



Mis DDC Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court
Third Division

NOV 26 2020

Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

SUPREME COURT OF THE PHILIPPINES
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PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee,

G.R. No. 243653

Present:

-versus-

LEONEN, J., Chairperson,
GISMUNDO,
CARANDANG,
ZALAMEDA, and
GAERLAN*, JJ.

JONATHAN WESTLIE KELLEY,
a.k.a. "DADDY WESTLIE,"
CARLOTA CERERA DELA
ROSA, a.k.a. "MOMMY LOTA,"
CHERRIE NUDAS DATU, a.k.a.
MOMMY CHERRIE," REY
KELLEY ALIAS "BUROG," alias
DADDY KELLEY," and GLENDA
L. JIMENEZ,

Accused,

JONATHAN WESTLIE KELLEY,
CARLOTA CERERA DELA
ROSA, and CHERRIE NUDAS
DATU,

Accused-Appellants.

Promulgated:
June 22, 2020
Mis DDC Batt

X-----X

DECISION

LEONEN, J.:

The factual findings of a trial court, along with its evaluation of the credibility of witnesses and their testimonies are entitled to great respect.

* On leave.

Q

These are not to be disturbed on appeal, unless it can be shown that the trial court “overlooked, misapprehended, or misapplied” facts or circumstances of weight and substance.¹ Bare denials by the accused cannot prevail against unequivocal proof of their participation in the complex operations of a syndicate trafficking persons. When their participation in a conspiracy is shown beyond reasonable doubt, each of them is accountable. Each of them is therefore liable for damages to each of their victims in addition to criminal penalties.

In an Information, accused-appellants Jonathan Westlie Kelley, a.k.a. “Daddy Westlie” (Westlie), Carlota Cerera Dela Rosa, a.k.a. “Mommy Lota” (Dela Rosa), Cherrie Nudas Datu, a.k.a. “Mommy Datu” (Datu), Rey Kelley alias “Burog,” or “Daddy Kelley” (Rey), and Glenda L. Jimenez (Jimenez) were charged with qualified trafficking in persons, as penalized by Section 4 (e)² in relation to Sections 3 (a) and (c),³ 6 (a) and (c),⁴ and 10 (e)⁵ of Republic Act No. 9208, otherwise known as the Anti-Trafficking in Persons Act of 2003, as amended by Republic Act No. 10364, or the Expanded Anti-Trafficking in Persons Act of 2012. The Information reads:

That on May 22, 2013, and on dates prior thereto, at [redacted],
 [redacted] Pampanga, and within the jurisdiction of this Honorable

¹ *People v. De Jesus*, 695 Phil. 114 (2012) [Per J. Brion, Second Division] citing *People v. Jubail*, 472 Phil. 527 (2004) [Per J. Carpio, First Division].

² SECTION 4. *Acts of Trafficking in Persons*. — It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

.....
 (e) To maintain or hire a person to engage in prostitution or pornography;

³ SECTION 3. *Definition of Terms*. — As used in this Act:

(a) *Trafficking in Persons* — refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons, with or without the victim's consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services[,] slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as 'trafficking in persons' even if it does not involve any of the means set forth in the preceding paragraph.

.....
 (c) *Prostitution* — refers to any act, transaction, scheme or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration[.]

⁴ SECTION 6. *Qualified Trafficking in Persons*. — The following are considered as qualified trafficking:

(a) When the trafficked person is a child;

.....
 (c) When the crime is committed by a syndicate, or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed committed in large scale if committed against three (3) or more persons, individually or as a group[.]

⁵ SECTION 10. *Penalties and Sanctions*. — The following penalties and sanctions are hereby established for the offenses enumerated in this Act:

.....
 (e) Any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00)[.]

Court, the above-named accused, conspiring, confederating and mutually aiding one another, and for the purpose of prostitution and other forms of sexual exploitation and by taking advantage of the vulnerability of "AAA," "BBB," "CCC," "DDD," "EEE," "FFF," "GGG," "HHH," "III," "JJJ," "KKK," "LLL," "MMM," "NNN," "OOO," and "PPP," then seventeen (17) years old, by reason of their poverty, did then and there, willfully, unlawfully[,] feloniously, for profit and through deceit, procure and employ them to work as dancers/entertainers for [redacted], Angeles City for purposes of engaging the customers of the said establishment in sexual intercourse and other lascivious conduct, in exchange for money, to their damage and prejudice.

