. Spouses Vivicente*, the Supreme Court held that an action for the declaration of an inexistent contract, whether due to duress, lack of consent, or absolute simulation, is imprescriptible under Article 1410 of the Civil Code. Here, Roger and Lorna signed the 1991 deed under duress and denied executing the 2002 deed, rendering both inexistent and void. Their action, therefore, does not prescribe.

4

Due to performance issues, Troy, an account manager, was demoted to clerical duties and reassigned from the field to office work. Feeling harassed, shamed, and humiliated, he stopped reporting for work and filed a complaint for constructive dismissal with the labor arbiter on the same day. The company issued a show-cause memorandum for abandonment of work and later a dismissal notice. **Was Troy's failure to report for work considered abandonment?**

Suggested answer: No. Troy's failure to report for work was not considered abandonment.

In *JSUnitrade Merchandise v. Samson, Jr.*, the Supreme Court ruled that abandonment requires both (1) unjustified absence and (2) a clear intent to sever the employer-employee relationship. Here, Reyes stopped reporting after his demotion but immediately filed a complaint for constructive dismissal, demonstrating an intention to contest management's actions, not to abandon his job. Thus, his absence should not be considered an abandonment of his work.

5

Leo, 15 years old, went to Laguna with Dino, a senior member of the Lex Alpha fraternity. While waiting for another member, Dino blindfolded Leo and tied his hands with nylon cord. Believing it was part of the initiation, Leo did not resist. But then, Dino suddenly pushed him into a 20-foot pit. He remained trapped in the pit for two days before escaping. **What crime did Dino commit, if any?**

Suggested answer: Dino committed the crime of serious illegal detention.

In *People v. Delos Reyes*, the Supreme Court ruled that serious illegal detention is committed when a private individual unlawfully restrains another's liberty, and a qualifying circumstance under Article 267 is present, such as the victim being a minor. Here, Dino is a private individual who, without legal authority, deprived Leo, a 15-year-old minor, of his liberty by confining him in a pit. Actual confinement, even without physical barriers, constitutes detention if freedom of movement is restrained.

6

Victor Yulo was charged with murder for allegedly masterminding the killing of racecar driver Enzo Rivera. The prosecution presented an extrajudicial confession from PO2 Edgar Santos, who admitted to the killing and implicated Victor. A hired gun also testified that Victor and Enzo's wife tried to recruit him for the same crime. Victor applied for bail, but the court denied it. Victor argued that bail is a matter of right under the Constitution. **Is the denial of bail proper?**

Suggested answer: Yes. The denial of bail is proper.

In *De Guzman III v. People*, the Supreme Court ruled that bail is not a matter of right in a capital offense like murder, and it may be denied if strong evidence of guilt is shown. The Court upheld the denial of bail based on an extrajudicial confession and corroborating evidence. Similarly, in Victor's case, the confession and supporting testimony establish strong evidence of Victor's guilt, justifying the trial court's denial of bail.