



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **08 June 2020** which reads as follows:*

“G.R. No. 244251 (People of the Philippines v. Jeffrey T. Escabal). – 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. However, in light of prevailing jurisprudences,² the Court deems it proper to modify the penalties imposed and the amounts of civil liability *ex delicto*.

WHEREFORE, the Court **ADOPTS** the findings of fact and the conclusions of law in the February 13, 2018 Decision³ of the CA in CA-G.R. CR-HC No. 08093 and **AFFIRMS with MODIFICATION** said Decision finding accused-appellant Jeffrey T. Escabal **GUILTY** beyond reasonable doubt of the crimes of Rape by Sexual Intercourse and Rape by Sexual Assault, both committed through the Use of a Deadly Weapon and attended with the aggravating circumstances of Dwelling and Nighttime, defined and penalized under Section 266-A (1) (a) and Section 266-A (2), in relation to Section 266-B of the Revised Penal Code, respectively. Accordingly, he is sentenced to suffer the following penalties: (a) for the crime of Rape by Sexual Intercourse, he is sentenced to suffer the penalty of *reclusion perpetua*, without eligibility for parole,⁴ and to pay AAA⁵

¹ See Notice of Appeal dated March 8, 2018; *rollo*, pp. 23-24.

² See *People v. Jugueta*, 783 Phil. 806, 849 (2016); see also *People v. Tulagan*, G.R. No. 227363, March 12, 2019.

³ *Rollo*, pp. 3-22. Penned by Associate Justice Nina G. Antonio-Valenzuela with Associate Justices Priscilla J. Baltazar-Padilla and Germano Francisco D. Legaspi, concurring.

⁴ See A.M. No. 15-08-02-SC entitled “GUIDELINES FOR THE PROPER USE OF THE PHRASE ‘WITHOUT ELIGIBILITY FOR PAROLE’ IN INDIVISIBLE PENALTIES,” dated August 4, 2015.

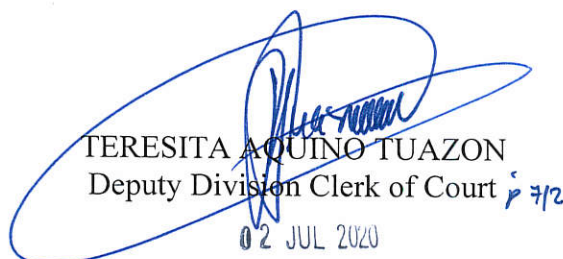
⁵ The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to Republic Act No. (RA) 7610, entitled “AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST 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,

June 8, 2020

the amounts of ₱100,000.00 as civil indemnity, ₱100,000.00 as moral damages, and ₱100,000.00 as exemplary damages; and (b) for the crime of Rape by Sexual Assault, he is sentenced to suffer the penalty of imprisonment for an indeterminate period of six (6) years of *prision correccional*, as minimum, to twenty (20) years of *reclusion temporal*, as maximum, and to pay AAA the amounts of ₱50,000.00 as civil indemnity, ₱50,000.00 as moral damages, and ₱50,000.00 as exemplary damages. 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 p 7/2
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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.

*OFFICE OF THE SOLICITOR GENERAL (reg)
134 Amorsolo Street
1229 Legaspi Village
Makati City

*PUBLIC ATTORNEY'S OFFICE (reg)
Special & Appealed Cases Service
Department of Justice
PAO-DOJ Agencies Building
NIA Road corner East Avenue
Diliman, 1104 Quezon City

*JEFFREY T. ESCABAL (reg)
Accused-Appellant
c/o The Director
Bureau of Corrections
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 73
Antipolo City
(Crim. Case Nos. 03-26094-97)

THE DIRECTOR (reg)
New Bilibid Prison
Bureau of Corrections
1770 Muntinlupa City

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Supreme Court, Manila

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OFFICE OF THE REPORTER (x)
Supreme Court, Manila

COURT OF APPEALS (x)
Ma. Orosa Street
Ermita, 1000 Manila
CA-G.R. CR HC No. 08093

*with copy of CA Decision dated 13 February 2018
Please notify the Court of any change in your address.
GR244251. 06/08/2020(45 & 152)URES

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