

Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

PEOPLE OF THE PHILIPPINES, G.R. No. 228000
Plaintiff-Appellee,

Present:

LEONEN, *Acting Chairperson*
CAGUIOA,*
REYES, A., JR.,
HERNANDO, and
INTING, JJ.

-versus-

RONALD PALEMA y VARGAS,
RUFEL PALMEA y BAUTISTA,
LYNDON SALDUA y QUEZON,
and VIRGO GRENGIA,
Accused-Appellants.

Promulgated:
July 10, 2019

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DECISION

LEONEN, J.:

In the prosecution of robbery with homicide, the State must prove that the offender's original intent was to commit the crime of robbery. The killing of the victim must only be incidental. Nevertheless, the act of taking the victim's life may occur before, during, or even after the robbery. So long as the homicide was committed by reason of or on the occasion of the robbery, the offense committed is the special complex crime of robbery with homicide.¹

* Designated additional Member per Raffle dated July 8, 2019.

¹ *People v. De Jesus*, 473 Phil. 405, 427-428 (2004) [Per Curiam, En Banc].

For this Court's resolution is a Notice of Appeal² challenging the May 18, 2016 Decision³ of the Court of Appeals in CA-G.R. CR HC No. 06250. The Court of Appeals affirmed the Regional Trial Court's April 15, 2013 Decision⁴ convicting Ronald Palema y Vargas (Palema), Rufel Palmea y Bautista (Palmea), Lyndon Saldua y Quezon (Saldua), and Virgo Grengia (Grengia) of the crime of robbery with homicide.

Palema, Palmea, Saldua, Grengia, along with Lester Ladra y Palema (Ladra), Edwin Manzanero y Bautista (Manzanero), and Marvin Marqueses (Marqueses), were charged with the crime of robbery with homicide in an Information⁵ dated November 26, 2007, which read:

That on or about 11:05 p.m. of 10 November 2007, at the Calamba Town Plaza at Brgy. 6, Calamba City and within the jurisdiction of this Honorable Court, the above-named accused, conspiring and confederating, and with the accused minor Lester Ladra y Palema acting with discernment, with intent to gain, by means [of] violence against and intimidation of persons, did then and there willfully, unlawfully and feloniously take and steal the Nokia N70 cellular phone worth Php13,000.00 of Enicasio Depante y Rosales against the consent of the said Enicasio Depante y Rosales and on the occasion and by reason of the robbery, with intent to kill, abuse of superior strength [and] cruelty, did then and there willfully and feloniously assault, maul and stab to death Enicasio Depante y Rosales the damage and prejudice of the heirs of the said victim.

Contrary to law.⁶

On arraignment, Ladra, Saldua, Palema, Palmea, Manzanero, and Grengia pleaded not guilty to the crime charged. Marvin, meanwhile, remained at large.⁷

After pre-trial, trial on the merits ensued.⁸

The evidence for the prosecution revealed that at around 11:00 p.m. on November 10, 2007, Enicasio Depante (Enicasio), his common-law spouse, his son Erickson Depante (Erickson), and his stepdaughter Jamie Rose Baya (Jamie) were sitting on the benches at the Calamba Town Plaza. That was when three (3) men, who were later identified as Palema, Palmea,

² *Rollo*, pp. 15–19.

³ *Id.* at 2–14. The Decision was penned by Associate Justice Nina G. Antonio-Valenzuela, and concurred in by Associate Justices Fernanda Lampas Peralta and Jane Aurora C. Lantion of the Sixth Division, Court of Appeals, Manila.

⁴ *CA rollo*, pp. 14–23. The Decision, in RTC Criminal Case No. 15363-2007-C, was penned by Acting Judge Louis P. Acosta of Branch 36, Regional Trial Court, Calamba City.

⁵ RTC records, pp. 1–2.

⁶ *Id.* at 1.

⁷ *Rollo*, p. 3.

