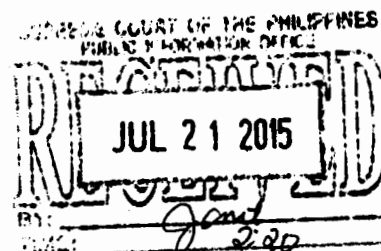




REPUBLIC OF THE PHILIPPINES
 SUPREME COURT
 Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated 08 July 2015 which reads as follows:

"G.R. No. 203964 - People of the Philippines, plaintiff-appellee v. Eleuterio Mojica y Labrino alias "Ely Mojica," accused-appellant.

After a careful review of the records of the case, the Court finds the appeal to be lacking in merit. The Regional Trial Court of Balayan, Batangas, Branch 11 and the Court of Appeals correctly found appellant Eleuterio Mojica y Labrino alias "Ely Mojica" in Criminal Case No. 5029 guilty beyond reasonable doubt of the crime of murder for killing Pelagio Codico and accordingly sentenced him to suffer the penalty of *reclusion perpetua*. Moreover, he is not eligible for parole pursuant to Section 3 of Republic Act No. 9346, An Act Prohibiting the Death Penalty In The Philippines. The awards of civil indemnity in the amount of PhP75,000.00, actual damages in the amount of PhP55,812.00 and exemplary damages in the amount of PhP30,000.00 are proper. In addition, the award of moral damages is increased to PhP75,000.00 in line with prevailing jurisprudence. Furthermore, interest shall be imposed on all monetary awards at the rate of 6% *per annum* from date of the finality of this Resolution until fully paid.

WHEREFORE, the assailed March 21, 2012 Decision of the Court of Appeals in CA-G.R. CR.-H.C. No. 04191 finding appellant Eleuterio Mojica y Labrino alias "Ely Mojica" guilty beyond reasonable doubt of the crime of murder and sentencing him to suffer the penalty of *reclusion perpetua* is **AFFIRMED** with **MODIFICATIONS** that appellant is not eligible for parole; the award of moral damages is increased to PhP75,000.00; and interest shall be imposed on all the monetary awards at the rate of 6% *per annum* from date of finality of this Resolution until fully paid. (*Del Castillo, J., designated Acting Chairperson of the Second Division in view of the leave of absence of Brion, J., per Special Order No. 2087 [REVISED] dated July 1, 2015; Peralta, J., designated as Acting Member in view of the leave of absence of Carpio, J., per Special Order No. 2088 dated July 1, 2015; Bersamin, J., designated as Acting Member in view of the leave of absence of Brion, J. per Special Order No. 2079 dated June 29, 2015).*

SO ORDERED.^y

Very truly yours,

MA Lourdes C. Perfecto
 MA. LOURDES C. PERFECTO
 Division Clerk of Court
7/10

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Please notify the Court of any change in your address.
GR203964. 07/08/15(211)URES