REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **20 November 2019** which reads as follows:

G.R. No. 233367 (Danilo M. Juntilla, Jr.* v. People of the Philippines)

After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the January 20, 2017 Decision² and the August 2, 2017 Resolution³ of the Court of Appeals (CA) in CA-G.R. CR No. 34766 finding petitioner Danilo M. Juntilla, Jr. (petitioner) **GUILTY** beyond reasonable doubt of the crime of Rape, defined and penalized under Article 266-A of the Revised Penal Code, accompanied by the special mitigating circumstance of minority. Accordingly, he is sentenced to suffer the penalty of imprisonment for an indeterminate period of six (6) years and one (1) day of *prision mayor*, as minimum, to seventeen (17) years and four (4) months of *reclusion temporal*, as maximum, and to pay AAA⁴ the following amounts: (a) ₱75,000.00 as civil indemnity; (b) ₱75,000.00 as moral damages; and (c) ₱75,000.00 as exemplary damages. Moreover, all monetary awards shall earn an interest at the legal rate of six percent (6%) per annum from the date of finality of this Resolution until full payment.

* "Danilo M. Juntilla, Jr." in some parts of the *rollo*.

¹ *Rollo*, pp. 11-24.

² *Id.* at 31-45. Penned by Associate Justice Myra V. Garcia-Fernandez with Associate Justices Rosmari D. Carandang (now a member of the Court) and Mario V. Lopez, concurring.

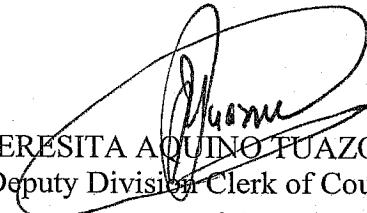
³ *Id.* at 47-47A.

⁴ The identity of the victim 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 RA 7610, entitled "AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES," approved on June 17, 1992; RA 9262, entitled "AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER PURPOSES," approved on March 8, 2004; and Section 40 of A.M. No. 04-10-11-SC, otherwise known as the "RULE ON VIOLENCE AGAINST WOMEN AND THEIR CHILDREN" (November 15, 2004). (See footnote 4 in *People v. Cadano, Jr.*, 729 Phil. 576, 578 [2014], citing *People v. Lomaque*, 710 Phil. 338, 342 [2013]. See also Amended Administrative Circular No. 83-2015, entitled "PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS NAMES/PERSONAL CIRCUMSTANCES," dated September 5, 2017.) See further *People v. Ejercito*, G.R. No. 229861, July 2, 2018. To note, the unmodified CA Decision was not attached to the records to verify the real name of the victim.

As correctly ruled by the CA, petitioner's guilt beyond reasonable doubt was sufficiently established through the victim's credible testimony.⁵ Thus, the Court finds no reason to deviate from the factual findings of the trial court, as affirmed by the CA, as there is no indication that it overlooked, misunderstood or misapplied the surrounding facts and circumstances of the case. In fact, the trial court was in the best position to assess and determine the credibility of the witnesses presented by both parties, and hence, due deference should be accorded to the same,⁶ as in this case.

SO ORDERED. (HERNANDO, *J.*, on leave. ZALAMEDA, *J.*, designated as Additional Member per Special Order No. 2727 dated October 25, 2019.)⁷

Very truly yours,


 TERESITA AQUINO TUAZON
 Deputy Division Clerk of Court *Utah, 12/11*
 12 DEC 2019

PUBLIC ATTORNEY'S OFFICE (reg)
 Special & Appealed Cases Service
 Department of Justice
 5th Floor, PAO-DOJ Agencies Building
 NIA Road corner East Avenue
 Diliman, 1104 Quezon City

OFFICE OF THE SOLICITOR GENERAL (reg)
 134 Amorsolo Street
 1229 Legaspi Village
 Makati City

HON. PRESIDING JUDGE (reg)
 Regional Trial Court, Branch 136
 Makati City
 (Crim. Case No. 03-4343)

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 Ma. Orosa Street
 Ermita, 1000 Manila
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Please notify the Court of any change in your address.
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⁵ See *rollo*, pp. 37-38.

⁶ *Peralta v. People*, 817 Phil. 554, 563 (2017).