⁸ *Id.* at 4.

and Manzanero, approached Enicasio.⁹

Suddenly, Palmea threw a punch at Enicasio in an attempt to grab his phone. Palema simultaneously pulled out a knife and tried to stab him in the abdomen, but was warded off by Jamie, making him drop his knife. Once he retrieved his knife, Palema stabbed Enicasio on the right thigh, causing him to fall on the ground. Then, Grengia and Saldua arrived at the scene and joined in beating Enicasio.¹⁰

Seated on the bench near Enicasio, Erickson stood and tried to help his father, but Ladra stopped him. When he resisted, Ladra attempted to stab him, but he was able to evade the attack and immediately look for a weapon. Upon reaching his father, however, he saw that Enicasio had already collapsed from the stab wounds. Erickson brought his father to the Calamba Medical Center, but he later died from blood loss.¹¹

Enicasio's family testified that they incurred medical expenses in the amount of ₱20,000.00, although they were only able to keep ₱3,751.00 worth of receipts.¹² They, likewise, testified that they had incurred funeral expenses worth ₱120,000.00, as evidenced by a receipt¹³ they submitted.¹⁴

During the case's pendency, Manzanero died as shown in his Death Certificate.¹⁵ Thus, the Regional Trial Court dismissed the case against him.¹⁶

Meanwhile, Saldua, Palema, Palmea, and Grengia denied the accusations against them. They insisted that while all of them were at the Plaza during the incident, they were not there as a group, but with different people. They maintained that the police officers mistook them for the men who attacked Enicasio.¹⁷

Ladra, for his part, changed his plea to guilty after the prosecution had presented its evidence. The Regional Trial Court then directed him to take the witness stand to answer some clarificatory questions.¹⁸

⁹ Id.

¹⁰ Id. at 4–5.

¹¹ Id. at 5.

¹² RTC records, p. 145. The RTC Decision stated only ₱3,000.00 as hospital expenses. This Court modifies it to ₱3,751.00, the actual amount stated in the receipt based on the records.

¹³ Id. at 144.

¹⁴ *Rollo*, p. 5.

¹⁵ RTC records, pp. 99–99A.

¹⁶ *Rollo*, p. 4.

¹⁷ Id. at 5–6.

¹⁸ Id. at 6.

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Ladra testified that he was with Palema, Palmea, Saldua, Marqueses, and Manzanero at the night of the incident. All of them drunk, they decided to eat gruel at the Plaza. Later, Palema's girlfriend approached them and complained that a man in a red shirt had acted indecently toward her.¹⁹ Believing that the man was Enicasio, the group attacked and mugged him. When he saw Enicasio fighting back, he took Marqueses' knife and stabbed Enicasio twice.²⁰

Ladra added that Grengia was not with them and did not participate in the attack.²¹

In its March 6, 2012 Decision,²² the Regional Trial Court found Ladra guilty beyond reasonable doubt:

WHEREFORE, the Court finds the accused minor LESTER LADRA GUILTY of "Robbery with Homicide" and in consideration with the privileged mitigating circumstance of minority and voluntary plea of GUILTY, sentenced (*sic*) him to the penalty of Eight (8) Years and One (1) day of *Prision Mayor*, as Minimum to Fourteen (14) Years, Eight (8) months and One (1) [day] of *Reclusion Temporal*, as Maximum and ordered (*sic*) to pay the heirs of the victim the following sums of money:

1. Fifty Thousand Pesos (P50,000.00) for civil indemnity;
2. Fifty Thousand Pesos (P50,000.00) for moral damages; and,
3. Fifty Thousand Pesos (P50,000.00) for exemplary damages.

In accordance with the provisions of the Juvenile Justice and Welfare Act of 2006 (R.A. No. 9344) and jurisprudence thereto, the service of sentence is suspended and the accused is remanded to the custody of The National Training School for Boys (NTSB) for proper disposition. The NTSB has thirty (30) days from receipt of this Decision to comply with the post sentenced procedure of the law and submit to this Court their recommendation for disposition.