That the accused being a syndicate and perpetrated the crime in large scale [sic] against three (3) or more persons, individually or as a group and against victim "PPP," then a minor of seventeen (17) years old, committed qualified trafficking.

CONTRARY TO LAW.⁶

Rey and Jimenez remained at large. Thus, only Westlie, Dela Rosa, and Datu were arraigned. They all pleaded not guilty.⁷ The same three (3) accused also stood trial for the simultaneous charge of violating Republic Act No. 7610, with respect to their engagement of PPP, who was allegedly 17 years old when her services were engaged.⁸

The prosecution presented three (3) witnesses: OOO, one of the offended parties; P/Supt. Jaqueline Puapo (P/Supt. Puapo); and PO3 Aisha Pagumpaton (PO3 Pagumpaton).⁹

OOO recounted that she came upon a sign, in an establishment recruiting waitresses and applied for the job. However, she was told by Datu, a 'mamasang' in that establishment, that she could not be a waitress unless she accompanied another applicant who would be a dancer. Faced with the prospect of not being able to work, she agreed to be a dancer herself. She started working in April 2013. She explained that dancers like her were subject to customers' option to pay a 'bar fine' of ₱2,000.00, so they can be taken out for sexual intercourse. Of this amount, ₱1,200.00 went to the establishment, and ₱800.00 to the dancer. She recalled having

⁶ *Rollo*, p. 3-4.

⁷ *Id.* at 4.

⁸ *Id.* at 62. The Information for this simultaneous charge read:

That on May 22, 2013, and on dates prior thereto, at Barangay Balibago, Angeles City, Pampanga, and within the jurisdiction of this Honorable Court, the above-named accused, conspiring, confederating and mutually aiding one another; and for the purpose of prostitution and other forms of sexual exploitation and by taking advantage of the vulnerability of ██████████, then seventeen (17) years old, and the fact that they are the employers/managers of Eager Beavers Bar located at Fields Avenue, Barangay Balibago, Angeles City, did then and there, willfully, unlawfully, feloniously, for profit and through deceit, promote, facilitate, induce, procure and employ said Hanalyn Quising to work as dancer/entertainer for Eager Beaver's [sic] Bar for purposes of engaging the customers of the said establishment in sexual intercourse and other lascivious conduct, in exchange for money, to her damage and prejudice.

CONTRARY TO LAW.

⁹ *Id.* at 65-73.

been bar fined 10 times. She added, however, that she had been 'tabled' more times, during which, customers would fondle her genitals. She pointed to Dela Rosa as a mamasang, apart from Datu, and to Westlie as the 'tagapuna,' or the monitor who admonished dancers when they were not doing anything.¹⁰

P/Supt. Puapo and PO3 Pagumpaton testified on the entrapment operation that led to the apprehension of Westlie, Dela Rosa, and Datu. They recalled that on May 8, 2013, a representative of the National Intelligence Coordination Agency (NICA) accompanied PPP's sister to report to them that an establishment had been prostituting girls for ₱2,000.00 each. PPP's sister recalled that PPP was recruited by a "Cherrie Datu" to be a "Guest Relations Officer" or GRO.¹¹

On May 17, 2013, a surveillance operation was conducted, which revealed that: (1) a foreigner, Rey, owned the establishment; (2) Westlie was the floor manager; and (3) that PPP, a 17-year old minor worked at the establishment offering sexual services.¹²

On May 21, 2013, they obtained a search warrant from the Malolos, Bulacan Regional Trial Court.¹³

On May 22, 2013, the surveillance team, other police officers, and two (2) assets conducted an entrapment operation. In the bar, four (4) scantily clad girls were presented to the assets by Datu and Carlota, with the offer that they could have sex with them upon payment of the bar fine. The assets agreed and handed ₱8,000.00 in marked money. The assets then placed a call to the team, which proceeded to enforce the search warrant.¹⁴

The operation led to the arrest of Westlie, Carlota, and Datu, as well as the rescue of sixteen (16) victims, AAA, BBB, CCC, DDD, EEE, FFF, GGG, HHH, III, JJJ, KKK, LLL, MMM, NNN, OOO, and PPP.¹⁵

Westlie, Carlota, and Datu denied participating in any prostitution operation. Westlie claimed that he was merely in the establishment as a patron. Carlota and Datu alleged they were merely working as checker and purchaser, respectively.¹⁶

¹⁰ Id. at 4-5.

