



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **January 29, 2020**, which reads as follows:

“G.R. No. 234777 (**PEOPLE OF THE PHILIPPINES, plaintiff-appellee v. JAY FABRIGA y PIEDAD, accused-appellant**). — The Court of Appeals elevated¹ the records of this case to this Court in compliance with its August 31, 2017 Resolution,² which gave due course to the Notice of Appeal³ filed by accused-appellant Jay Fabriga y Piedad.

In its December 4, 2017 Resolution,⁴ this Court noted the records forwarded by the Court of Appeals, and informed accused-appellant and plaintiff-appellee, through the Office of the Solicitor General, that they may file their supplemental briefs. In a Resolution, this Court noted the Manifestations filed by accused-appellant⁵ and plaintiff-appellee,⁶ stating that they would no longer file supplemental briefs.

After an evaluation of the case records, this Court resolves to **DISMISS** the appeal of accused-appellant for his failure to sufficiently show any reversible error in the challenged Court of Appeals July 19, 2017 Decision,⁷ warranting the exercise of this Court’s appellate jurisdiction.

WHEREFORE, this Court **ADOPTS** the findings of fact and conclusions of law of the Regional Trial Court and the Court of Appeals. The Court of Appeals July 19, 2017 Decision in CA-G.R. CR-HC No. 08466 is **AFFIRMED in toto**. This Court finds accused-appellant Jay Fabriga y Piedad **GUILTY** beyond reasonable doubt of the crime of statutory rape under Article 266-A(1) of the Revised Penal Code. He is

¹ Rollo, p. 1.

² Id. at p. 16.

³ Id. at pp. 13–15.

⁴ Id. at 18–19.

⁵ Id. at 20–24.

⁶ Id. at 25–29.

⁷ Id. at 2–12. The Decision was penned by Associate Justice Zenaida T. Galapate-Laguilles and concurred in by Associate Justices Japar B. Dimaampao (Chair) and Franchito N. Diamante of the Seventh Division of the Court of Appeals, Manila.

sentenced to suffer the penalty of *reclusion perpetua*. Moreover, he is **ORDERED** to pay AAA the amounts of: (1) ₱75,000.00 as civil indemnity; (2) ₱75,000.00 as moral damages; and (3) ₱75,000.00 as exemplary damages.

All monetary awards for damages shall earn the legal interest rate of six percent (6%) per annum from the date of the finality of this Resolution until fully paid.⁸

SO ORDERED.”

Very truly yours,

Misael Domingo C. Battung III
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court

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Mr. Jay P. Fabriga
c/o The Superintendent
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BUREAU OF CORRECTIONS
1770 Muntinlupa City

The Presiding Judge
REGIONAL TRIAL COURT
Branch 59, Angeles City
(Criminal Case No. 13-9711)

234777

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⁸ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].