



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **06 July 2020** which reads as follows:*

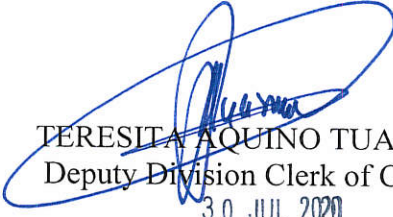
“G.R. No. 248373 (People of the Philippines v. Mark Montalban y Duran a.k.a. ‘Macoy’). – After a judicious study of the case, the Court resolves to **DISMISS** the appeal¹ for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in the assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction.

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the December 19, 2018 Decision² of the CA in CA-G.R. CEB CR-HC No. 02714 and **AFFIRMS** said Decision finding accused-appellant Mark Montalban y Duran a.k.a. ‘Macoy’ (accused-appellant) **GUILTY** beyond reasonable doubt of the crimes of Illegal Sale and Illegal Possession of Dangerous Drugs, defined and penalized under Sections 5 and 11, Article II of Republic Act No. 9165,³ otherwise known as ‘Comprehensive Dangerous Drugs Act of 2002.’ Accordingly, he is sentenced to suffer the following penalties: (a) in Criminal Case No. 2017-24489, for Illegal Sale of Dangerous Drugs, accused-appellant is sentenced to suffer the penalty of life imprisonment, and to pay a fine of ₱500,000.00; and (b) in Criminal Case No. 2017-24490, for Illegal Possession of Dangerous Drugs, accused-appellant is sentenced to suffer the penalty of imprisonment for an indeterminate period of twelve (12) years and one (1) day of *reclusion temporal*, as minimum, to fourteen (14) years and eight (8) months of *reclusion temporal*, as maximum, and to pay a fine of ₱300,000.00.

¹ See Notice to File Appeal and Manifestation with Leave of Court dated February 7, 2019; *rollo*, p. 27.
² Id. at 5-26. Penned by Associate Justice Edgardo L. Delos Santos (now a member of this Court) with Associate Justices Marilyn B. Lagura-Yap and Emily R. Aliño-Geluz, concurring.
³ Entitled “AN ACT INSTITUTING THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 6425, OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES,” approved on June 7, 2002.

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

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court *utb*
30 JUL 2020

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THE DIRECTOR (reg)
Bureau of Corrections
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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 33
Dumaguete City
(Crim. Case No. 24489 & 24490)

JUDGMENT DIVISION (x)
Supreme Court, Manila

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Please notify the Court of any change in your address.
GR248373. 07/06/2020(141)URES