¹¹ Id. at 5-7.

¹² Id.

¹³ Id.

¹⁴ Id.

¹⁵ Id. at 64.

¹⁶ Id. at 7-8.

In a July 5, 2016 Judgment,¹⁷ the Regional Trial Court found Westlie, Carlota, and Datu guilty beyond reasonable doubt of qualified trafficking in persons. However, it acquitted them of the simultaneous charge of child abuse, as penalized by Republic Act No. 7610 because “[n]o witness was presented [to testify] that PPP was a minor at the time of the incident and that [Westlie, Carlota, and Datu] induced or employed a minor for the purpose of prostitution.”¹⁸

In convicting Westlie, Carlota, and Datu, the Regional Trial Court did not give weight to their denials, as against the clear accounts of the prosecution witnesses. The dispositive portion of the Regional Trial Court’s Decision read:

WHEREFORE, premises considered, as the prosecution has proven the guilt beyond reasonable doubt of the accused, Jonathan Westlie Kelley, Carlota Cerera Dela Rosa and Datu Nudas Datu for violation of Section 4 (a) in relation to Section 3(c), Section 6(c) and Section 10(c) of Republic Act No. 9208 as amended by Republic Act No. 10364 in Criminal Case No. 13-10089, the said three (3) accused are hereby sentenced to suffer **LIFE IMPRISONMENT** and each to pay a fine of **One Million Pesos (Php1,000,000.00)** and to pay Ethel Grace Perbesada Vilvestre the sum of **One Hundred Thousand Pesos (P100,00.00)** as moral damages.

As the prosecution failed to prove the guilt beyond reasonable doubt of the accused Jonathan Westlie Kelley, Carlota Cerera Dela Rosa and Datu Nudas Datu for violation of Section 5 (a) of Republic Act No. 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination) in Criminal Case No. 13-10090, they are hereby **ACQUITTED**.

As the accused, Rey Kelley @ Burog @ Daddy Kelly and Glenda L. Jimenez remain at large, let the records of these cases against them be sent to the **ARCHIVES** subject to the revival upon the arrest of the said accused. An alias warrant of arrest against the said accused is hereby ordered issued.

SO ORDERED.¹⁹ (Emphasis in the original)

Westlie, Carlota, and Datu appealed to the Court of Appeals. In addition to denying their participation in prostitution operations, they also assailed the issuance by the Malolos Regional Trial Court of a search warrant to be conducted in Angeles City.

In its assailed Decision,²⁰ the Court of Appeals affirmed the Decision

¹⁷ Id. at 60–93. The Judgment was penned by Judge Bernardita Gabitan-Erum of the Sixty-First Division of the Regional Trial Court, Angeles City.

¹⁸ Id. at 93.

¹⁹ Id.

of the Regional Trial Court with modification. Regarding the search warrant issued by the Malolos Regional Trial Court, the Court of Appeals explained that, for compelling reasons, an application for a search warrant may be made in any court within the judicial region where the crime was committed (if the place of commission is known), or any court within the judicial region where it shall be imposed.²¹

The dispositive portion of this assailed Decision read:

WHEREFORE, premises considered, the appeal is hereby **DISMISSED**, and the Judgment dated July 5, 2016 of the Regional Trial Court of Angeles City, Branch 61, convicting the accused-appellants in Criminal Case No. 13-10089, is **AFFIRMED** with **MODIFICATION** in that the accused-appellants are each ordered to pay a fine of two million pesos (₱2,000,000.00).

SO ORDERED.²² (Emphasis in the original)

Thereafter, Westlie, Carlota, and Datu filed their Notice of Appeal.²³

The Court of Appeals elevated the records of the case to this Court in compliance with its July 17, 2018 Resolution,²⁴ which gave due course to the Notice of Appeal filed by accused-appellants Westlie, Carlota, and Datu.

In a March 20, 2019 Resolution,²⁵ this Court noted the records forwarded by the Court of Appeals, and informed accused-appellants and plaintiff-appellee People of the Philippines, through the Office of the Solicitor General, that they may file their supplemental briefs.

In a September 18, 2019 Resolution,²⁶ this Court noted the Manifestations filed by plaintiff-appellee and accused-appellants, stating that they will no longer file supplemental briefs.

