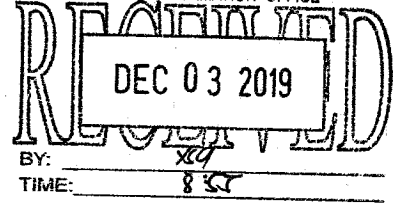




REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

SUPREME COURT OF THE PHILIPPINES  
PUBLIC INFORMATION OFFICE



NOTICE

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **11 November 2019** which reads as follows:

**G.R. No. 244244 (Carmencita Pangilinan-Reyes v. People of the Philippines)**

After a judicious study of the case, the Court resolves to **DENY** the instant petition<sup>1</sup> and **AFFIRM with MODIFICATION** the March 13, 2018 Decision<sup>2</sup> and the January 10, 2019 Resolution<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. CR No. 39597 for failure of petitioner Carmencita Pangilinan-Reyes (petitioner) to sufficiently show that the CA committed any reversible error in upholding her conviction<sup>4</sup> for the crime of Homicide, defined and penalized under Article 249 of the Revised Penal Code (RPC). However, in light of prevailing jurisprudence, particularly *People v. Jugueta*,<sup>5</sup> the Court deems it proper to impose an interest at the legal rate of six percent (6%) per annum on all monetary awards from the date of finality of this Resolution until full payment.

As correctly ruled by the CA, petitioner must be held liable for the death of the victim Violeta Pangilinan-Cristobal (Violeta), pursuant to Article 4 (1) of the RPC,<sup>6</sup> considering that: (a) petitioner was committing a felony when she pulled Violeta's hair and repeatedly punched her in the face;<sup>7</sup> (b) it can be reasonably inferred that the mauling that Violeta received triggered her asthma, cardiopulmonary arrest, and her eventual death;<sup>8</sup> and (c) the result that occurred to Violeta was the direct, natural, and logical consequence of the felonious act that petitioner committed.<sup>9</sup> 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.<sup>10</sup>

<sup>1</sup> Rollo, pp. 26-54.

<sup>2</sup> Id. at 81-91. Penned by Associate Justice Marie Christine Azcarraga-Jacob with Associate Justice Celia C. Librea-Leagogo and Samuel H. Gaerlan, concurring.

<sup>3</sup> Id. at 94-95.

<sup>4</sup> See RTC Decision dated April 27, 2016, penned by Presiding Judge Rafael G. Hipolito; id. at 59-77.

<sup>5</sup> 783 Phil. 806, 849 (2016).

<sup>6</sup> In *Garcia v. People*, 614 Phil. 40, 52 (2009), citing *People v. Ortega, Jr.*, 342 Phil. 124, 141 (1997), the Court held that the essential requisites for the application of this provision are: (a) the intended act is felonious; (b) the resulting act is likewise a felony; and (c) the unintended albeit graver wrong was primarily caused by the actor's wrongful acts."

<sup>7</sup> See rollo, p. 71.

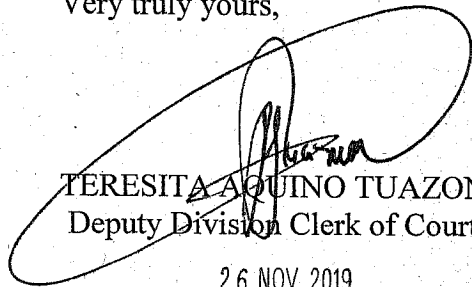
<sup>8</sup> See id.

<sup>9</sup> See id. at 72.

<sup>10</sup> *Peralta v. People*, 817 Phil. 554, 563 (2017).

**SO ORDERED.** (INTING, J., on official leave. ZALAMEDA, J., designated as Additional Member per Special Order No. 2727 dated October 25, 2019.)<sup>#</sup>

Very truly yours,

  
TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court  
26 NOV 2019

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HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 215  
Quezon City  
Crim. Case No. Q-03-122473

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Supreme Court, Manila

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CA-G.R. CR No. 39597

\*with copy of CA Decision dated 13 March 2018  
and Resolution dated 10 January 2019  
*Please notify the Court of any change in your address.*  
GR244244. 11/11/19A(52)URES

**A(52)URES**