



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **29 June 2020** which reads as follows:*

“G.R. No. 249850 (People of the Philippines v. Gilmar Aguilar y Luta).
– 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 its assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction.

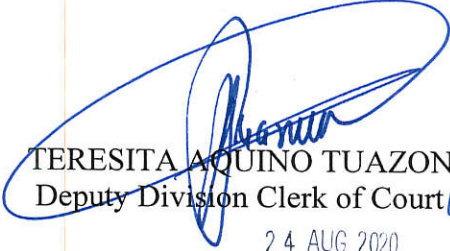
WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the April 24, 2019 Decision² of the CA in CA-G.R. CR-HC No. 09958 and **AFFIRMS** said Decision finding accused-appellant Gilmar Aguilar y Luta (accused-appellant) **GUILTY** beyond reasonable doubt of the crimes of Murder and Frustrated Homicide, defined and penalized under Article 248 of the Revised Penal Code (RPC) and Article 249, in relation to Article 6 of the RPC, respectively. Accordingly, he is sentenced as follows: (a) in Criminal Case No. Q-09-160424, for the crime of Murder, accused-appellant is sentenced to suffer the penalty of *reclusion perpetua* and to pay the heirs of Arturo King Escolano y Florano the amounts of ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, ₱75,000.00 as exemplary damages, and ₱52,535.00 as actual damages, plus cost of suit; and (b) in Criminal Case No. Q-09-160425, for the crime of Frustrated Homicide, accused-appellant is sentenced to suffer the penalty of imprisonment for an indeterminate period of four (4) years and two (2) months of *prision correccional*, as minimum, to ten (10) years of *prision mayor* medium, as maximum, and to pay Lydia Escolano y Florano the amounts of ₱30,000.00 as civil indemnity, ₱30,000.00 as moral damages, and ₱25,000.00 as temperate damages. Moreover, all monetary awards shall earn an interest at the legal rate of six percent (6%) per annum from the date the finality of this Resolution until full payment.

¹ See Notice of Appeal dated May 21, 2019; *rollo*, pp. 21-22.

² Id. at 3-20. Penned by Associate Justice Rodil V. Zalameda (now a member of this Court) with Associate Justices Fernanda Lampas Peralta and Henri Jean Paul B. Inting (now a member of this Court), concurring.

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

Very truly yours,


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

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THE DIRECTOR (reg)
Bureau of Corrections
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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 88
Quezon City
(Crim. Case No. Q-09-160424 to 25)

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Supreme Court, Manila

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GR249850. 06/29/2020(208)URES