For resolution is the issue of whether or not accused-appellants Jonathan Westlie Kelley, Carlota Cerera Dela Rosa, and Cherrie Nudas Datu are guilty beyond reasonable doubt of qualified trafficking in persons.

²⁰ Id. at 2–19. The Decision dated May 31, 2018 in CA-G.R. CR-HC No. 08618 was penned by Associate Justice Ramon A. Cruz and concurred by Associate Justices Ramon M. Bato, Jr. (Chairperson) and Pablito A. Perez of the Eleventh Division of the Court of Appeals, Manila.

²¹ Id. at 10–12.

²² Id. at 17.

²³ Id. at 20–22.

²⁴ Id. at 1.

²⁵ Id. at 27–28.

²⁶ Id. at __.

I

“As a general rule, the findings of fact by the trial court, when affirmed by the appellate court, are given great weight and credence on review.”²⁷ This is because “[t]he trial court is in the best position to assess the credibility of witnesses and their testimonies because of its unique opportunity to observe the witnesses, their demeanor, conduct and attitude on the witness stand.”²⁸ The exception is when both or any of the lower courts “overlooked or misconstrued substantial facts which could have affected the outcome of the case.”²⁹

A careful examination of the records shows nothing that would warrant a reversal of the decisions of the Regional Trial Court and the Court of Appeals.

II

The Court of Appeals correctly noted that the issuance by the Malolos City Regional Trial Court of a search warrant was not fatal to the prosecution’s cause.

Firstly, accused-appellants failed to timely assail the purportedly faulty issuance of a search warrant before the Regional Trial Court. They only belatedly pleaded this before the Court of Appeals. Accordingly, the Court of Appeals did not err in disregarding this argument. As has been explained by this Court:

The omnibus motion rule embodied in Section 8, Rule 15, in relation to Section 1, Rule 9, demands that all available objections be included in a party’s motion, otherwise, said objections shall be deemed waived; and, the only grounds the court could take cognizance of, even if not pleaded in said motion are: (a) lack of jurisdiction over the subject matter; (b) existence of another action pending between the same parties for the same cause; and (c) bar by prior judgment or by statute of limitations. It should be stressed here that the Court has ruled in a number of cases that the omnibus motion rule is applicable to motions to quash search warrants. Furthermore, the Court distinctly stated in *Abuan v. People*, that “the motion to quash the search warrant which the accused may file shall be governed by the omnibus motion rule, provided, however, that objections not available, existent or known during the proceedings for the quashal of the warrant may be raised in the hearing of

²⁷ *People v. Feliciano, Jr.*, 734 Phil. 499, 521 (2014) [Per J. Leonen, Third Division].

²⁸ *Ditche v. Court of Appeals*, 384 Phil. 35, 36 (2000) [Per J. De Leon, Jr., Second Division].

²⁹ *People of the Philippines v. Montinola*, 567 Phil. 387, 404 (2008) [Per J. Carpio, Second Division], citing *People v. Fernandez*, 561 Phil. 287 (2007) [Per J. Carpio, Second Division]; *People v. Abulon*, 557 Phil. 428 (2007) [Per J. Tinga, En Banc]; and *People v. Bejic*, 552 Phil. 555 (2007) [Per J. Chico-Nazario, En Banc].

the motion to suppress”³⁰ (Citations omitted)

In any case, Rule 126, Section 2 (b) of the Revised Rules of Criminal Procedure provides:

SECTION 2. *Court where application for search warrant shall be filed.*
— An application for search warrant shall be filed with the following:

....

- b) *For compelling reasons stated in the application, any court within the judicial region where the crime was committed if the place of the commission of the crime is known, or any court within the judicial region where the warrant shall be enforced. (Emphasis supplied)*

In this case, the prosecution noted that the confidential nature of the operation being hatched and P/Supt. Puapo’s desire to avoid leakage was such a compelling reason within the contemplation of Rule 126, Section 2 (b).

