



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **13 July 2020** which reads as follows:*

“**G.R. No. 247605 (People of the Philippines v. XXX¹)**. – After a judicious study of the case, the Court resolves to **DISMISS** the appeal for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in the assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction.

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the January 17, 2019 Decision² of the CA in CA-G.R. CR-H.C. No. 07390 and **AFFIRMS** said Decision finding accused-appellant **XXX GUILTY** beyond reasonable doubt of the crime of Qualified Rape, defined and penalized under Article 266-A (1), in relation to Article 266-B of the Revised Penal Code, as amended. Accordingly, he is sentenced to suffer the penalty of *reclusion perpetua*, and to pay **AAA³** 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, and cost

¹ Pursuant to Supreme Court 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” issued on September 5, 2017.

² *Rollo*, pp. 3-20. Penned by Associate Justice Sesinando E. Villon with Associate Justices Edwin D. Sorongon and Germano Francisco D. Legaspi, concurring.

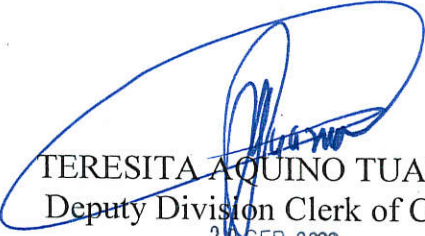
³ The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to Republic Act No. (RA) 7610, entitled “AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST 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.

July 13, 2020

of suit. 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.

SO ORDERED. (Gaerlan, J., designated Additional Member per Special Order No. 2780 dated May 11, 2020.)”

Very truly yours,



TERESITA AQUINO TUAZON
Deputy Division Clerk of Court
26 SEP 2020

Whf
9/25

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(Crim. Case No. 15-312407)

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