

Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee,

G.R. No. 273990

Present:

- versus -

GESMUNDO, C.J.,
Chairperson,
HERNANDO,
ZALAMEDA,
ROSARIO, and
MARQUEZ, JJ.

XXX,¹

Accused-Appellant.

Promulgated:

JAN 22 2025

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DECISION

HERNANDO, J.:

This appeal² seeks the reversal of the September 26, 2023 Decision³ of the Court of Appeals (CA) in CA-G.R. CR No. 46577, which affirmed with modification the May 19, 2021 Decision⁴ of the Regional Trial Court (RTC) of

¹ In line with the Amended Administrative Circular No. 83-2015, as mandated by Republic Act No. 9208, the names of the private offended parties, along with all other personal circumstances that may tend to establish their identities, are made confidential to protect their privacy and dignity.

² *Rollo*, pp. 3-4.

³ *Id.* at 9-22. The September 26, 2023 Decision in CA-G.R. CR No. 46577 was penned by Associate Justice Ronaldo Roberto B. Martin and concurred in by Associate Justices Ramon M. Bato, Jr. and Alfonso C. Ruiz II of the Third Division, Court of Appeals, [REDACTED].

⁴ *Id.* at 25-51. The May 19, 2021 Decision in Criminal Case Nos. R-MNL-19-11384-CR and R-MNL-20-03982-CR was penned by Presiding Judge Emily L. San Gaspar-Gito of Branch 5, Regional Trial Court, [REDACTED].

██████████,⁵ Branch 5, in Criminal Case No. R-MNL-19-11384-CR finding accused-appellant XXX guilty beyond reasonable doubt of Attempted Trafficking in Persons under Section 4-A of Republic Act No. 9208,⁶ as amended by Republic Act No. 10364.⁷

The Factual Antecedents

Accused-appellant was charged with Qualified Trafficking in Persons under Republic Act No. 9208 based on the following Information,⁸ to wit:

Criminal Case No. R-MNL-19-11384-CR

That [on] or about and during the period comprising from *August 26, 2019 to September 5, 2019, inclusive*, in the ██████████, the said accused, for purposes of prostitution, pornography and sexual exploitation, did then and there willfully, unlawfully, feloniously and knowingly commit acts of trafficking in persons on the persons of [AAA] and [BBB],⁹ both 14 year old minors, by then and there recruiting, obtaining, hiring, providing, transporting, transferring, maintaining and harboring them as *MASSAGE THERAPIST* of ██████████ *SPA*, and for money considerations offering and delivering the said [AAA] and [BBB], to perform “EXTRA SERVICE” (MASSAGE WITH SEXUAL INTERCOURSE) to their customers.

That the crime was attended by the qualifying circumstances [sic] of minority, complainants [AAA] and [BBB], being 14 years of age.

Contrary to law.¹⁰ (Emphasis in the original)

Upon her arraignment, accused-appellant pleaded “not guilty” to the crime charged. After the termination of pre-trial, trial on the merits subsequently ensued.¹¹

⁵ Geographical location is blotted out pursuant to Supreme Court Amended Administrative Circular No. 83-2015.

⁶ Otherwise known as “Anti-Trafficking in Persons Act of 2003.”

⁷ Otherwise known as “Expanded Anti-Trafficking in Persons Act of 2012.”

⁸ RTC records, p. 1.

⁹ “The identity of the victim[s] or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to Republic Act No. 7610, An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation, and for Other Purposes; Republic Act No. 9262, An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and for Other Purposes; and Section 40 of A.M. No. 04-10-11-SC, known as the Rule on Violence against Women and their Children, effective November 15, 2004.” (*People v. Dumadag*, 667 Phil. 664, 669 [2011]).

¹⁰ *Id.*

¹¹ *Rollo*, pp. 27–28.

Version of the Prosecution

The prosecution presented the testimony of private complainants AAA and BBB.