SO ORDERED.²³

In its March 31, 2012 Progress Report,²⁴ the National Training School for Boys recommended to the trial court that the case against Ladra be dismissed and that he be discharged to his parents.²⁵

On March 5, 2013, the Regional Trial Court granted the National Training School for Boys' recommendation and ordered that the case against

¹⁹ Id.

²⁰ Id. at 7.

²¹ Id.

²² RTC records, pp. 230–231.

²³ Id.

²⁴ Id. at 235–237.

²⁵ Id. at 239.

Ladra be dismissed. Similarly, it ordered that Ladra be discharged to his parents' custody.²⁶

On April 15, 2013, the Regional Trial Court rendered another Decision,²⁷ convicting Palema, Palmea, Saldua, and Grengia of the crime of robbery with homicide. The dispositive portion of the Decision read:

WHEREFORE, the Court finds the accused Ronald Palema, Rufel Palmea, Lyndon Saldua, and Virgo Grengia guilty beyond reasonable doubt of the crime of Robbery with Homicide and sentenced (*sic*) to suffer the penalty of *Reclusion Perpetua* in view of the absence of any mitigating or aggravating circumstance.

Accused Ronald Palema, Rufel Palmea, Lyndon Saldua, and Virgo Grengia are also ordered to pay the heirs of the victim, the following:

- (a) P3,000.00 as hospital expenses;
- (b) P120,000.00 for funeral expenses;
- (c) P75,000.00 as moral damages[.]

The Court hereby acquits Marvin Marqueses of the crime charged.

SO ORDERED.²⁸

The Regional Trial Court found that the four (4) men conspired in committing the crime charged. It brushed aside their defense of denial and decreed that they failed to offer any evidence showing that they performed an overt act that would have prevented the assault from happening.²⁹

The Regional Trial Court acquitted Marqueses for the prosecution's failure to present evidence that he participated in committing the crime.³⁰

On appeal,³¹ Saldua, Palema, Palmea, and Grengia argued that the Regional Trial Court erred in giving credence to the prosecution witnesses' testimonies. They maintained that while Jamie testified that her stepfather was stabbed in the right thigh,³² the post-mortem examination revealed that the sole stab wound sustained by the victim was on the right side of his buttocks.³³ They also questioned Erickson's ability to testify, alleging that he was not fully focused on the incident since he was texting before the

²⁶ Id. at 252.

²⁷ CA *rollo*, pp. 14–23. The Decision was penned by Acting Judge Louis P. Acosta of Branch 36, Regional Trial Court, Calamba City.

²⁸ Id. at 23.

²⁹ Id. at 22.

³⁰ Id.

³¹ Id. at 44–61.

³² Id. at 54.

³³ Id. at 53.

crime happened.³⁴

Moreover, assuming that the prosecution sufficiently identified the assailants, the men contended that it still failed to establish the existence of conspiracy in committing the offense. They insisted that while they allegedly attacked the victim, there was no community of interest among them.³⁵

In its assailed May 18, 2016 Decision,³⁶ the Court of Appeals dismissed the group's appeal and affirmed the Regional Trial Court Decision. It ruled that the trial court's appreciation of the witnesses' credibility is entitled to great respect and would not be disturbed on appeal absent any showing that it overlooked the material facts that could have affected the results of the case.³⁷

The Court of Appeals further declared that while Erickson was using his phone when the incident occurred, this did not affect the value of his testimony. It noted that since he was seated near Enicasio at the time of the assault, it was impossible for him not to witness the events that transpired.³⁸

The Court of Appeals dispelled the group's claim that there was no conspiracy, ruling that the prosecution has proved that the men acted in unison in committing the offense. It further noted that in his confession, Ladra himself admitted the existence of conspiracy.³⁹

Aggrieved, the group filed a Notice of Appeal,⁴⁰ which the Court of Appeals gave due course in its June 15, 2016 Resolution.⁴¹

In its January 11, 2017 Resolution,⁴² this Court required the parties to file their supplemental briefs. However, both accused-appellants⁴³ and plaintiff-appellee People of the Philippines,⁴⁴ through the Office of the Solicitor General, manifested that they would no longer file a supplemental brief and instead adopt all the arguments they raised in their Briefs filed before the Court of Appeals.

