



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **November 13, 2019**, which reads as follows:

“**G.R. No. 223688 (People of the Philippines v. Rediolan Lazona y Tarlac)**. - After a perusal of the records of the case, this Court resolves to dismiss the appeal for failure of accused-appellant Rediolan Lazona y Tarlac to sufficiently show that the Court of Appeals committed reversible error in upholding his conviction for the crime of Robbery with Homicide.

However, following *People v. Jugueta*¹ and A.M. No. 15-08-02-SC,² the monetary award of damages should be modified as follows: ₱100,000.00 as civil indemnity, ₱ 100,000.00 as moral damages, and ₱100,000.00 as exemplary damages.³ Lastly, interest at the rate of 6% *per annum* is imposed on the damages awarded reckoned from the date of finality of this judgment until fully paid.⁴

WHEREFORE, premises considered, the instant appeal is **DISMISSED**. The Decision dated July 2, 2013 of Court of Appeals in CA-G.R. CR-HC No. 04917 is hereby **AFFIRMED with MODIFICATION** in that accused-appellant Rediolan Lazona y Tarlac is **ORDERED** to pay the following: (1) ₱300,000.00 representing the amount of stolen cash; (2) the increased amounts of ₱100,000.00 as civil indemnity, ₱100,000.00 as moral damages and ₱100,000.00 as exemplary damages; and (3) interest at the rate of six percent (6%) *per annum* on all damages awarded from the date of finality of this judgment until fully paid.

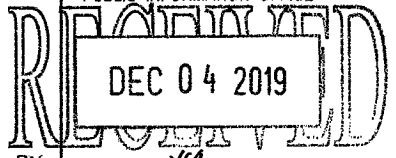
¹ 783 Phil. 806 (2016). IV. For Special Complex Crimes like Robbery with Homicide, Robbery with Rape, Robbery with Intentional Mutilation, Robbery with Arson, Rape with Homicide, Kidnapping with Murder, Carnapping with Homicide or Carnapping with Rape, Highway Robbery with Homicide, Qualified Piracy, Arson with Homicide, Hazing with Death, Rape, Sodomy or Mutilation and other crimes with death, injuries, and sexual abuse as the composite crimes, where the penalty consists of indivisible penalties:

- 1.1 Where the penalty imposed is Death but reduced to *reclusion perpetua* because of RA 9346:
 - a. Civil indemnity – ₱100,000.00
 - b. Moral damages – ₱100,000.00
 - c. Exemplary damages – ₱100,000.00.

² Guidelines for the Proper Use of the Phrase “Without Eligibility for Parole” in Indivisible Penalties.

³ *People v. Jugueta*, supra note 1 at 849.

⁴ *People v. Cabungan*, 702 Phil. 177, 190 (2013).



BY: YCG
TIME: 1:22

SO ORDERED. (*Leonen, J., on official business; Gesmundo, J., designated as Acting Chairperson of the Third Division per Special Order No. 2737; Lazaro-Javier, J., designated as Additional Member of the Third Division per Special Order No. 2728, on official leave.*)

Very truly yours,

MisPDCBatt
MISAEAL DOMINGO C. BATTUNG III
Deputy Division Clerk of Court
grw
11/23/19

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CSSupt. Gerardo F. Padilla
Superintendent
New Bilibid Prison
BUREAU OF CORRECTIONS
1770 Muntinlupa City

Mr. Rediolan Lazona y Tarlac
c/o The Superintendent
New Bilibid Prison
BUREAU OF CORRECTIONS
1770 Muntinlupa City

The Presiding Judge
REGIONAL TRIAL COURT
Branch 257, 1700 Parañaque City
(Crim. Case No. 06-0929)

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