



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **01 July 2020** which reads as follows:*

“**G.R. No. 251244 (P/Insp. Jesse Quesada v. People of the Philippines)**. – This is a Petition for Review on *Certiorari*¹ under Rule 45 assailing the Decision² dated June 17, 2019 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 11521 which affirmed the Decision³ dated May 31, 2018 of the Regional Trial Court (RTC) of Agoo, La Union, Branch 31 in Criminal Case No. A-6225, with modification as to the award of damages.

Preliminarily, the Court notes that Quesada elevated the matter before the Court thru a petition for review on *certiorari*. As a general rule, appeals on criminal cases shall be brought to the Court by filing a petition for review on *certiorari* under Rule 45 of the Rules of Court; except when the CA imposed the penalty of “*reclusion perpetua*, life imprisonment or a lesser penalty,” in which case, the appeal shall be made by a mere notice of appeal filed before the CA.⁴ In this case, Quesada availed of a wrong mode of appeal by filing a petition for review on *certiorari* before the Court, despite having been sentenced by the CA of *reclusion perpetua*. Nonetheless, in the interest of substantial justice, the Court treats this petition as an ordinary appeal in order to resolve the substantive issue at hand with finality.

After a judicious study of the case, the Court resolves to **DENY** the instant petition and **AFFIRM** the Decision *in toto* dated 17 June 2019 and the Resolution⁵ dated 12 December 2019 of the Court of Appeals in CA-G.R. CR-HC No. 11521 for failure of the petitioner P/Insp. Jessie I. Quesada to sufficiently show that the CA committed any reversible error in sustaining

¹ *Rollo*, pp. 10-39.

² Penned by Associate Justice Apolinario D. Bruselas, Jr., with Associate Justices Myra V. Garcia-Fernandez and Geraldine C. Fiel-Macaraig, concurring; *id.* at 211-234.

³ Penned by Executive Judge Romeo M. Atillo, Jr.; *id.* at 129-154.

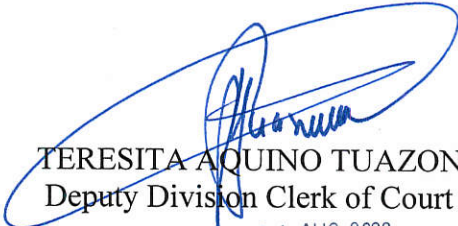
⁴ *Ramos v. People*, 803 Phil. 775, 782 (2017).

⁵ Penned by Associate Justice Apolinario D. Bruselas, Jr., with Associate Justices Myra V. Garcia-Fernandez and Geraldine C. Fiel-Macaraig, concurring; *rollo*, pp. 254-255.

petitioner's conviction for Rape under Article 266-A of the Revised Penal Code, as amended by Republic Act 8353, in relation to Article 266-B of the Revised Penal Code, 6th paragraph nos. 2 & 7.

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

Very truly yours,


 TERESITA AQUINO TUAZON
 Deputy Division Clerk of Court *with 8/24*
 24 AUG 2020

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 c/o The Director
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THE DIRECTOR (reg)
 Bureau of Corrections
 1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
 Regional Trial Court, Branch 31
 Agoo, La Union
 (Crim. Case No. A-6225)

(4)URES

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 GR251244. 07/01/2020(4)URES