



MOCK BOARD EXAMINATION IN CRIMINAL JURISPRUDENCE AND PROCEDURE

SET – D – 100 Items

INSTRUCTION: Select the correct answer for each of the following questions. Mark only one answer for each item by marking the box corresponding to the letter of your choice on the answer sheet provided. STRICTLY NO ERASURES ALLOWED. Use pencil no.1 only.

1. Which of the following is not one of the three cardinal features or characteristics of Criminal Law?
 - A. Criminal law applies to all persons who commit felonies in Philippine territory.
 - B. Criminal law applies by virtue of treaty stipulations, laws of preferential application, and principles of public international law.
 - C. Criminal law applies to all offenses committed within Philippine territory.
 - D. Criminal law applies prospectively and not retroactively unless its provisions are favorable to the accused who is not a habitual delinquent.
2. The law distinguished that motive is the reason why a person commits a crime while intent is the ____.
 - A. desire or freewill to commit a crime
 - B. purpose of using a particular means to achieve an objective
 - C. use of one's wise judgment
 - D. moving power that makes one to be guilty of an act
3. In criminal law, intent is an element of a crime; motive is not.
 - A. True
 - B. It depends
 - C. False
 - D. Only when the felony is against persons
4. Motive is important in certain instances in the determination of the commission of a crime and the liabilities of the perpetrators. In which of the following instances motive is important?
 - A. When the identity of the offender is in unknown
 - B. To determine whether the acts is intentional or accidental
 - C. When the accused claims that he acted in self defense
 - D. All of these
5. In criminal law, *error in personae* or mistake in identity occurs when ____.
 - A. the offender hits or injures another person and not the victim intended
 - B. the offender injures another due to personal reason
 - C. the offender knows personally the victim
 - D. the offender hits an unknown person
6. In criminal law, *aberratio ictus* or mistake in the blow occurs when ____.
 - A. the offender hits another which he intended
 - B. the offender knows he hits another known to him
 - C. the offender delivers a blow at his intended victim but does not hit him, and instead, such blow lands on an unintended victim.
 - D. the offender mistakenly identified by the police
7. *Praeter intentionem* occurs where the consequence is greater than the one intended. This is a mitigating circumstance.
 - A. No, it is an aggravating circumstance
 - B. Yes, it is a mitigating circumstance
 - C. A and B are both wrong
 - D. A and B are both correct

8. Crimes *mala in se* are punishable under the Revised Penal Code while crimes *mala prohibita* are punished under special laws. This statement is ____.
 - A. Correct
 - B. Wrong
 - C. No legal basis
 - D. Unacceptable

9. The basis of criminal liability *in mala in se* is intent while the basis of crimes *mala prohibita* is _____.
 - A. environmental
 - B. opportunity
 - C. voluntariness
 - D. stage of execution

10. The stages of execution affect the penalty imposable in crimes *mala in se*; there are no stages of execution in crimes *mala prohibita*. This statement is ____.
 - A. Correct
 - B. Wrong
 - C. Has no legal basis
 - D. Depends on the rules of court

11. Under the law, what is known as an act which would be an offense against persons or property, were it not for the inherent impossibility of its accomplishment, or on account of the employment of inadequate or ineffectual means?
 - A. Mala prohibita
 - B. Mala in se
 - C. Impossible crime
 - D. Incomplete crime

12. The Indeterminate Sentence Law does not apply to the following instances, except -
 - A. Those convicted of rebellion, sedition or espionage
 - B. Those who are habitual delinquents
 - C. Those who shall have escaped from the confinement or evaded sentence
 - D. Those who are convicted of crimes against morals

13. In criminal law, instigation takes place when ____.
 - A. a peace officer induces a person to commit a crime
 - B. a peace officer entraps a person
 - C. a peace officer subjected someone to surrender
 - D. a peace officer commits the crime of abduction