AAA testified that accused-appellant's daughter was her friend. She recounted being invited by accused-appellant alongside BBB and CCC to work as massage therapists at a massage parlor in [REDACTED]. Despite lacking parental consent, they proceeded to accused-appellant's residence in [REDACTED]. AAA explained that she consented to accused-appellant's offer because she trusted her as the mother of her friend.¹²

AAA described receiving massage techniques from accused-appellant before departing for [REDACTED] with BBB, CCC, and accused-appellant's sister. Upon their arrival, they were instructed to rest before commencing work the next day. After working for three days, AAA's request to return home due to an illness was denied by the massage parlor's owner, DDD.¹³ She eventually escaped from the massage parlor, making her way back to [REDACTED].¹⁴

During cross-examination, AAA admitted to voluntarily accompanying accused-appellant to [REDACTED] to gain work experience, but maintained that she never provided "extra services" despite receiving instructions about them.¹⁵ On re-direct examination, AAA explained that accused-appellant promised them substantial earnings if they rendered "extra services" to customers. When asked to clarify the meaning of "extra services," AAA responded, "*salsalin daw po namin ang ari ng lalaki*." She emphasized that she ultimately left the massage parlor specifically because of the expectation to provide these "extra services" to customers.¹⁶

BBB substantially corroborated AAA's testimony, stating that she also knew accused-appellant as the mother of her friend. She added that accused-appellant had initially offered her work involving both massage and sexual services for male clients, which she declined. BBB also stated that she was ultimately coerced by accused-appellant into going to [REDACTED] on August 26,

¹² *Id.* at 11.

¹³ In Criminal Case No. R-MNL-20-03982-CR, an Information was filed against the co-accused of the accused-appellant, DDD. In an Order dated August 14, 2020, the RTC granted the consolidation of Criminal Case Nos. R-MNL-19-11384-CR and R-MNL-20-03982-CR. DDD remained at-large per the RTC's Decision dated May 19, 2021.

¹⁴ *Rollo*, p. 11.

¹⁵ *Id.*

¹⁶ *Id.* at 12.

2019. She worked for a week in the massage parlor before being sent home by EEE, DDD's caretaker, following accused-appellant's arrest.¹⁷

During cross-examination, BBB reiterated that accused-appellant had demonstrated to her and AAA on how to engage in sexual activities with male clients, but clarified that she was not forced to participate in such acts. BBB emphasized that she only performed massages during her time in [REDACTED] and that accused-appellant had coerced her into going with them.¹⁸

Version of the Defense

For its part, the defense presented the testimony of accused-appellant, her sister, YYY, CCC, who appears to be accused-appellant's daughter-in-law, and ZZZ, accused-appellant's mother.

Accused-appellant countered that she began working at the massage parlor on August 29, 2019 after YYY introduced her to the establishment. She claimed that AAA and BBB voluntarily sought employment there after her brief return home. Meanwhile, she denied coercing AAA and BBB to go with her to [REDACTED], or teaching them about "extra services," asserting that EEE was responsible for such instruction. Accused-appellant also maintained that she only provided standard massages without additional services.¹⁹

During cross-examination, she acknowledged that she continued to work at the massage parlor despite being aware of the "extra services" being offered, and admitted to working for three days after AAA's escape.²⁰

CCC and YYY both testified that it was EEE, and not DDD or the accused-appellant, who instructed CCC, AAA, and BBB to perform "extra services." Additionally, CCC stated that accused-appellant had explicitly directed them not to engage in any "extra services" if they were told to do so at the massage parlor. Meanwhile, ZZZ stated that while accused-appellant was teaching AAA and BBB massage techniques, she did not overhear any discussion about "extra services."²¹

The parties dispensed with the presentation of Dr. Mary Ann Manos (Dr. Manos) and Dr. Lorelyn Mae Tolentino (Dr. Tolentino) and agreed to stipulate on the following:²² (1) they are dental practitioners assigned at the National

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.* at 13.

²⁰ *Id.*

²¹ *Id.* at 14.

²² *Id.* at 13.

Bureau of Investigation, Manila; (2) they conducted a dental examination of AAA and BBB on August 18, 2020; and (3) based on the examination results, AAA and BBB were determined to be minors due to the presence of “unerupted third molar or wisdom teeth.”²³

Ruling of the Regional Trial Court

In a Decision²⁴ dated May 19, 2021, the RTC determined that accused-appellant was involved in recruiting AAA and BBB with the intent to exploit them in prostitution. However, the trial court ultimately convicted her of Attempted Trafficking as AAA and BBB managed to escape from the massage parlor before being fully exploited.²⁵ The dispositive portion of the RTC Decision reads:

WHEREFORE, in view of the foregoing disquisition, the court finds the accused [XXX] GUILTY BEYOND REASONABLE DOUBT of the lesser offense of Attempted Trafficking under Section 4-A of Republic Act No. 9208, as amended by Republic Act No. 10364.

