



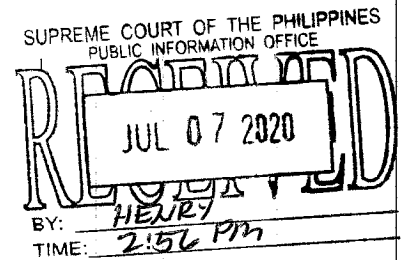
Republic of the Philippines

Supreme Court

Manila

THIRD DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated **March 9, 2020**, which reads as follows:*

“**G.R. No. 250109 (Freddie Carlos, Jr. y Perez and Dennis Maninang y Monte v. People of the Philippines)**. – After a judicious study of the case, the Court resolves to deny the petition for failure to sufficiently show that the Court of Appeals committed any reversible error in finding Freddie Carlos, Jr. y Perez and Dennis Maninang y Monte (collectively, petitioners) guilty for violating Section 261(dd)(1) of the Omnibus Election Code implemented in Commission on Elections Resolution No. 9582.

The Court, however, resolves to modify the imposition of the straight penalty of one-year imprisonment. Under Section 264 of the Omnibus Election Code, a person found guilty of any election offense shall be punished with imprisonment of not less than one year but not more than six years. In view of the penalty, the provisions of the Indeterminate Sentence Law¹ must be applied, wherein the maximum term of the penalty shall not exceed the maximum period fixed by law, and the minimum shall not be less than the minimum term prescribed by the same.² For this reason, petitioners are sentenced to suffer the penalty of imprisonment of one year and one day as minimum to two years as maximum. Petitioners shall not be subject to probation and shall be sentenced to suffer disqualification from holding public office and deprivation of the right of suffrage.³

WHEREFORE, the Decision dated April 16, 2019 of the Court of Appeals in CA-G.R. CR No. 40698 is hereby **AFFIRMED with MODIFICATION**. Petitioners Freddie Carlos, Jr. y Perez and Dennis Maninang y Monte are sentenced to suffer the penalty of imprisonment of one (1) year and one (1) day as minimum to two (2) years as maximum. Petitioners Freddie Carlos, Jr. y Perez and Dennis Maninang y Monte shall not be subject to probation and shall be sentenced to suffer disqualification

¹ Act No. 4103, as amended by Act No. 4225.

² Act No. 4103, as amended by Act No. 4225, Sec. 1.

³ OMNIBUS ELECTION CODE, Sec. 264.

March 9, 2020

from holding public office and deprivation of the right of suffrage.

SO ORDERED.”

Very truly yours,

Mis RDC Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court *7/1/2020*

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COURT OF APPEALS
CA G.R. CR No. 40698
1000 Manila

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134 Amorsolo Street
1229 Legaspi Village, Makati City

The Presiding Judge
REGIONAL TRIAL COURT
Branch 74, 2200 Olongapo City
(Criminal Case No. 470-2013 and 471-2013)

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G.R. No. 250109

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