14. What is the doctrine of implied conspiracy?
 - A. It holds two or more persons participating in the commission of a crime collectively liable as co-conspirators
 - B. It holds two or more person liable for mala prohibita
 - C. It holds four persons to the act of one as the act of all
 - D. It holds the conspirators as brothers or sisters

15. *Reclusion Perpetua* is a penalty prescribed under the Revised Penal Code, what about the penalty of life imprisonment?
 - A. reclusion perpetua is the same as life imprisonment
 - B. life imprisonment is prescribed under special laws
 - C. the difference is in accordance with rules of court
 - D. none of the above is correct

16. Is *Reclusion Perpetua* as a penalty has accessory penalties?
- Yes, it has
 - No, accessory penalties apply to the penalty of Life imprisonment
 - It depends solely on the felony committed
 - No, there is no such any accessory penalties
17. In *Reclusion Perpetua*, the accused is entitled to parole after serving 30 years imprisonment. Life imprisonment has no fixed duration. This statement is
- Correct
 - Incorrect
 - It depends
 - Unacceptable
18. As a rule, if the offender in a criminal case is acquitted, his civil liability is also extinguished.
- Correct with exceptions to the rule
 - Incorrect, because the offender is guilty
 - It depends, without exceptions
 - Civil liability is never extinguished
19. In ___ circumstance, the act of the accused is in accordance with law, hence, he incurs no criminal liability. Since there is no crime, there is no criminal.
- Mitigating
 - Exempting
 - Justifying
 - Aggravating
20. A generic aggravating circumstance can be offset by a mitigating circumstance; a qualifying aggravating circumstance cannot be offset by a mitigating circumstance. Is the statement correct?
- Yes, it is in accordance with general rules
 - No, there is no such a rule like this
 - It depends on the crime committed
 - Absolutely incorrect
21. A composite crime or a special complex crime or single indivisible offense is composed of two or more crimes but in the eyes of the law, the offender incurs only one criminal liability. The following are examples, except –
- Robbery with Homicide
 - Rape with Homicide
 - Kidnapping with Homicide
 - Malversation thru Falsification
22. A complex crime is constituted when a single act causes two or more grave or less grave felonies or when an offense is committed as a necessary means to commit another offense. This statement is _.
- Incorrect, it is called *Delito Compuesto*
 - Correct, it is a complex crime
 - Incorrect, it is called *Delito Complejo*
 - Correct, it is also called *Delito continuado*
23. Cardo kidnapped Alyanna in Makati City. He brought her thereafter in Bulacan, Nueva Ecija and Pampanga against the latter's will. This is a case of _.
- Delito compuesto*
 - Delito Complejo*
 - Delito Continuado*
 - All of the above

24. How many criminal information should be filed in complex crimes?
- Only one information
 - Two information
 - Complex crimes require many criminal information
 - It depends on the crime committed
25. What is the doctrine of *pro reo* in criminal law?
- When a circumstance is susceptible to two interpretations one favorable to the accused and the other against him, that interpretation favorable to him shall prevail.
 - When two or more crimes are the result of a single act, the offender is deemed less perverse than when he commits said crimes through separate and distinct acts.
 - One that is intended to favor the accused by imposing only one penalty, that is, the penalty for the graver offense in the maximum period, regardless of the number of crimes committed.
 - All of these
26. In the crime of rebellion, there is public uprising and taking up arms against the Government while in the crime of coup d' etat ____.
- public uprising is not necessary
 - must be accompanied by violence
 - a swift attack is made
 - All of the above
27. Is it necessary that the principal of a crime be convicted first before one may be found guilty as an accessory?
- No, the law does not require it
 - Yes, the law requires it as a general rule
 - It depends on the judge
 - Yes, as long as corpus delicti is established
28. In recidivism, there must be crimes embraced in the same title of the Revised Penal Code. In quasi-recidivism, the offender commits a felony before serving sentence by final judgment for another crime or while serving sentence. This statement is –
- Incorrect, it should be the other way around
 - Correct, recidivism and quasi-recidivism has been distinguished
 - Correct, except that recidivism also covers special laws
 - Incorrect, there is no such a thing as quasi-recidivism
29. Which one of the following is a generic aggravating circumstance and therefore can be offset by an ordinary mitigating circumstance?
- Quasi recidivism
 - Habitual delinquency
 - Recidivism
 - Impossible crime
30. In habitual delinquency, the crimes are specified, which are, except –
- serious physical injuries or less serious physical injuries
 - theft or robbery
 - estafa or falsification
 - murder or homicide