In *People v. Chiu*,³¹ this Court acknowledged that the confidentiality of operations, and the possibility of leakage warranted the application of Rule 126, Section 2 (b):

In this case, Fernandez filed the application for a search warrant with the Pasay City RTC instead of the Quezon City RTC because of the possibility that the shabu would be removed by the appellant from No. 29 North Road, Barangay Bagong Lipunan, Cubao, Quezon City. Indeed, as shown by the evidence, the appellant had a residence other than No. 29 North Road where he sold shabu. There was also the pervading concern of the police officers that if they filed the application in Quezon City where the appellant plied his illicit activities, it may somehow come to the knowledge of Molina and the appellant, thus, rendering the enforcement of any search warrant issued by the court to be a useless effort. We find and so hold that Judge Lopez did not err in taking cognizance of and granting the questioned application for a search warrant.³²

That confidentiality and the need to foreclose leakage are compelling reasons within the contemplation of Rule 126, Section 2 (b) was also emphasized by this Court in *Petron Gasul LPG Dealers Association v. Lao*.³³

³⁰ *Pilipinas Shell Petroleum Corp. v. Romars International Gases Corp.*, 753 Phil. 707, 715–716 (2015) [Per J. Peralta, Third Division].

³¹ 468 Phil. 183, 198–199 (2004) [Per J. Callejo, Sr., Second Division].

³² *Id.*

³³ 790 Phil. 216 (2016) [Per J. Del Castillo, Second Division].

III

Ultimately, the Regional Trial Court's findings on each of accused-appellants' participation in the common design to traffic women by way of prostitution stands. Their excuses of being an unwitting patron (in the case of Westlie), or employees (in the cases of Carlota and Datu) fail to persuade. They are nothing more than self-serving excuses which admit that they were indeed in the establishment where trafficking and prostitution were being committed, except that they were not direct participants. These bare and hollow denials cannot trump the clear testimonies of OOO and of the police officers who—through every step—carefully prepared and conducted the entrapment operation.

OOO, in particular, recalled in detail the circumstances of her engagement and the operation being run by accused appellants:

Atty. Piccio: (To the Witness)

Q: When did you appl[y] for work at [redacted]?

A: Last week of April, 2013, ma'am.

Q: That was when you applied for work. When did you start working at [redacted]?

A: On the same week, ma'am.

Q: As a dancer, what were your duties and functions at [redacted]?

A: I was entertaining customers, ma'am.

Q: How do you entertain customers?

A: I danced for them and I was "tabled" by them and also "nagpapa-bar fine," ma'am.

Q: How do you mean "nagpapa-bar fine?"

A: That I will be paid by the customers to go out with them for xxx sexual intercourse, ma'am.

Q: Can you please tell xxx this Honorable Court if other dancers at [redacted] [were] doing the same thing, if you know?

Atty. Duro: Objection, your Honor, hearsay.

Atty. Piccio: Your Honor, I am asking her if she knows for she [wa]s working at [redacted] so she witnessed everything inside the bar.

Court: Objection overruled. Let the witness answer.

Witness:

A: Yes, ma'am.

Q: Why do you know this?

A: Because I was there when they were chatting about that, ma'am.

Q: You mentioned that customers bar fine you, if a customer wants to take you out on a bar fine transaction, who does [the] customer talk to?

A: Mamasang, ma'am.

Q: How many times have you been bar fined, if you can still remember?

A: Ten (10) times, ma'am.

Q: How much do they pay you for a bar fine transaction, Ms. Witness?

A: P2,000.00, ma'am. P800.00 will be given to me and P1,200.00 will be given to the bar.

Q: To whom is the payment xxx made if the customer wants [to take you out] for [a] bar fine transaction?

A: Sometimes to the mamasang to be paid directly to the cashier or sometimes to the waitress also to be paid directly to the cashier, ma'am.

xxx xxx xxx

Q: You also mentioned a while ago [that] you experienced "nagpapa-table" at [redacted], can you still recall the number of times of "nagpapa-table ka?"

A: Twenty (20) times, ma'am.

Q: Whe[n]ever you are being "tabled," what is usually xxx done to you?

A: Sometimes they chat with me and sometimes they hold the private part of my body, ma'am.³⁴

From these, the following observations of the Regional Trial Court are well-taken:

When complainant [OOO] testified, she was sincere, straightforward and honest. She was crying and emotional while testifying o[n] what she's been t[hrough], what actually happened and what she experienced while working as a dancer in [redacted]. The court is convinced that she was telling the truth. The accused Cherrie Datu recruited [OOO] for the purpose of prostitution and sexual exploitation. Thus, Cherrie Datu allowed her to be tabled and barfined to do what the customers wanted and even received commissions from barfine[s] paid by the customers.

