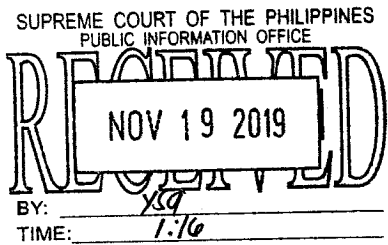




Republic of the Philippines  
Supreme Court  
Manila



THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **October 16, 2019**, which reads as follows:

“G.R. No. 238614 (*People of the Philippines v. Rodelio Talavera y Pita*). - Considering the issues and arguments raised in the appellant’s and the appellee’s briefs, which appellant Rodelio Talavera y Pita and appellee People of the Philippines, respectively, adopted instead of filing their supplemental appeal briefs, the Court resolves to **DISMISS** the appeal for failure to sufficiently show that the Court of Appeals committed any reversible error in its assailed Decision<sup>1</sup> dated October 9, 2017 in CA-G.R. CR-HC No. 08552 as to warrant the exercise of the Court’s discretionary appellate jurisdiction.

**IN VIEW OF THE FOREGOING**, the Court **ADOPTS** the findings of fact and conclusions of law in the Court of Appeals’ Decision and **AFFIRMS** the said Decision finding appellant Rodelio Talavera y Pita guilty beyond reasonable doubt of the crime of Murder as defined and penalized under Article 248 of the Revised Penal Code, as amended, and sentencing him to suffer the penalty of *reclusion perpetua*, with **MODIFICATION**: deleting the phrase “*without the benefit of parole[.]*” Appellant Talavera is ordered to pay the heirs of Florentino P. Concordia ₱100,000.00 as actual damages, ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, and ₱75,000.00 as exemplary damages, with legal interest of six percent (6%) *per annum* on all damages awarded from finality of this Resolution until fully paid. Costs against appellant Talavera.

**SO ORDERED.**” (Leonen, J., on wellness leave)

Very truly yours,

*Misa DC Batt*  
MISAELO DOMINGO C. BATTUNG III  
Deputy Division Clerk of Court

*11/14/19*

<sup>1</sup> Rollo, pp. 2-12.

**Resolution**

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**G.R. No. 238614  
October 16, 2019**

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COURT OF APPEALS  
CA G.R. CR HC No. 08552  
1000 Manila

OFFICE OF THE SOLICITOR GENERAL  
134 Amorsolo Street  
1229 Legaspi Village, Makati City

The Presiding Judge  
REGIONAL TRIAL COURT  
Branch 32, San Pablo City  
4000 Laguna  
(Crim. Case No. 17073-SP(09))

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

Mr. Rodelio Talavera y Pita  
c/o The Superintendent  
New Bilibid Prison  
BUREAU OF CORRECTIONS  
1770 Muntinlupa City

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