31. Jose and Wally are in Korea. They agreed and decided to hijack an airplane carrying Senators and Congressmen of the Philippines and 200 other passengers to sow and create a widespread and extraordinary fear and panic among the populace by threatening to blow the plane off unless the government releases from captivity Abu Paulo, a captured terrorist detained at Camp Crame. What crime did Jose and Wally commit?
- Hijacking of a foreign aircraft
 - Conspiracy to commit Terrorism under RA 9372
 - Robbery of persons
 - Kidnapping for Ransom
32. In the same case above (item # 31), can Jose and Wally be charged and prosecuted before Philippine courts?
- Yes, they can be charged and prosecuted before Philippine Courts.
 - No, because the crime they committed does not apply to Philippine laws
 - No, because they are outside Philippine Territory when the crime happened.
 - It depends on the court to determine if the crime they commit has extraterritorial application.
33. May a crime be committed without intent?
- Yes, in crimes *mala prohibita* and in culpable felonies
 - Yes, only in crimes *mala in se*
 - No, the law does not require intent in any crime
 - No, because all acts are illegal
34. In impossible crime, the crime must be a crime against persons or property only, thus it does not apply to crimes against chastity, honor, liberty, etc. This statement is -
- Incorrect, impossible crime applies to all crimes punishable by the Revised Penal Code
 - Incorrect, it also applies to offenses punishable by special laws
 - Correct, the law specified the type of crime where an impossible crime maybe committed
 - Correct, but it also covers crime against national security
35. Stabbing a person who is lying on bed, the offender having the intent to kill him and thinking that he was only sleeping, when in fact that person had already been dead before he stabbed him. The act performed by the offender would have been murder, an offense against persons, were it not for the inherent impossibility of its accomplishment, it being impossible to kill a person who is already dead. Is this a correct example of impossible crime?
- Yes, thus the offender incurs criminal liability
 - Yes, but there is no criminal liability incurred
 - No, in impossible crime, the crime cannot be committed
 - No, because a dead person cannot be a victim of crime
36. Having sexual intercourse with a woman who is already dead but the offender thought that she was alive. Is this a case of impossible crime?
- Yes, because rape cannot be committed against dead woman
 - Yes, because rape is now a crime against persons under RA 8353
 - Both A and B are correct
 - No, impossible crime is not applicable in this case
37. Pedro, surreptitiously took a watch from the possession of Juan which turned out to be his own watch which he had been missing for 2 weeks. Is Pedro liable for impossible crime?
- Yes, because an essential element of Theft is that the offender must take the personal property belonging to another
 - Yes, Pedro cannot be a thief of his own property
 - Both A and B are correct
 - No, in impossible crime, a criminal act cannot be committed