She is hereby sentenced[:] (a) to suffer fifteen (15) years imprisonment; [and] (b) to pay a fine of [PHP 500,000.00].

Further, she is adjudged civilly liable to each complainant minor as [PHP] 50,000.00 as moral damages and [PHP] 50,000.00 as exemplary damages.

The monetary award shall include the interest on all damages at the rate of six percent (6%) per annum from the finality of judgment until fully paid.

....

*SO ORDERED.*²⁶ (Emphasis in the original)

Thus, accused-appellant appealed to the CA.

Ruling of the Court of Appeals

The CA rendered the assailed Decision²⁷ dated September 26, 2023, the dispositive portion of which reads:

WHEREFORE, the Appeal is *DENIED* and the [May 19, 2021] Decision of the Regional Trial Court, [REDACTED], Branch 5 in Criminal Case No. R-MNL-19-11384-CR is *MODIFIED* in that appellant [XXX] is found guilty of qualified

²³ RTC records, pp. 146–149.

²⁴ *Rollo*, pp. 25–51.

²⁵ *Id.* at 48.

²⁶ CA *rollo*, p. 91.

²⁷ *Rollo*, pp. 9–22.

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trafficking in persons and is hereby sentenced to suffer the penalty of life imprisonment and pay a fine of [PHP 2,000,000.00]. Appellant [XXX] is also ordered to pay each of the victims moral damages in the amount of [PHP 500,000.00] and exemplary damages in the amount of [PHP 100,000.00]. Further, interest at the rate of six percent (6%) per *anuum* on all the damages awarded is hereby imposed reckoned from the date of finality of the Decision until fully paid.

*SO ORDERED.*²⁸ (Emphasis in the original)

In reviewing the case, the CA found no merit in accused-appellant's appeal. However, contrary to the RTC's findings, the CA concluded that the prosecution had successfully established the presence of all elements of Qualified Trafficking in Persons. The CA made the following findings: First, accused-appellant recruited AAA and BBB to work as massage therapists at a massage parlor in [REDACTED]. Second, the method of recruitment was deemed irrelevant, as it was established that AAA and BBB were minors at the time the crime was committed. Finally, the objective of the trafficking was clearly for sexual exploitation.

Hence, this appeal.²⁹

Issue

The issue is whether the CA erred in convicting accused-appellant for Qualified Trafficking in Persons.

In a bid to evade criminal liability, accused-appellant argues that she lacked any malicious intent to exploit AAA and BBB when she invited them to work at the massage parlor. Instead, she claims her actions were merely motivated by a misguided desire to help them secure employment. She asserts that they were not coerced into their employment; rather, both of them voluntarily chose to work there following their training with her. Furthermore, accused-appellant contends that AAA and BBB were never forced or pressured to engage in sexual acts with male clients during their time at the massage parlor. She also denies instructing them to provide "extra services" or to engage in sexual intercourse with customers.³⁰

Our Ruling

The appeal is unmeritorious. The CA did not err in convicting accused-appellant for the crime of Qualified Trafficking in Persons.

²⁸ *Id.* at 21.

²⁹ *Id.* at 3-4.

³⁰ CA rollo, pp. 52-60.

Section 3 (a) of Republic Act No. 9208, as amended by Republic Act No. 10364, defines the term trafficking in persons. It states:

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.

In *People v. Becaylas*,³¹ We held that Trafficking in Persons requires the following elements:

(1) The act of "recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders"; (2) The *means* used which includes "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"; and (3) The *purpose* of trafficking is exploitation which includes "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."³²

There are various ways through which the crime of human trafficking in persons can be perpetrated. These include the recruitment, obtaining, hiring, providing, offering, transporting, transferring, maintaining, harboring, or receiving "a person by any means . . . for the purpose of prostitution, pornography, [or] sexual exploitation[.]"³³

³¹ G.R. No. 266047, April 11, 2024 [Per J. Lazaro-Javier, Second Division].

