



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **27 July 2020** which reads as follows:*

“G.R. No. 252366 (Maynard Gawiran y Tungpalan v. People of the Philippines). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the December 20, 2019² Decision and the February 21, 2020³ Resolution of the Court of Appeals (CA) in CA-G.R. CR No. 42139 for failure of petitioner Maynard Gawiran y Tungpalan (petitioner) to sufficiently show that the CA committed any reversible error in finding him guilty beyond reasonable doubt of the crime of Homicide.

As correctly ruled by the CA, the prosecution was able to establish all the elements⁴ of the crime charged, and that the proximate cause⁵ of Joseph O. Pillos’ (Joseph) death was the abdominal injuries he suffered from the mauling by petitioner. Prosecution evidence sufficiently established that said abdominal injuries⁶ caused Joseph’s hospital confinement on two (2) instances, the second of

¹ *Rollo*, pp. 3-25.

² *Id.* at 32-42. Penned by Associate Justice Stephen C. Cruz with Associate Justices Jhosep Y. Lopez and Geraldine C. Fiel-Macaraig, concurring.

³ *Id.* at 44-45.

⁴ To successfully prosecute the crime of Homicide, the following elements must be proved beyond reasonable doubt: (a) that a person was killed; (b) that the accused killed that person without any justifying circumstance; (c) that the accused had the intention to kill, which is presumed; and (d) that the killing was not attended by any of the qualifying circumstances of murder, or by that of parricide or infanticide.

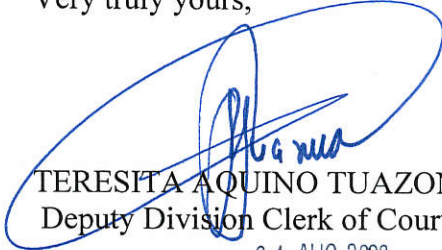
⁵ “Proximate cause” is defined as that cause, which, in natural and continuous sequence, unbroken by any efficient intervening cause, produces the injury, and without which the result would not have occurred. And more comprehensively, the proximate legal cause is that acting first and producing the injury, either immediately or by setting other events in motion, all constituting a natural and continuous chain of events, each having a close causal connection with its immediate predecessor, the final event in the chain immediately effecting the injury as a natural and probable result of the cause which first acted, under such circumstances that the person responsible for the first event should, as an ordinary prudent and intelligent person, have reasonable ground to expect at the moment of his act or default that an injury to some person might probably result therefrom. (*Dumayag v. People*, 699 Phil. 328-344 [2012]. See also *People v. Villacorta*, 672 Phil. 712-729 [2011].)

⁶ The victim was shown to have suffered from “pancreatic pseudocyst brought about by pancreatic trauma secondary to a blunt abdominal trauma,” which pancreatic pseudocyst, according to Dr.

which was extended, necessitated surgery, and eventually caused his death. Thus, even with medical attendance, the extent of Joseph’s injuries did not prevent his death. It bears stressing that one who commits an intentional felony is responsible for all the consequences which may naturally or logically result therefrom, whether foreseen or intended or not,⁷ as in this case.

SO ORDERED.”

Very truly yours,


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

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Please notify the Court of any change in your address.
GR252366. 07/27/2020(161)URES

⁷ Charles Ronald Guzman, fully develops on the 6th week after the trauma was noted or the same time when the victim returned to the hospital for abdominal pain and *cachexia* after the mauling incident.
See *People v. Adriano*, 764 Phil. 144-160 (2015).