38. Cardo, thinking that his girlfriend Alyanna is pregnant, administered abortive substance on Alyanna to expel the fetus from the maternal womb. It turned out that Alyanna was not pregnant. What crime did Pedro commit?
- Consummated Abortion
 - Frustrated Abortion
 - Impossible crime
 - Grave Physical Injuries
39. Believing that certain white powder was poison, Mutt mixed it with the coffee intended for Jeff. When Jeff drank it, he was not injured at all because the white powder was sugar. Is Mutt liable for an impossible crime?
- Yes, absolutely
 - No, it was a case of honest mistake of fact
 - Yes, if Jeff knew that he was poisoned
 - No, Mutt is not liable at all
40. Four (4) culprits armed with firearms and with intent to kill X went to the house of the latter. After having pinpointed X's room, all four fired their guns and riddled the house with bullets. It so happened that X did not come home that night. What crime did the accused commit?
- Attempted Murder because there was intent to kill
 - Impossible crime because X was not physically present at his home that night
 - Malicious Mischief because another crime was committed other than that intended
 - No crime was committed because no one was injured or destroyed
41. In attempted felony, the offender does not perform all the acts of execution. In frustrated felony, the offender performs all the acts of execution. This statement is –
- Correct
 - Wrong
 - Partially correct
 - Partially wrong
42. In crimes of violence, if the offender does not inflict a mortal wound, he does not perform all the acts of execution. Thus, if Cardo with intent to kill hacked Hipolito and the latter was not hit. Cardo is liable for
- Attempted Homicide
 - Frustrated Homicide
 - Consummated Homicide
 - Murder due to the bolo used
43. Cardo, with intent to kill, hacked Hipolito and was hit but suffered an injury which requires medical attendance for 5 days. What crime did Cardo commit?
- Attempted Homicide
 - Frustrated Homicide
 - Consummated Homicide
 - Murder due to the bolo used
44. The crime of Robbery and Theft has no frustrated stage. It is only attempted and consummated stages. This statement is –
- False, because all crimes have 3 stages of commission
 - False, because robbery and theft are crimes against property
 - True, as when the accused comes in possession of a thing, even if it were more or less momentarily, the taking is complete
 - True, because robbery and theft are crimes against property

45. Under the law, a woman who is repeatedly subjected to any forceful physical or psychological behavior by a man in order to coerce her to do something he wants her to do without concern for her rights is considered ____.
- A battered woman under RA 9262
 - An abused woman under the Revised Penal Code
 - A woman physically injured
 - A lunatic woman
46. ____ is the crime committed by a person who deliberately and without lawful cause, follows the woman or her child and/or places the latter under surveillance in public.
- Child Abuse (RA 7610)
 - Espionage
 - Stalking (RA 9262)
 - Phishing
47. Considering legal context of the word, which of the following exists when there is complete deprivation of intelligence?
- Madness
 - Insanity
 - Imbecility
 - Minority
48. What legal term appropriately used when a person of advanced age has the mental development comparative to that of a child between two and seven years of age?
- Abnormality
 - Insanity
 - Imbecility
 - Psychopathic
49. If the offender is 15 years old or less at the time of the commission of the offense, he is exempt from criminal liability but not from civil liability. But although he is exempt from criminal liability, he shall be subjected to an *intervention program* pursuant to ____.
- the provisions of the Revised Penal Code
 - the provisions of R.A 9165
 - the provisions of the civil code
 - the provisions of R.A 9344
50. In the Juvenile Justice System of the Philippines, if the offender is more than 15 years but less than 18 years of age at the time, he committed the offense, he is still exempt from criminal liability unless ____.
- he acted with insanity or imbecility
 - upon order of the Family Court
 - he acted with discernment
 - there was clear intent to commit the offense
51. Under Art. 15 of the RPC, ____ is a mitigating circumstance, if the same is not habitual or subsequent to the plan to commit a felony. Otherwise, when habitual or intentional, it shall be considered as an aggravating circumstance.
- Discernment
 - Discretion
 - Intoxication
 - Recidivism