³⁴ Id. at 56.

³⁵ Id. at 57–58.

³⁶ *Rollo*, pp. 2–14.

³⁷ Id. at 12.

³⁸ Id.

³⁹ Id. at 13.

⁴⁰ Id. at 15–18.

⁴¹ Id. at 19.

⁴² Id. at 21–22.

⁴³ Id. at 23–25.

⁴⁴ Id. at 36–39.

The issues to be resolved here are:

First, whether or not the Court of Appeals erred in affirming the conviction of accused-appellants Ronald Palema y Vargas, Rufel Palmea y Bautista, Lyndon Saldua y Quezon, and Virgo Grengia for the crime of robbery with homicide; and

Second, whether or not the acquittal of accused Marvin Marqueses is proper.

I

Robbery with homicide is a special complex crime punished under Article 294 of the Revised Penal Code. It is perpetrated when, by reason or on the occasion of robbery, homicide is committed.⁴⁵ Article 294(1) states:

ARTICLE 294. *Robbery with Violence Against or Intimidation of Persons — Penalties.* — Any person guilty of robbery with the use of violence against or intimidation of any person shall suffer:

1. The penalty of *reclusión perpetua* to death, when by reason or on occasion of the robbery, the crime of homicide shall have been committed.

To hold a person liable for this crime, the prosecution must establish the following elements with proof beyond reasonable doubt:

(1) the taking of personal property with violence or intimidation against persons; (2) the property taken belongs to another; (3) the taking was done with *animo lucrandi*; and (4) on the occasion of the robbery or by reason thereof, homicide was committed.⁴⁶ (Citation omitted)

Nevertheless, it must be stressed that in robbery with homicide, the offender's original intent must be the commission of robbery. The killing is merely incidental and subsidiary.⁴⁷ However, when the offender's "original criminal design does not clearly comprehend robbery, but robbery follows the homicide as an afterthought or as a minor incident of the homicide, the criminal acts should be viewed as constitutive of two offenses and not of a single complex offense."⁴⁸

⁴⁵ *People v. Algarme*, 598 Phil. 423, 446 (2009) [Per J. Brion, Second Division].

⁴⁶ *People v. Domacyong*, 463 Phil. 447, 459 (2003) [Per J. Puno, Second Division].

⁴⁷ *People v. Algarme*, 598 Phil. 423, 446 (2009) [Per J. Brion, Second Division].

⁴⁸ *Id.* at 447 citing *People v. Salazar*, 342 Phil. 745 (1997) [Per J. Panganiban, Third Division].

In *People v. De Jesus*,⁴⁹ this Court had the opportunity to comprehensively discuss the nature of the crime of robbery with homicide:

In robbery with homicide, the original criminal design of the malefactor is to commit robbery, with homicide perpetrated on the occasion or by reason of the robbery. The intent to commit robbery must precede the taking of human life. The homicide may take place before, during or after the robbery. It is only the result obtained, without reference or distinction as to the circumstances, causes or modes or persons intervening in the commission of the crime that has to be taken into consideration. There is no such felony of robbery with homicide through reckless imprudence or simple negligence. The constitutive elements of the crime, namely, robbery and homicide, must be consummated.

It is immaterial that the death would supervene by mere accident; or that the victim of homicide is other than the victim of robbery, or that two or more persons are killed or that aside from the homicide, rape, intentional mutilation, or usurpation of authority, is committed by reason or on the occasion of the crime. Likewise immaterial is the fact that the victim of homicide is one of the robbers; the felony would still be robbery with homicide. Once a homicide is committed by or on the occasion of the robbery, the felony committed is robbery with homicide. All the felonies committed by reason of or on the occasion of the robbery are integrated into one and indivisible felony of robbery with homicide. The word "homicide" is used in its generic sense. Homicide, thus, includes murder, parricide, and infanticide.