When there is nothing to indicate that a witness was actuated by improper motive, her positive and categorical declarations on the witness [stand under the' solemnity of an] oath deserved full faith and credit (*Pangonoram vs. People*, 455 SCRA 211). Further, in the case of *Sonia v. [Court of Appeals]* 175 SCRA 518 it was held that testimonies of witnesses are worthy of full faith and credit as there was no evidence of improper motive on their part to testify against Sonia.

³⁴ *Rollo*, p. 12-14.

As in the above cases, there was no motive on the part of [OOO] to testify against all of the accused than to declare that she was told [by] Cherrie Datu that she [would be hired] as [a] dancer but ended up working as a dancer offering sex services for a fee to foreigners in ██████████ in ██████████ managed by accused Jonathan Westlie Kell[e]y and that the accused Carlota Dela Rosa is a mama[sang] in the said bar.³⁵

IV

While this Court sustains the findings of the Court of Appeals and the Regional Trial Court, further modification is in order. The Court of Appeals and the Regional Trial Court ordered the payment of moral damages only to OOO. This should be rectified.

Accused-appellants were found guilty of operating as a syndicate to commit qualified trafficking in persons. Their offense was committed as much against the 15 other women rescued on May 22, 2013 as it was against OOO. Even if it was only OOO who personally testified, her testimony, along with those of P/Supt. Puapo and PO3 Pagumpaton, and the entire corpus of evidence adduced by the prosecution attest to the manifold operation of accused-appellants whose object was by no means OOO alone. AAA, BBB, CCC, DDD, EEE, FFF, GGG, HHH, III, JJJ, KKK, LLL, MMM, NNN, and PPP are as much victims of accused-appellants' sinister designs. They are each equally deserving of a measure of recompense. As such, this Court orders the payment of moral damages, not just to OOO, but to each of the 15 other victims rescued on May 22, 2013.


Likewise, each of accused-appellants contributed to realizing the objectives of their sinister operation. Their contributions may have been varied, but they were no less necessarily connected. Their culpability as knowing individuals each enabling and assisting a perverse scheme impels liability for damages from each of them to each of their victims.

WHEREFORE, the Court of Appeals' May 31, 2018 Decision in CA-G.R. CR-HC No. 08618 is **AFFIRMED with MODIFICATION**. This Court finds accused-appellants Jonathan Westlie Kelley, Carlota Cerera Dela Rosa, and Cherrie Nudas Datu **GUILTY** beyond reasonable doubt of violating Section 4 (a) in relation to Section 3 (c), Section 6 (c) and Section 10 (e) of Republic Act No. 9208 as amended by Republic Act No. 10364. They are each sentenced to suffer the penalty of LIFE IMPRISONMENT, and to each pay a fine of two million pesos (₱2,000,000.00). They are also ordered to pay AAA, BBB, CCC, DDD, EEE, FFF, GGG, HHH, III, JJJ, KKK, LLL, MMM, NNN, OOO, and PPP the sum of One Hundred Thousand Pesos (₱100,000.00) each as moral damages.

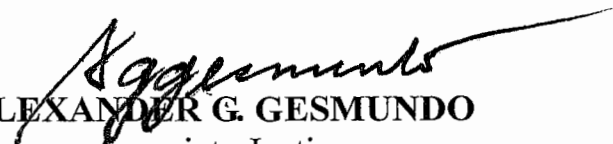
³⁵ Id. at 89.

All damages awarded shall be subject to the interest rate of six percent (6%) per annum from the finality of this Decision until fully paid.³⁶

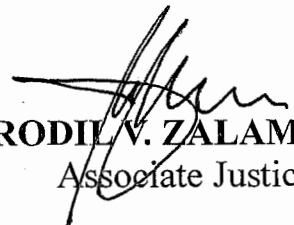
SO ORDERED.


MARVIC M.V.F. LEONEN
Associate Justice

WE CONCUR:


ALEXANDER G. GESMUNDO
Associate Justice


ROSMARIE B. CARANDANG
Associate Justice


RODIL V. ZALAMEDA
Associate Justice

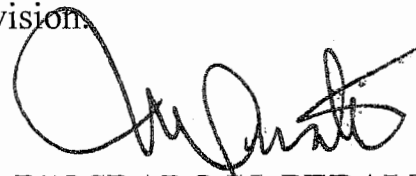
On leave
SAMUEL H. GAERLAN
Associate Justice

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.

CERTIFIED TRUE COPY

Misc DCB-H
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court
Third Division


DIOSDADO M. PERALTA
Chief Justice

NOV 26 2020

³⁶ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].