52. Generic or ordinary aggravating circumstances generally apply to all crimes. For example, recidivism, night time, and dwelling. It results to the imposition of ____.
- the maximum penalty
 - the minimum penalty
 - the medium penalty
 - life imprisonment
53. What is another term for *Reiteracion*?
- Habituality
 - Recidivism
 - Discretion
 - Habitual delinquency
54. What occurs when within a period of 10 years from the date of his last release or last conviction of any of the crimes of Serious Physical Injuries, Less Serious Physical Injuries, Theft, Robbery, Estafa, Falsification, he is found guilty the third time or oftener?
- Habituality
 - Reiteracion
 - Habitual Delinquency
 - Recidivism
55. It is not necessary, under the law, that the victim owns the place where he lives or dwells. Be he a lessee or boarder or a bed-spacer, the place is his home the sanctity of which the law seeks to protect and uphold. Although the victim is merely renting a bed space in a boarding house, his room constituted for all intents and purposes a "dwelling" as the term used in the Revised Penal Code.
- True, the legal basis is correct
 - False, the legal basis is wrong
 - False, dwelling under the law refers only to abode
 - True, even include house of ill repute
56. In criminal law, there is a *band* whenever there are at least 4 armed persons who have acted together in the commission of a crime. This statement is -
- Correct, the law specified that a *band* is composed of more than 3 persons.
 - Correct, a band is always composed of 4 persons
 - Correct, a band is always a band
 - Incorrect, a band is composed of at least two or more persons.
57. The use of a motor vehicle is aggravating in murder where the said vehicle was used in transporting the victim and the accused. This statement is -
- Correct, it is aggravating because it facilitates the commission of a crime.
 - Incorrect, use of vehicle is never an aggravating circumstance
 - Incorrect, because the law did not specify about it
 - Correct, even if the motor vehicle was used to facilitate the escape of the offender
58. If the victim is a child and the offender is an adult, the aggravating circumstance is –
- superior strength
 - treachery
 - employing means to weaken the defense
 - evident premeditation

59. It is required that the criminal intent be evidenced by notorious acts evincing the determination to commit the same. It must be evident and not merely suspected or merely thought of or contemplated mentally, without externalized acts. It is necessary to establish that the accused meditated on his intention between the time it was conceived and the time the crime as actually perpetrated. From among the following aggravating circumstances, what is being described?
- Employing means to weaken the defense
 - Evident premeditation
 - Treachery
 - Superior strength
60. If a pickpocket took the wallet of the offended party without his knowledge, is treachery as an aggravating circumstance present?
- Yes, because pick pocketing requires treachery
 - No, because the offender need not to trick
 - Yes, because the offender positioned at the back of the victim
 - No, because the crime of theft is a crime against property. Treachery applies only to crime against persons.
61. What if the accused had sexual intercourse with the victim who was sleeping and therefore had no chance to defend herself, is there treachery?
- No, because sexual intercourse is always sensual between partners
 - Yes, because there was no consent on the part of the victim
 - Yes, there is treachery because rape is now a crime against persons and no longer a crime against chastity
 - No, because it is impossible to have sex while the victim is asleep
62. Killing of a child is Murder qualified by treachery, even if the manner of attack was not shown. This statement is –
- Correct
 - Incorrect
 - Partially correct
 - Partially incorrect
63. Cardo and Hipolito fought against each other. Hipolito suffered some injuries and ran away. Hipolito stumbled. While lying face on the ground, Cardo stabbed Hipolito on his back. Hipolito died. Is treachery present?
- No, because stabbing a person at the back is not at all times treachery
 - Yes, obviously Cardo intended to stab Hipolito at the back
 - No, because the attack did not commence with treachery. The stabbing at the back was a continuation of the attack which did not commence with treachery.
 - Yes, because it was clear he stabbed the victim at his back
64. Tom and Jerry are mortal enemies. They met one day. Tom suddenly stabbed Jerry who died as a result. If you were the judge will you appreciate treachery?
- Yes, if it can be shown that Jerry was stabbed at his back
 - No, the fact that they are mortal enemies each of the parties was put on guard and be ready from a possible attack from the other
 - No, because stabbing a person at the back is not at all times treachery
 - It depends on the evidence
65. Pedro stabbed Maria, the victim, for 100 times because of hate. In the eyes of the law, is there cruelty?
- Yes, stabbing is obviously an act of cruelty
 - No cruelty because the wounds were not inflicted with deliberate intention of causing unnecessary pain and suffering of the victim
 - Yes, 100 times of stabbing is an act of cruelty
 - It depends on the mental condition of the offender at the time of the commission of the crime