Intent to rob is an internal act but may be inferred from proof of violent unlawful taking of personal property. When the fact of asportation has been established beyond reasonable doubt, conviction of the accused is justified even if the property subject of the robbery is not presented in court. After all, the property stolen may have been abandoned or thrown away and destroyed by the robber or recovered by the owner. The prosecution is not burdened to prove the actual value of the property stolen or amount stolen from the victim. Whether the robber knew the actual amount in the possession of the victim is of no moment because the motive for robbery can exist regardless of the exact amount or value involved.

When homicide is committed by reason or on the occasion of robbery, all those who took part as principals in the robbery would also be held liable as principals of the single and indivisible felony of robbery with homicide although they did not actually take part in the killing, unless it clearly appears that they endeavored to prevent the same.

If a robber tries to prevent the commission of homicide after the commission of the robbery, he is guilty only of robbery and not of robbery with homicide. All those who conspire to commit robbery with homicide are guilty as principals of such crime, although not all profited and gained from the robbery. One who joins a criminal conspiracy adopts the criminal designs of his co-conspirators and can no longer repudiate the conspiracy once it has materialized.⁵⁰ (Emphasis supplied, citations omitted)

⁴⁹ *People v. De Jesus*, 473 Phil. 405 (2004) [Per Curiam, En Banc].

⁵⁰ *Id.* at 427-428.

In convicting accused-appellants, the Regional Trial Court gave credence to the testimonies of the prosecution witnesses, who recounted that the accused men were the ones who had simultaneously assaulted Enicasio. Based on their testimonies, Manzanero and accused-appellants Palema and Palmea all approached Enicasio and took his cellphone. When Enicasio tried to fight back, Palema stabbed him, causing him to fall. Immediately after, the other accused joined the fray and beat Enicasio.⁵¹

It is clear that accused-appellants' primary objective was to rob Enicasio. But, by reason or on the occasion of the robbery, Enicasio was stabbed and died as a result.

Finally, while accused-appellants argued that the Regional Trial Court erred in giving weight to the prosecution witnesses' testimonies, they failed to present evidence to the contrary.

Settled is the rule that "the matter of assigning values to declarations on the witness stand is best and most competently performed by the trial [court] judge,"⁵² who has "the unmatched opportunity to observe the witnesses and to assess their credibility by the various indicia available but not reflected on the record."⁵³ As such, this Court gives great weight and respect to the judge's assessment of the witnesses' credibility.⁵⁴

II

Insisting on their innocence, accused-appellants argue that the prosecution failed to prove that they conspired in committing the crime charged.⁵⁵ They insist that while they acted simultaneously, the prosecution failed to show that there was a unity of purpose among them.⁵⁶

Accused-appellants' argument deserves scant consideration.

Article 8 of the Revised Penal Code provides that "conspiracy exists when two or more persons come to an agreement concerning the commission of a felony and decide to commit it." Like any other element of a crime, the existence of conspiracy must be established by proof beyond reasonable doubt.⁵⁷

⁵¹ CA rollo, pp. 15–16.

⁵² *People v. Dejillo*, 700 Phil. 643, 660–661 (2012) [Per J. Leonardo-De Castro, First Division].

⁵³ Id. at 661.

⁵⁴ Id. at 660.

⁵⁵ CA rollo, p. 57.

⁵⁶ Id. at 58.

⁵⁷ *Benito v. People*, 600 Phil. 616, 619 (2015) [Per J. Leonen, Second Division].

Here, the Court of Appeals correctly affirmed the Regional Trial Court's finding of conspiracy. It found that accused-appellants' acts were coordinated and complementary with each other, demonstrating the existence of conspiracy. It ruled that the prosecution was able to establish that accused-appellants came in two (2) groups. The first group—accused-appellants Palema and Palmea, along with Manzanero—attacked Enicasio and took his cellphone. The second group—accused-appellants Grengia and Saldua, along with Ladra—joined the fray when they saw Enicasio fighting back.⁵⁸

Notably, while accused-appellants denied participating in the crime, they all admitted that they were at the Calamba Town Plaza during the incident. Moreover, their claim that they did not come as a group, but were with other people, remains a bare allegation after they failed to present the testimonies of the individuals who were supposedly with them that night.