³² *Id.*

³³ Republic Act No. 9208, sec. 4 (a), as amended by Republic Act No. 10364 states:

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

(a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation[.] *People v. Mendez*, G.R. No. 264039, May 27, 2024 [Per S.J. Leonen, Second Division].

However, paragraph 2, section 3 (a)³⁴ of Republic Act No. 9208, as amended by Republic Act No. 10364 expressly provides an important distinction when it comes to minors. Specifically, the recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation shall also be considered trafficking in persons, even if it does not involve any of the means stated under the law.³⁵ This distinction is crucial because, in the case of minors, even without the use of coercive, abusive, or deceptive means, a minor's consent is not considered to be given out of his or her own free will.³⁶ Furthermore, trafficking in persons may also be committed by taking advantage of a minor's vulnerability.³⁷

Given the particular vulnerability of children, the law considers trafficking to be qualified when the trafficked person is a child, thereby imposing more severe penalties on perpetrators.³⁸

Applying the foregoing law and jurisprudence, the prosecution satisfactorily established the presence of all the elements of the offense. As found by the RTC and the CA, the following are undisputed:

First, it was accused-appellant who recruited AAA and BBB and offered them work as massage therapists, promising substantial earnings when they provided "extra services" or engaged in sexual intercourse with customers. Upon accepting accused-appellant's offer, she transported AAA and BBB from [REDACTED] to [REDACTED] to work in the massage parlor.

Second, accused-appellant took advantage of their vulnerability as minor children who are in need of money. It is immaterial that AAA and BBB voluntarily agreed to go with accused-appellant in the first place. After all, it is axiomatic that a minor victim's knowledge or consent is not a defense under Republic Act No. 9208, as amended by Republic Act No. 10364. As discussed above, their consent is rendered meaningless due to the coercive, abusive, or deceptive means employed by perpetrators of human trafficking. Even without the use of such means, a minor's consent is not given out of their own free will.

Third, accused-appellant demonstrated to AAA and BBB how to have sexual intercourse with potential customers of the massage parlor, and told them

³⁴ Republic Act No. 9208, par. 2, sec. 3 (a), as amended by Republic Act No. 10364 states:
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.

³⁵ *People v. Becaylas*, G.R. No. 266047, April 11, 2024 [Per J. Lazaro-Javier, Second Division].

³⁶ *People v. Casio*, 749 Phil. 458, 475 (2014) [Per J. Leonen, Second Division].

³⁷ *People v. De Dios*, 832 Phil. 1034, 1044 (2018) [Per J. Reyes, Jr., Second Division].

³⁸ *People v. Becaylas*, G.R. No. 266047, April 11, 2024 [Per J. Lazaro-Javier, Second Division].

that aside from their income from doing massages, they would receive additional earnings for the “extra services” they would render to the customers. Thus, it is clear that accused-appellant’s purpose in recruiting AAA and BBB were to exploit them by offering their sexual services to customers in exchange for money. In other words, she recruited AAA and BBB for the purpose of prostitution. The accused-appellant’s contention that she lacked any malicious intent to exploit AAA and BBB since her actions were merely motivated by a misguided desire to help them secure employment is belied by the fact that she informed them of the massage parlor’s “extra services” and demonstrated to them how to have sexual intercourse.

Lastly, it is undisputed that AAA and BBB were minors at the time they were recruited by accused-appellant. Thus, this Court finds that the CA committed no reversible error when it found accused-appellant guilty beyond reasonable doubt of Qualified Trafficking in Persons.

Contrary to the conclusion of the RTC, accused-appellant should be convicted of the consummated crime of trafficking in persons, not just attempted trafficking. This is because Republic Act No. 9208 does not require the victims to be actually subjected to prostitution or sexual exploitation before the accused can be held liable. What is essential under the law is that the victims are recruited and transported for the purpose of sexual exploitation, regardless of whether they were ultimately subjected to those activities. The law was passed precisely to curtail human trafficking, and this purpose would be undermined if a conviction for trafficking requires the victims to be actually subjected to the intended sexual exploitation.³⁹ In this case, AAA and BBB do not need to engage in or be subjected to sexual intercourse with the clients of the massage parlor for the crime of trafficking to be consummated.