66. Pedro and Juan agreed and decided to commit Robbery in the house of Maria. On the following day, Pedro and Juan told Pepe about the plan and asked Pepe to drive them to the house of Maria. Pepe drove Pedro and Juan to the house of Maria where Pedro and Juan committed Robbery. Is Pepe liable? If so, what is his liability?
- Yes, as a principal
 - No, there is no liability at all
 - Yes, as an accomplice
 - Yes, as an accessory
67. Pedro stabbed Juan. Pepe saw what Pedro did. Pepe boxed Juan. Juan concurred in the act of Pedro by boxing Juan. What is the liability of Pepe?
- Pepe is liable as an Accomplice
 - Pepe is liable as an Accessory
 - Pepe is liable as Principal by direct participation
 - Pepe has no criminal liability
68. On June 24, 2006, President Gloria M. Arroyo signed ____, An Act Prohibiting the Imposition of Death Penalty in the Philippines.
- Republic Act 9344
 - Republic Act 9346
 - Republic Act 9165
 - Republic Act 9272
69. A ____ is that which occurs when the law provides that a penalty to a particular crime is in addition to the penalty imposable for another crime which results from the commission of such particular crime.
- Double Penalty
 - Two-tiered Penalty
 - Combined Penalty
 - Restrictive Penalty
70. If a single bullet kills a victim and slightly injures another and the offender had no intention to kill, then what crime or crimes being committed?
- Two crimes are committed, Homicide and Slight Physical Injuries
 - A complex crime, homicide with physical injury
 - Homicide only
 - Physical injury only
71. Anton, who was drunk, bumped a parked car. The car was heavily damaged and a person was slightly injured. If you were the fiscal, what crime/crimes are you going to file?
- Reckless Imprudence Resulting in Damage to Property and another one for Slight Physical Injuries. The two (2) crimes cannot be complexed because one is a light felony.
 - Reckless Imprudence Resulting in Damage to Property only because this is heavier
 - Physical injury only because it is a crime against person thus this is heavier
 - I will not file any case since Anton was just drunk
72. When fire is used with the intent to kill a particular person who may be in a house and that objective is attained by burning the house, the crime is ____.
- Murder only
 - Arson with Homicide
 - Arson only
 - Homicide with Arson

73. On December 5, 1982, Boyet killed Jonas while the latter was enjoying the cold water of Agno river. He strangled him to death with the use of a nylon cord. Thereafter, he buried the cadaver of the victim in the sand. Nonoy, a 7 year old boy who was pasturing his cow witnessed the incident. The dead body of Jonas was never found. For fear of his life, Nonoy did not tell anyone, even his parents and relatives about what he witnessed. After 22 years, or in 2004, Nonoy reported the crime to the authorities. Can the State still prosecute Boyet for the death of Jonas despite the lapse of 22 years?
- No, because the crime of homicide prescribes in 20 years.
 - Yes, under the law, the period of prescription commences to run from the day the crime is discovered by the offended party, the authorities or their agents.
 - No, because the commission of the crime was known only by Nonoy, who was not the offended party
 - Yes, if only Nonoy revealed the incident when he was 7 yrs old.
74. It is a sentence with a minimum term and a maximum term, which the court is mandated to impose to the benefit of a guilty person who is not disqualified. It applies to both violations of Revised Penal Code and special laws. What is being described?
- The death penalty or capital punishment
 - Indeterminate sentence
 - Prision correccional
 - Determinate sentence
75. Kupal is a Japanese citizen who had resided in Pangasinan for 30 years. When Japan declared war against the Philippines. Kupal and his numerous Japanese friends attacked a military detachment manned by Filipino soldiers. What crime did Kupal commit?
- Rebellion
 - Treason
 - Espionage
 - Levying war
76. A police officer dissolved a meeting that was not granted a permit. Is he liable for dissolution of a Peaceful meeting?
- No, the law provides that the meeting must not only be peaceful, it must also be lawful. This means that it must be covered with a permit.
 - Yes, because the meeting was peaceful
 - No, because the meeting was not peaceful as it was not covered by permit
 - Both A and C are correct
77. If a police officer arrests a person by virtue of a warrant of arrest, within what period should the police officer him to the proper judicial authority?
- 15 days only
 - 10 days only
 - It depends on the what is required by the court
 - No period shall be applied. He is not bound by the period under Art. 125.
78. Angelito published an article in a newspaper urging the people to disobey the law by not paying their taxes. What is he liable for?
- Inciting to sedition
 - Unlawful publication
 - Violation of intellectual property rights
 - Unlawful utterances

