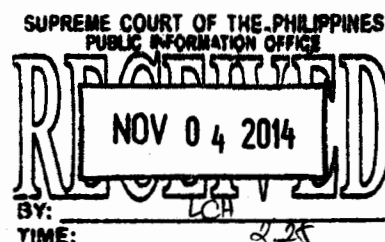




Republic of the Philippines  
Supreme Court  
Manila



FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **October 8, 2014** which reads as follows:*

“G.R. No. 198815 (*People of the Philippines v. Lirio Castro y Alberto*). – We resolve the ordinary appeal filed by accused-appellant Lirio Castro (Lirio) from the Decision of the Court of Appeals (CA) dated 7 March 2011 in CA-G.R. CR-H.C. No. 03657<sup>1</sup>, which affirmed her conviction by the Regional Trial Court in its Decision dated 12 August 2008.<sup>2</sup>

THE RTC RULING

In its Decision dated 12 August 2008, the Regional Trial Court (RTC) of Cavite City (Branch 17) found Lirio Castro (Lirio) guilty of three violations of Article II of Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, to wit: section 5 for sale of the dangerous drug shabu; section 11 for possession of the dangerous drug shabu; and section 12 for possession of paraphernalia used in smoking/sniffing shabu. Lirio was sentenced to multiple penalties, the highest penalty being life imprisonment for the crime of sale of a dangerous drug.

The RTC found that the prosecution was able to establish all the elements of the crimes charged by giving more credence to the corroborative testimonies of the police officers who conducted the buy-bust operation, rather than Lirio’s defense of bare denial.<sup>3</sup>

THE CA RULING

<sup>1</sup> *Rollo*, p. 2; penned by Associate Franchito N. Diamante and concurred in by Associate Justices Josefina Guevara-Salonga and Mariflor P. Punzalan Castillo.

<sup>2</sup> *CA Rollo*, p. 13.

<sup>3</sup> *Id.* at 20-24.

On appeal, the CA fully affirmed the accused-appellant's conviction. It agreed with the RTC in giving more weight to the testimonies of the prosecution witnesses, which established beyond reasonable doubt her guilt for the crimes charged against her. Furthermore, the CA also ruled that the accused-appellant failed to debunk the presumption of regularity by which the police officers conducted the buy-bust operation which led to her arrest.<sup>4</sup> The CA likewise stressed how the prosecution's evidence pointed to all elements of the crimes charged, and that the RTC judge was in the best position to examine the witnesses for both the defense and prosecution in order to come up with its ruling of conviction.<sup>5</sup>

We now rule on the final review of the case.

### OUR RULING

#### *We deny the appeal.*

After a review of the records, we see no reason to reverse the conviction, especially in this case where the CA affirmed the factual findings of the RTC.

The jurisdiction of this Court in cases brought before it from the Court of Appeals is limited to reviewing or revising errors of law. The findings of facts of the latter are conclusive for it is not the function of this Court to analyze and weigh such evidence all over again. Our jurisdiction is in principle limited to reviewing errors of law that might have been committed by the Court of Appeals. Factual findings of courts, when adopted and confirmed by the Court of Appeals, are final and conclusive on this Court, unless these findings are not supported by the evidence on record.<sup>6</sup>

In the present case, the Court of Appeals wholly affirmed the RTC's ruling finding the appellant guilty of all three infractions – from the sale of the illegal drug, its possession, as well as possession of drug paraphernalia.<sup>7</sup> The RTC and CA have exhaustively passed upon these factual issues, leaving nothing else for this Court to do but to affirm their findings.

**WHEREFORE**, herein appeal is **DENIED** and the Decision of the Court of Appeals (CA) dated 7 March 2011 in CA-G.R. CR-H.C. No. 03657, which affirmed appellant's conviction by the Regional Trial Court in its Decision dated 12 August 2008 are hereby **AFFIRMED**.

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<sup>4</sup> *Rollo*, pp. 18-21.

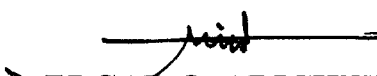
<sup>5</sup> *Id.* at 22-24.

<sup>6</sup> *Republic v. Regional Trial Court, Br. 18, Roxas, Capiz*, G.R. No. 172931, 18 June 2009

<sup>7</sup> *Rollo*, pp. 24-25.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court

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The Solicitor General (x)  
Makati City

Court of Appeals (x)  
Manila  
(CA-G.R. CR H.C. No. 03657)

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(For uploading pursuant to A.M.  
No. 12-1-7-SC)

The Hon. Presiding Judge  
Regional Trial Court, Br. 17  
4100 Cavite City  
(Crim. Case Nos. 291 to 293-05)

Judgment Division (x)  
Supreme Court

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