Similarly, accused-appellant’s liability remains the same under the amendatory law, Republic Act No. 10364. To be clear, recruitment and transportation of persons remain predicate acts under both versions of the law. Thus, mere recruitment and transportation of persons through any of the means and for any of the purposes enumerated under Section 4 of Republic Act No. 10364 would be sufficient to consummate the crime and remove it from the ambit of attempted trafficking in persons under Section 4-A⁴⁰ of Republic Act

³⁹ *Ferrer v. People*, G.R. Nos. 223042 & 223769, July 6, 2022 [Per J. Lazaro-Javier, Second Division]; *People v. Estonilo*, 888 Phil. 332,343 (2020) [Per J. Perlas-Bernabe, Second Division].

⁴⁰ Republic Act No. 9208, sec. 5, as amended by Republic Act No. 10364 states:

SECTION 5. A new Section 4-A is hereby inserted in Republic Act No. 9208, to read as follows:

SEC. 4-A. *Attempted Trafficking in Persons.* — Where there are acts to initiate the commission of a trafficking offense but the offender failed to or did not execute all the elements of the crime, by accident or by reason of some cause other than voluntary desistance, such overt acts shall be deemed as an attempt to commit an act of trafficking in persons. As such, an attempt to commit any of the offenses enumerated in Section 4 of this Act shall constitute attempted trafficking in persons.

No. 9208, as amended by Republic Act No. 10364.⁴¹

Simply stated, there is no requirement for actual sexual intercourse with AAA and BBB to establish a finding of trafficking. The crime is considered consummated even if no sexual intercourse has taken place. This is because the essence of the crime of trafficking lies in the act of recruiting or using, with or without consent, another person for the purpose of sexual exploitation.⁴² In this case, accused-appellant consummated the crime the moment she recruited AAA and BBB for the intended purpose of sexual exploitation, regardless of whether the exploitation was ultimately carried out.

Moreover, accused-appellant's mere denial of recruiting AAA and BBB for prostitution, or instructing them to provide "extra services" or engage in sexual intercourse with customers, cannot stand against the clear, consistent, and credible testimonies of AAA and BBB. It is a well-established principle that denial is an inherently weak defense; it constitutes self-serving negative evidence that cannot carry more evidentiary weight than the positive declarations made by credible witnesses.⁴³ Thus, accused-appellant's denial, unsupported by strong corroborating evidence, is insufficient to overcome the positive identification and detailed account provided by AAA and BBB regarding the accused-appellant's identity and involvement in the crime. The strength of their testimonies, when found to be credible by the lower courts, typically outweighs accused-appellant's unsupported denials.

At this point, this Court notes that while the RTC and the CA arrived at different conclusions regarding the accused-appellant's conviction —the RTC finding attempted trafficking and the CA ruling for qualified trafficking— this discrepancy stems not from a misapprehension of facts, but rather from an erroneous application of the law by the RTC. Notably, however, both the lower courts are unanimous in their findings that accused-appellant: (1) recruited AAA and BBB to work as massage therapists, promising them an opportunity to earn money; and (2) instructed them to provide "extra service" – a euphemism for sexual intercourse with customers – for additional income. This consistency in factual findings is significant since it is a well-established principle that the factual determinations and conclusions of trial courts are accorded great weight and respect, and are generally considered final and binding when upheld on appeal,⁴⁴ as in this case.

⁴¹ *Ferrer v. People*, G.R. Nos. 223042 & 223769, July 6, 2022 [Per J. Lazaro-Javier, Second Division]

⁴² *People v. Estonilo*, 888 Phil. 332, 343 (2020) [Per J. Perlas-Bernabe, Second Division].

⁴³ *People v. XXX*, G.R. No. 248815, March 23, 2022 [Per J. Hernando, Second Division].

⁴⁴ *People v. Dillatan, Sr.*, 839 Phil. 860, 870 (2018) [Per J. Peralta, Third Division].