As the Regional Trial Court correctly ruled:

Granting that they were merely present during the robbery, his inaction does not exculpate him. To exempt himself from criminal liability, a conspirator must have performed an overt act to dissociate or detach himself from the conspiracy to commit the felony and prevent the commission thereof. Accused offered no evidence that they performed an overt act neither to escape from the company of the assailants or to prevent the assault from taking place. Their denial, therefore, is of no value. Courts generally view the defenses of denial and alibi with disfavor on account of the facility with which an accused can concoct them to suit his defense. As both evidence are negative and self-serving, they cannot attain more credibility than the testimonies of prosecution witnesses who testify clearly, providing thereby positive evidence on the various aspects of the crime committed.⁵⁹ (Citations omitted)

III

It is a basic principle in criminal law that a notice of appeal throws the entire case open for review. Once an appeal is accepted by this Court, it will have “the authority to review matters not specifically raised or assigned as errors by the parties, if their consideration is necessary in arriving at a just resolution of the case.”⁶⁰ In *Ramos v. People*.⁶¹

⁵⁸ *Rollo*, p. 13.

⁵⁹ *CA rollo*, p. 22.

⁶⁰ *People v. Pirame*, 384 Phil. 286, 300 (2000) [Per J. Quisumbing, Second Division].

⁶¹ G.R. No. 226454, November 20, 2017, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/63754>> [Per J. Perlas-Bernabe, Second Division].

At the outset, it must be stressed that an appeal in criminal cases opens the entire case for review and it is the duty of the reviewing tribunal to correct, cite, and appreciate errors in the appealed judgment whether they are assigned or unassigned. “The appeal confers the appellate court full jurisdiction over the case and renders such court competent to examine records, revise the judgment appealed from, increase the penalty, and cite the proper provision of the penal law.”⁶² (Citations omitted)

Here, the Regional Trial Court acquitted Marqueses after having found no evidence of his participation in the crime charged.⁶³ However, a perusal of the records shows that Marqueses was never arraigned. While the Regional Trial Court, in its January 8, 2008 Order,⁶⁴ noted that all the accused were present on arraignment and that they all pleaded not guilty to the crime charged, only the names of accused-appellants Palema, Palmea, Saldua, and Grengia, as with Ladra and Manzanero, were shown in the Certificate of Arraignment.⁶⁵ Marqueses’ name is nowhere to be found.

Even during the January 17, 2008 pre-trial, Marqueses was absent.⁶⁶

It bears noting that Marqueses was never arrested and remained at large. On March 12, 2008, the Warrant of Arrest⁶⁷ issued against him was returned to the trial court as he could not be located at the given address despite effort exerted.⁶⁸

Arraignment is defined as “the formal mode and manner of implementing the constitutional right of an accused to be informed of the nature and cause of the accusation against him.”⁶⁹ Its purpose is to notify the accused of “the reason for his indictment, the specific charges he is bound to face, and the corresponding penalty that could be possibly meted against him.”⁷⁰ It is not an idle ceremony that can be brushed aside peremptorily, but an indispensable requirement of due process, the absence of which renders the proceedings against the accused void.⁷¹

In *Borja v. Mendoza*,⁷² this Court stressed that an arraignment not only satisfies the due process clause of the Constitution, but also affords an accused an opportunity to know the precise charge that confronts him or her. Through arraignment, the accused is placed in a position to enter his or her

⁶² Id.

⁶³ CA *rollo*, p. 22.

⁶⁴ RTC records, p. 29.

⁶⁵ Id. at 26.

⁶⁶ Id. at 35–37.

⁶⁷ Id. at 25.

⁶⁸ Id. at 43.