79. Benigno is a sugarcane planter in Hacienda Ymana. He nurtured a grudge and ill feeling against Don Geraldo, the owner of the hacienda because he had not been giving his workers their due share and benefits. Benigno attacked Don Geraldo with fist blows and kick blows. What crime did Benigno commit?
- Direct Assault
 - Homicide
 - Attempted Homicide
 - Physical Injuries
80. Timon, an election registrar insulted Pumba in front of many people. The latter did not forget that incident. One day, Pumba chanced upon Timon. Pumba boxed Timon repeatedly to avenge the public humiliation that the earlier suffered. What crime did Pumba commit?
- Direct Assault
 - Homicide
 - Attempted Homicide
 - Physical Injuries
81. Martin engaged in a fist fight with John, an election officer, wherein the former suffered a big lump in the forehead. One day, when Martin chanced upon John, he thought of taking revenge on the latter for the injury he suffered. Martin hit John's head with a baseball bat, causing the latter to fall unconscious. What crime did Martin commit?
- Direct Assault
 - Homicide
 - Attempted Homicide
 - Physical Injuries
82. Judge X sentenced Y with imprisonment. After Y was released from prison, he met Judge X. Because of resentment, Y stabbed and killed the judge. What crime/crimes did Y commit?
- He committed the complex crime of Homicide with Direct Assault upon a person in authority
 - He committed Murder
 - He committed Homicide only
 - He committed Homicide with Physical Injuries
83. Pedro killed Juan and was charged with Homicide in Manila. A warrant for his arrest was issued. To prevent his arrest, he went to Bacolod City and publicly used another name. Is he liable for Using Fictitious name?
- No, he is not liable for Using Fictitious name. In using fictitious name, the purpose of the offender is to conceal a crime, evade judgment or cause damage to public interest
 - No, because the purpose of Pedro case was only to evade arrest
 - Yes, because he publicly used another name
 - Both A and B are correct
84. Tommy mortgaged his first owned car, a Toyota Fortuner, to secure the payment of his loan. He failed to pay his loan upon maturity. The bank foreclosed the mortgage. The sheriff took possession of his car and scheduled it for public auction. During the auction day, Tommy drove the bidders away by threats to kill to prevent his car from being sold at public auction. What crime did Tommy commit?
- Grave Scandal
 - Grave Threats
 - Attempted Homicide
 - Machination in Public Auction
85. What law punishes graft and corrupt practices in the Philippines?
- R.A 9136
 - R.A 3019
 - R.A 9163
 - R.A 9130

