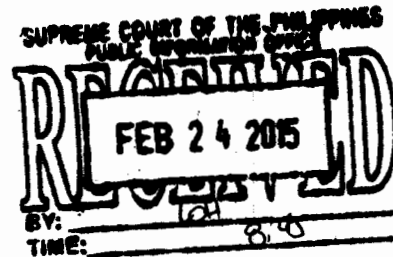




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **11 February 2015** which reads as follows:


G.R. No. 201452 – *People of the Philippines, plaintiff-appellee v. Arvin Vera y Magsino, accused-appellant.*

After a careful review of the records of the case, the Court finds the appeal to be lacking in merit. We thus affirm and adopt the findings of fact of the trial court as affirmed by the Court of Appeals. The Court of Appeals correctly found appellant Arvin Vera y Magsino guilty beyond reasonable doubt of the crime of qualified rape and accordingly sentenced him to suffer the penalty of *reclusion perpetua* without eligibility for parole pursuant to Section 3 of Republic Act No. 9346 (An Act Prohibiting The Imposition Of Death Penalty In The Philippines). The awards of civil indemnity in the amount of ₱75,000.00; moral damages in the amount of ₱75,000.00; and exemplary damages in the amount of ₱30,000.00, must however be modified and increased to ₱100,000.00 each pursuant to prevailing jurisprudence.¹ Moreover, interest at the rate of 6% *per annum* shall be imposed on all damages awarded from date of finality of this resolution until full payment.

WHEREFORE, we **ADOPT** the findings of facts of the trial court as affirmed by the Court of Appeals and **AFFIRM** the assailed September 13, 2011 Decision of the Court of Appeals in CA-G.R. CR No. 04310 finding appellant Arvin Vera y Magsino guilty beyond reasonable doubt of the crime of qualified rape and sentencing him to suffer the penalty of *reclusion perpetua* without eligibility for parole with **MODIFICATIONS** that appellant is ordered to pay “AAA” civil indemnity in the amount of ₱100,000.00; moral damages in the amount of ₱100,000.00; and exemplary damages in the amount of ₱100,000.00. Moreover, all damages awarded shall earn interest at the rate of 6% *per annum* from date of finality of this resolution until full payment. (*J. Velasco, Jr., designated Acting Member in view of the leave of absence of J. Brion, per Special Order No. 1910 dated January 12, 2015*).

SO ORDERED.

Very truly yours,


MA. LOURDES C. PERFECTO
Division Clerk of Court *By 2/16*

¹*People v. Gamba*, G.R. No. 172707, October 1, 2013, 706 SCRA 508, 535.



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Supreme Court, Manila

Please notify the Court of any change in your address.

GR201452. 02/11/15 (184)SR *MM*