



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **09 September 2020** which reads as follows:*

**“G.R. No. 247821 (People of the Philippines v. XXX<sup>1</sup>).** – The Court **NOTES:** (a) the separate manifestations (in lieu of supplemental briefs) of counsel for accused-appellant XXX (accused-appellant) dated 23 July 2020 and of the Office of the Solicitor General dated 19 August 2020, both adopting their respective briefs filed before the Court of Appeals (CA) as supplemental briefs in this case; and (b) the letter dated 12 July 2020 of CTCInsp. Albert C. Manalo, Officer-in-Charge, Inmate Documents and Processing Division, Bureau of Corrections, Muntinlupa City, confirming the confinement of accused-appellant at the New Bilibid Prison, Muntinlupa City since 20 September 2017.

After a judicious study of the case, the Court resolves to **DISMISS** the appeal<sup>2</sup> for failure to sufficiently show that the CA committed any reversible error in the 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 December 13, 2018 Decision<sup>3</sup> of the CA in CA-G.R. CR-HC No. 09657 and **AFFIRMS** said Decision finding accused-appellant **GUILTY** beyond reasonable doubt of Qualified Rape, defined and penalized under Article 266-A (1), in relation to Article 266-B of the Revised Penal Code. Accordingly, he is sentenced to suffer the penalty of *reclusion perpetua*, without eligibility for parole,<sup>4</sup> and to pay AAA<sup>5</sup> the following amounts: (a) ₱100,000.00 as civil

<sup>1</sup> Pursuant to Supreme Court 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” issued on September 5, 2017.

<sup>2</sup> See Notice of Appeal dated January 25, 2019; *rollo*, pp. 18-19.

<sup>3</sup> *Id.* at 3-17. Penned by Associate Justice Marlene B. Gonzales-Sison with Associate Justices Victoria Isabel A. Paredes and Rafael Antonio M. Santos, concurring.

<sup>4</sup> 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.

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indemnity; (b) ₱100,000.00 as moral damages; and (c) ₱100,000.00 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.** (Inting, *J.*, on official leave. Baltazar-Padilla, *J.*, on leave.)”

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court  
16 OCT 2020 p 6/16

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XXX (reg)  
Accused-Appellant  
c/o The Director  
Bureau of Corrections  
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THE DIRECTOR (reg)  
Bureau of Corrections  
1770 Muntinlupa City

\*CTCINSP. ALBERT C. MANALO (reg)  
Officer-in-Charge  
Inmate Documents and  
Processing Division  
Bureau of Corrections  
Muntinlupa City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 81  
Romblon, Romblon  
(Crim. Case No. 3347)

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\*For this resolution only  
*Please notify the Court of any change in your address.*  
GR247821. 9/09/2020(198)URES(m)

<sup>5</sup> 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, 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. To note, the unmodified CA Decision was not attached to the records to verify the real name of the victim.