86. Any public officer who, by himself or in connivance with members of his family, relatives by affinity or consanguinity, business associates, subordinates or other persons, amasses, accumulates or acquires ill-gotten wealth through a combination or series of overt or criminal acts in the aggregate of 50 million pesos is liable for the crime of ____.
- Bribery
 - Plunder
 - Corruption
 - Graft
87. Don Erning offered to finance the studies of Debra, a 17-year-old college student. He opened an account in Debra's name and regularly deposited various amounts ranging from P500, 000 to P1 Million. From this account, Debra withdrew and used the money for tuition, books, miscellaneous fees, and for condo rentals. Debra was subsequently discovered that Don Erning was engaged in illegal drug operations. Just the same, Debra availed of the funds given by her benefactor. Are Don Erning and Debra liable for Violation of the Anti-Money Laundering Act?
- Both Don Erning and Debra are liable for Violation of the Anti-Money Laundering Act
 - Only Don Erning is liable
 - Only Debra is liable
 - None of them are liable because the money was used on legal proceeds
88. X paid to Y, the city treasurer the amount of P10,000 as realty taxes. Although he had official receipts, Y told X that there were no available official receipts in the office. He issued a temporary receipt. Y spent the money. What crime was committed by Y for failing to issue receipt?
- Illegal Exaction
 - Malversation of public fund
 - Estafa
 - No crime was committed
89. What crime is crime committed by any public officer who shall apply any public funds or property under his administration to any public use other than that for which funds or property were appropriated by law or ordinance?
- Graft and Corruption
 - Estafa
 - Technical Malversation
 - Misappropriation of funds
90. X and Y killed Z the father of Y. Y is liable for Parricide because of his relationship with Z. X is liable for what crime?
- Homicide or Murder as the case maybe
 - No criminal liability
 - Parricide also
 - Murder
91. There was a rumble. After the smoke of battle had cleared X was seen sprawled on the ground dead. It was not known who killed him but the person who inflicted serious physical injuries upon him is known. That person will be charged with the crime of ____.
- Homicide
 - Death caused in a Tumultuous Affray
 - Murder
 - Homicide and Physical Injuries
92. What law punishes "rape by sexual intercourse" and "rape by sexual assault" in the Philippines?
- The Revised Penal Code
 - R.A 8353
 - R.A 8354
 - R.A 5487

93. X a Municipal Treasurer was awakened from his sleep at around 6 in the morning because of commotion outside. When he went out, he saw his wife quarreling with their neighbor Y. He arrested or detained Y and brought her to the police station. What crime did X commit?
- No crime was committed because his act was lawful
 - He committed illegal arrest
 - He committed unlawful arrest
 - He committed physical assault
94. What law punishes the act of hacking or cracking or the unauthorized interference in the information, communication, or computer system of another, including introduction of viruses, etc.?
- R.A 8553
 - R.A 8353
 - R.A 8792
 - R.A 9782
95. What is the crime committed by a taxi driver on “boundary system” who instead of returning the taxi to the company/owner after the day’s driving, abandoned it somewhere contrary to the practice under which he gained possession of the vehicle?
- Robbery
 - Qualified Theft
 - Carnapping
 - No crime committed
96. What law punishes the crime of illegal recruitment?
- R.A 8042
 - R.A 4283
 - R.A 7433
 - R.A 8040
97. A stepfather got mad at his stepdaughter. He gathered her clothes and put them on a luggage and burned them. What crime did he commit?
- No crime was committed by reason of relationship
 - He committed the crime of Arson
 - None, being a step father is an exemption to criminal liability
 - It depends on the prosecutor
98. The concept of *pari delicto* is not found in the Revised Penal Code. The term *pari delicto* means –
- One party is liable
 - Both parties agreed to settle dispute amicably
 - Both parties are liable
 - One party is a priest
99. Jinggoy is married to Juana. He has been separated from Juana since 2004. Jinggoy got married to Angelica in 2007. Angelica knew that Jinggoy was previously married. What crimes did Jinggoy and Angelica commit if any?
- They are both liable for the crime of Bigamy
 - Only Jinggoy is liable for bigamy, Angelica did not commit any crime
 - Angelica is liable for Adultery
 - Jinggoy is liable for Concubinage
100. A person fired his gun while the paramour of his father was walking away from him killing his father instantly is guilty of -
- Parricide
 - Murder
 - Homicide
 - Infanticide

-End of Mock Board Exam-