



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **05 October 2020** which reads as follows:*

**“G.R. No. 247396 (Concepcion B. Ramos v. People of the Philippines).**

– The Court **NOTES** the Office of the Solicitor General’s comment dated 6 February 2020 on the petition for review on *certiorari*, in compliance with the Resolution dated 18 September 2019.

After a judicious study of the case, the Court resolves to **DENY** the instant petition<sup>1</sup> and **AFFIRM with MODIFICATION** the October 11, 2018 Decision<sup>2</sup> and the May 21, 2019 Resolution<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. CR No. 39053 for failure of petitioner Concepcion B. Ramos (petitioner) to sufficiently show that the CA committed any reversible error in finding her criminally liable for the crime of Falsification of Public Document, defined and penalized under Article 172 of the Revised Penal Code, and accordingly, sentencing her to suffer the penalty of imprisonment for an indeterminate period of four (4) months and one (1) day of *arresto mayor*, as minimum, to four (4) years, eight (8) months, and twenty (20) days of *prision correccional*, as maximum, and to pay a fine in the amount of ₱5,000.00. However, in light of prevailing jurisprudence,<sup>4</sup> she is also ordered to pay private complainant Socorro Shaw the amount of ₱394,300.00, with an interest at the legal rate of twelve percent (12%) per annum from July 31, 2002, the date when the demand letter was sent to petitioner, until full payment. Moreover, there shall also be compensatory interest on the monetary interest at the legal rate of twelve percent (12%) per annum from judicial demand, *i.e.*, November 26, 2003 to June 30, 2013, and thereafter, the legal rate of six percent (6%) per annum from July 1, 2013 until finality of this Resolution. Lastly, an interest at the legal rate of six percent (6%) per annum shall

<sup>1</sup> *Rollo*, pp. 10-31.

<sup>2</sup> *Id.* at 38-50. Penned by Associate Justice Rodil V. Zalameda (now a member of the Court) with Associate Justices Fernanda Lampas Peralta and Marie Christine Azcarraga-Jacob, concurring.

<sup>3</sup> *Id.* at 53-54.

<sup>4</sup> See *Isla v. Estorga*, G.R. No. 233974, July 2, 2018.

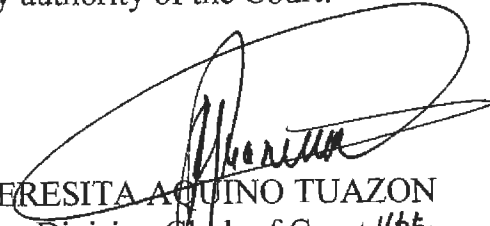
10/20

be imposed on all monetary awards due from the date of the finality of this Resolution until full payment.

As correctly ruled by the CA, the prosecution was able to establish beyond reasonable doubt the elements<sup>5</sup> of the crime charged, as it was duly proven that petitioner falsified the Deed of Real Estate Mortgage, by making an untruthful statement that she was the registered owner of the subject property covered by Transfer Certificate of Title (TCT) No. T-37332, and that she failed to disclose the actual owner and identity of the said property. Petitioner faults the CA for disregarding her explanation that she had no hand in the alleged falsification, as it was a certain Soledad Morales who processed the transfer of title to her name.<sup>6</sup> Records show that petitioner failed to substantiate this claim. All told, the latter failed to rebut the presumption that a person who has in his or her possession or control a falsified document and who makes use of the same, is presumed to be the forger or the one who caused its forgery.<sup>7</sup> Since there is no indication that the courts *a quo* overlooked, misunderstood, or misapplied the surrounding facts and circumstances of the case, the Court finds no reason to deviate from their factual findings.<sup>8</sup>

**SO ORDERED.** (Baltazar-Padilla, *J.*, on leave.)”

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Division Clerk of Court  
03 NOV 2020 10/29

<sup>5</sup> The elements of falsification of documents under paragraph 1, Article 172 of the RPC are: (1) that the offender is a private individual or a public officer or employee who did not take advantage of his official position; (2) that he committed any of the acts of falsification enumerated in Article 171 of the RPC; and, (3) that the falsification was committed in a public, official or commercial document. (See *Tanenggee v. People*, 712 Phil. 310-337 [2013].)

<sup>6</sup> See *rollo*, pp. 20-23.

<sup>7</sup> See *Re: Samuel R. Ruñez, Jr.*, A.M. No. 2019-18-SC, January 28, 2020.

<sup>8</sup> *Daayata v. People*, 807 Phil. 102-120 (2017); and *People v. Esteban*, 735 Phil. 663-673 (2014).

\*QUIASON MAKALINTAL BAROT TORRES  
IBARRA SISON & DAMASO (reg)  
Counsel for Petitioner  
21<sup>st</sup> Floor, Robinsons-Equitable Tower  
4 ADB Ave. cor. Poveda St.  
1605 Ortigas Center, Pasig City

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

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 217  
Quezon City  
(Crim. Case No. Q-04-124758)

JUDGMENT DIVISION (x)  
Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)  
LIBRARY SERVICES (x)  
[For uploading pursuant to A.M. No. 12-7-1-SC]

OFFICE OF THE CHIEF ATTORNEY (x)  
OFFICE OF THE REPORTER (x)  
Supreme Court, Manila

COURT OF APPEALS (x)  
Ma. Orosa Street  
Ermita, 1000 Manila  
CA-G.R. CR No. 39053

\*with copy CA Decision dated 11 October 2018  
*Please notify the Court of any change in your address.*  
GR247396. 10/05/2020(55)URES 10/10