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Given the foregoing disquisition, it is beyond cavil that the prosecution incontrovertibly established the act, means, and purpose of the offense charged against accused-appellant. Considering that AAA and BBB are deemed children by law, accused-appellant is guilty of Qualified Trafficking in Persons.

In sum, the Court sustains the conviction of accused-appellant for Qualified Trafficking in Persons.

Penalty and Damages

The CA correctly imposed the penalty under Section 10 (e)⁴⁵ of Republic Act No. 9208, as amended by Republic Act No. 10364 against the accused-appellant for qualified trafficking in persons. The law prescribes life imprisonment and a fine of not less than PHP 2,000,000.00 but not more than PHP 5,000,000.00, against any person found guilty of qualified trafficking in persons.

Further, in line with prevailing jurisprudence, the CA correctly affirmed the award of moral damages of PHP 500,000.00 and exemplary damages of PHP100,000.00. Likewise, the CA correctly imposed on the total monetary awards 6% interest per *annum* pursuant to prevailing jurisprudence.⁴⁶

FOR THESE REASONS, the appeal is **DISMISSED**. The September 26, 2023 Decision of the Court of Appeals in CA-G.R. CR No. 46577 is **AFFIRMED**.

Accused-appellant XXX is found guilty of qualified trafficking in persons under Section 4 (a), in relation to Section 6 (a) of Republic Act No. 9208, as amended by Republic Act No. 10364 and is sentenced to life imprisonment and to **PAY** a fine of PHP 2,000,000.00. She is further ordered to **PAY** AAA and BBB each PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages.

These monetary awards shall earn 6% interest per *annum* from finality of this Resolution until fully paid.

⁴⁵ Republic Act No. 9208, sec. 12, as amended by Republic Act No. 10364 states:

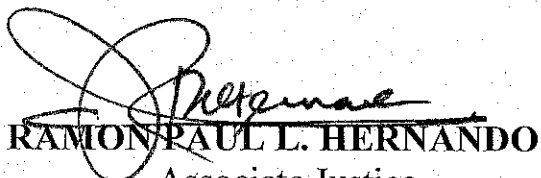
Section 12. Section 10 of Republic Act No. 9208 is hereby amended to read as follows:

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

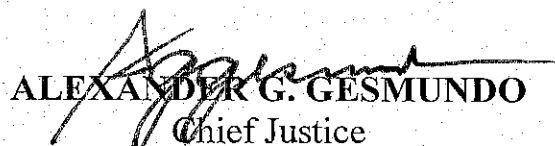
....
(e) Any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos ([PHP] 2,000,000.00) but not more than Five million pesos ([PHP] 5,000,000.00) [.]

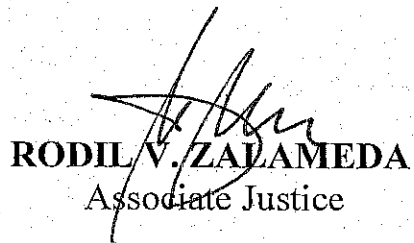
⁴⁶ *Nacar v. Gallery Frames*, 716 Phil. 267, 283 (2013) [Per J. Peralta, *En Banc*].

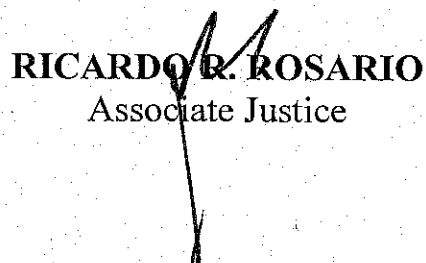
SO ORDERED.



RAMON PAUL L. HERNANDO
Associate Justice
Working Chairperson

WE CONCUR:


ALEXANDER G. GESMUNDO
Chief Justice
Chairperson

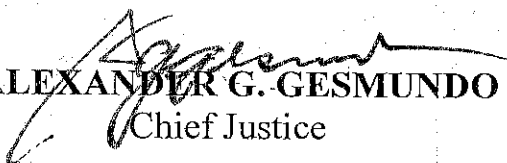

RODIL V. ZALAMEDA
Associate Justice


RICARDO R. ROSARIO
Associate Justice


JOSE MIDAS P. MARQUEZ
Associate Justice

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, 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.



ALEXANDER G. GESMUNDO
Chief Justice

