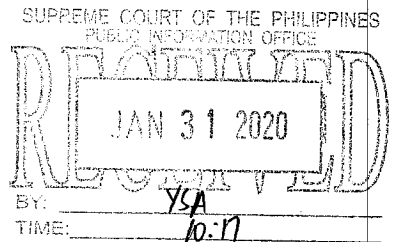




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila



SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Special Second Division, issued a Resolution dated **11 December 2019** which reads as follows:*

“G.R. No. 248500 (*Tirso Dionco y Rafer and Efren Dionco y Rafer vs. People of the Philippines*). — This is a Petition for Review on *Certiorari* under Rule 45 of the Revised Rules of Court seeking to annul and set aside the Decision¹ dated July 23, 2019 of the Court of Appeals (CA) in CA-G.R. CR No. 41372.

After a careful review of the records of the case, the Court resolves to **DISMISS** the petition for failure to sufficiently show any reversible error in the herein assailed Decision to warrant the exercise of its appellate jurisdiction.

However, guided by the Court's ruling in *People v. Juguetta*,² the Court modifies the amount of damages imposed therein.

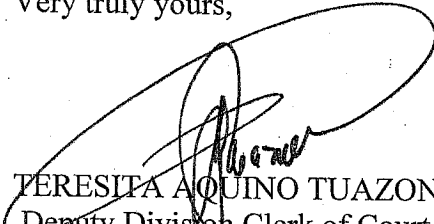
WHEREFORE, the Court **ADOPTS** and **AFFIRMS** the factual findings and conclusions of law in the Decision dated July 23, 2019 of the Court of Appeals in CA-G.R. CR No. 41372 insofar as it found petitioners Tirso Dionco y Rafer and Efren Dionco y Rafer guilty beyond reasonable doubt of the crime of Homicide as defined and penalized under Article 249 of the Revised Penal Code; **SUBJECT TO THE MODIFICATION** in that herein petitioners shall suffer the penalty of eight (8) years and one (1) day of *prision mayor*, as minimum, to fourteen (14) years and eight (8) months of *reclusion temporal*, as maximum, and pay the heirs of the victim, Eduardo Bolocon, the following amounts of damages: (a) ₱50,000.00 as civil indemnity; (b) ₱50,000.00 as moral damages; and (c) ₱50,000.00 as temperate damages. The total amount due shall earn interest at the rate of six percent (6%) *per annum* from the date of finality of this Resolution until the full satisfaction thereof.

¹ Penned by Associate Justice Stephen C. Cruz, with Associate Justices Ma. Luisa Quijano Padilla and Perpetua T. Atal-Paño, concurring; *rollo*, pp. 31-44.

² 783 Phil. 806 (2016).

SO ORDERED.”

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court *Wht 1/22*
22 JAN 2020

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*TIRSO DIONCO y RAFER (reg)
*EFREN DIONCO y RAFER (reg)
Accused-Appellant
Brgy. Pinagbayaran
Macalelon, Quezon

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 62
Gumaca, Quezon
(Crim. Case No. 10740-G)

JUDGMENT DIVISION (x)
Supreme Court, Manila

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OFFICE OF THE REPORTER (x)
Supreme Court, Manila

COURT OF APPEALS (x)
Ma. Orosa Street
Ermita, 1000 Manila
CA-G.R. CR No. 41372

*with copy of CA decision dated 23 July 2019
Please notify the Court of any change in your address.
GR248500. 12/11/2019B(219)URES

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