⁶⁹ *People v. Pangilinan*, 547 Phil. 260, 274 (2007) [Per J. Chico-Nazario, En Banc].

⁷⁰ *Kummer v. People*, 717 Phil. 670, 687 (2013) [Per J. Brion, Second Division].

⁷¹ *Taglay v. Daray*, 693 Phil. 45 (2012) [Per J. Peralta, Third Division].

⁷² 168 Phil. 83 (1977) [Per J. Fernando, Second Division].

plea with full knowledge of the consequences.⁷³ It is a vital aspect of any criminal prosecution, demanded by no less than the Constitution itself.

In *People v. Verra*,⁷⁴ this Court held that “just as an accused is accorded this constitutional protection, so is the State entitled to due process in criminal prosecutions. It must similarly be given the chance to present its evidence in support of a charge.”⁷⁵

There is no proof of Marqueses’ arraignment here. After the Warrant of Arrest issued against him was returned, his name appeared again only in the Regional Trial Court’s April 1, 2013 Order.⁷⁶ There, the Regional Trial Court did not state if he was belatedly arraigned or if he made a voluntary appearance. It merely granted the prosecution’s Motion to correct the names of Saldua and Palma.

Without evidence of Marqueses’ arraignment, the Regional Trial Court had no authority to order his acquittal. All proceedings against him before the Regional Trial Court are deemed void.

Finally, in line with current jurisprudence,⁷⁷ this Court deems it proper to impose exemplary damages and civil indemnity, both in the amount of ₱75,000.00.

WHEREFORE, the appeal is **DISMISSED**. The May 18, 2016 Decision of the Court of Appeals in CA-G.R. CR HC No. 06250 is **AFFIRMED with MODIFICATIONS**. The acquittal of accused Marvin Marqueses is deemed **VACATED**.

Accused-appellants Ronald Palema y Vargas, Rufel Palma y Bautista, Lyndon Saldua y Quezon, and Virgo Grengia are found **GUILTY** beyond reasonable doubt of robbery with homicide punished under Article 294 of the Revised Penal Code. They are sentenced to suffer the penalty of *reclusion perpetua*. They are also **DIRECTED** to pay the heirs of the victim, Enicasio Depante y Rosales, the amounts of: (1) Seventy-Five Thousand Pesos (₱75,000.00) as moral damages; (2) Seventy-Five Thousand Pesos (₱75,000.00) as civil indemnity; (3) Seventy-Five Thousand Pesos (₱75,000.00) as exemplary damages; (4) Three Thousand Seven Hundred Fifty-One Pesos (₱3,751.00) as hospital expenses; and (5) One Hundred Twenty Thousand Pesos (₱120,000.00) as funeral expenses.

⁷³ Id. at 87.

⁷⁴ 432 Phil. 279 (2002) [Per J. Puno, First Division].


⁷⁵ Id. at 283.

⁷⁶ RTC records, p. 257.

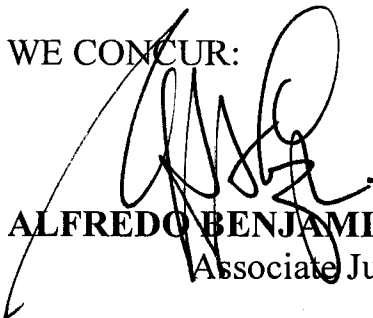
⁷⁷ *People v. Jugueta*, 783 Phil. 806 (2016) [Per J. Peralta, En Banc].

All damages awarded shall be subject to interest at the rate of six percent (6%) per annum from the finality of this Decision until full satisfaction.⁷⁸

SO ORDERED.


MARVIC M.V.F. LEONEN
Associate Justice

WE CONCUR:


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



ANDRES B. REYES, JR.
Associate Justice


RAMON PAUL L. HERNANDO
Associate Justice


HENRI JEAN PAUL B. INTING
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 M.V.F. LEONEN
Associate Justice
Acting Chairperson

⁷⁸ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].

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.



LUCAS P. BERSAMIN
Chief Justice