



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **24 August 2020** which reads as follows:*

**“G.R. No. 251687 (Jayson Lodor y Paning 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 September 24, 2019 Decision<sup>2</sup> and the February 5, 2020 Resolution<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. CR No. 40143 for failure of petitioner Jayson Lodor y Paning (petitioner) to sufficiently show that the CA committed any reversible error in finding him guilty beyond reasonable doubt of the crime of Illegal Possession of Firearms and Ammunition, defined and penalized under Section 28, paragraph (e) (1), Article V of Republic Act No. 10591,<sup>4</sup> otherwise known as the ‘Comprehensive Firearms and Ammunition Regulation Act.’ Accordingly, he is sentenced to suffer the penalty of imprisonment for an indeterminate period of nine (9) years and four (4) months of *prision mayor*, as minimum, to eleven (11) years and four (4) months of *prision mayor*, as maximum.

As correctly found by the CA, the prosecution had satisfactorily established all of the elements<sup>5</sup> of the crime charged, considering that: (a) petitioner was in possession of the subject firearm and ammunition, as shown by the testimony of the prosecution witnesses, as well as petitioner’s judicial admission; and (b) he had no license or permit to own or possess the same, as shown by the Firearms Verification issued by the Firearms and Explosives Office of the Philippine National Police in Camp Crame, Quezon City. It bears stressing that the carrying of firearms and ammunition, without the requisite authorization, is enough basis to

<sup>1</sup> *Rollo*, pp. 12-29.

<sup>2</sup> *Id.* at 36-45. Penned by Associate Justice Ronaldo Roberto B. Martin with Associate Justices Fernanda Lampas Peralta and Danton Q. Bueser, concurring.

<sup>3</sup> *Id.* at 47-48.

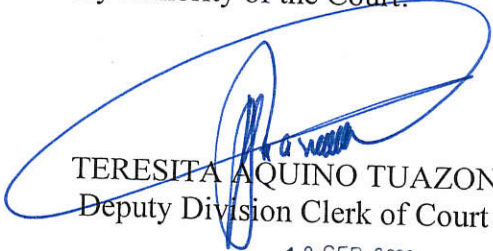
<sup>4</sup> Entitled “AN ACT PROVIDING FOR A COMPREHENSIVE LAW ON FIREARMS AND AMMUNITION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF,” approved on May 29, 2013.

<sup>5</sup> The *corpus delicti* in the crime of Illegal Possession of Firearms is the accused’s lack of license or permit to possess or carry the firearm, as possession itself is not prohibited by law. To establish the *corpus delicti*, the prosecution has the burden of proving that: (a) the firearm exists; and (b) the accused who owned or possessed it does not have the corresponding license or permit to possess or carry the same.

conduct a valid *in flagrante delicto* warrantless arrest.<sup>6</sup> In sum, the Court finds no reason to deviate from the factual findings of the trial court, as affirmed by the CA, there being no indication that it overlooked, misunderstood or misapplied the surrounding facts and circumstances of the case.

**SO ORDERED.** (Baltazar-Padilla, *J.*, on official leave.)”

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court

10 SEP 2020

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THE DIRECTOR (reg)  
Bureau of Corrections  
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 27  
Naga City, 4400 Camarines Sur  
(Crim. Case No. 2015-0286)

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\*with copy of CA Decision dated 24 September 2019 &  
Resolution dated 5 February 2020.

**Please notify the Court of any change in your address.**  
GR251687. 8/24/2020(128)URES

<sup>6</sup> See *People v. Abriol*, 419 Phil. 609-640 (2001).