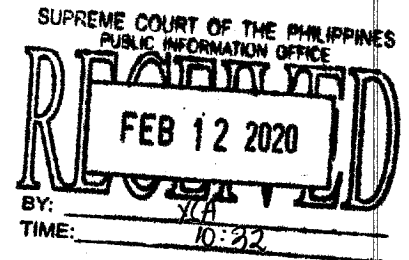




REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila  
SECOND DIVISION



**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **22 January 2020** which reads as follows:*

“**G.R. No. 242013 (People of the Philippines v. XXX<sup>1</sup>)**. – After a judicious study of the case, the Court resolves to **DISMISS** the appeal<sup>2</sup> for failure to sufficiently show that the Court of Appeals (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 June 27, 2018 Decision<sup>3</sup> of the CA in CA-G.R. CR-HC No. 01587-MIN and **AFFIRMS** said Decision finding accused-appellant **XXX GUILTY** beyond reasonable doubt of the crime of Qualified Rape, defined and penalized under Article 266-A, in relation to Article 266-B of the Revised Penal Code. Accordingly, he is sentenced to suffer the penalty of *reclusion perpetua*,<sup>4</sup> without eligibility for parole,<sup>5</sup> and to pay **AAA**<sup>6</sup> the following amounts: (a) ₱100,000.00 as

<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 July 26, 2018; *rollo*, pp. 22-23.

<sup>3</sup> *Id.* at 3-21. Penned by Associate Justice Walter S. Ong with Associate Justices Edgardo A. Camello and Perpetua T. Atal-Paño, concurring.

<sup>4</sup> See Section 2 of Republic Act No. (RA) 9346 entitled “AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES,” approved on June 24, 2006.

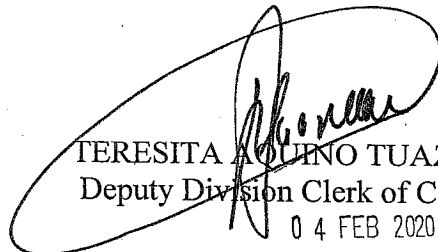
<sup>5</sup> See Section 3 of RA 9346. See also A.M. No. 15-08-02-SC entitled “GUIDELINES FOR THE PROPER USE OF THE PHRASE ‘WITHOUT ELIGIBILITY FOR PAROLE’ IN INDIVISIBLE PENALTIES” (August 4, 2015).

<sup>6</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 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,”

civil 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.** (Reyes, A., Jr. and Hernando, JJ., on official leave.)”

Very truly yours,

  
TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court *Wh. 2/4*  
04 FEB 2020

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Prison No. D216P-0640  
Accused-Appellant  
c/o The Superintendent  
Davao Prison and Penal Farm  
B.E. Dujali Davao del Norte

THE SUPERINTENDENT (reg)  
Davao Prison and Penal Farm  
B.E. Dujali Davao del Norte

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 43  
Gingoog City  
(Crim. Case No. 2014-5862)

COURT OF APPEALS (reg)  
Mindanao Station  
Cagayan de Oro City  
CA-G.R. CR H.C. No. 01587-MIN

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*Please notify the Court of any change in your address.*  
GR242013. 1/22/2020(163)URES

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.

**(163)URES**