



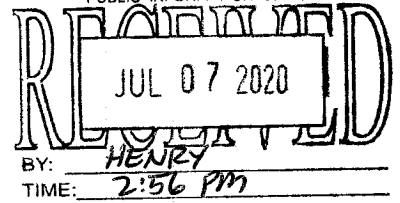
Republic of the Philippines

Supreme Court

Manila

THIRD DIVISION

SUPREME COURT OF THE PHILIPPINES  
PUBLIC INFORMATION OFFICE



## NOTICE

Sirs/Mesdames:

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

**“G.R. No. 227744 (PEOPLE OF THE PHILIPPINES, plaintiff-appellee v. DIOSDADO RABUTAN DELA ROSA, accused-appellant).** — The Court of Appeals elevated the records of this case to this Court pursuant to its August 22, 2016 Resolution,<sup>1</sup> which gave due course to the Notice of Appeal<sup>2</sup> filed by accused-appellant Diosdado Rabutan Dela Rosa.

In its December 7, 2016 Resolution,<sup>3</sup> this Court noted the records forwarded by the Court of Appeals and required the parties to file their respective supplemental briefs.

In its March 8, 2017 Resolution,<sup>4</sup> this Court noted the separate manifestations filed by the Office of the Solicitor General<sup>5</sup> and accused-appellant<sup>6</sup> stating that they will no longer file supplemental briefs.

After an evaluation of the records, this Court resolves to **DISMISS** the appeal of accused-appellant for his failure to sufficiently show any reversible error in the assailed Court of Appeals’ Decision<sup>7</sup> warranting the exercise of this Court’s appellate jurisdiction.

**WHEREFORE**, the findings of fact and conclusions of law of the Court of Appeals in CA-G.R. CR-HC No. 01264-MIN are **AFFIRMED with MODIFICATIONS**.

<sup>1</sup> Id. at 14.

<sup>2</sup> Id. at 11–13.

<sup>3</sup> Id. at 16.

<sup>4</sup> Id. at 27–28.

<sup>5</sup> Id. at 17–21.

<sup>6</sup> Id. at 22–25.

<sup>7</sup> Id. at 3–10. The July 22, 2016 Decision was penned by Associate Justice Oscar V. Badelles, and concurred in by Associate Justices Romulo V. Borja and Ronaldo B. Martin of the Twenty-First Division of the Court of Appeals, Cagayan de Oro City.

June 22, 2020

Accused-appellant Diosdado Rabutan Dela Rosa is found **GUILTY** beyond reasonable doubt of qualified rape, punished under Article 266-B of the Revised Penal Code, and is sentenced to suffer the penalty of *reclusion perpetua*, without eligibility for parole. He is further ordered to pay AAA civil indemnity, moral damages, and exemplary damages, in the amount of ₱100,000.00 each.<sup>8</sup>

All damages awarded shall be subject to the rate of six percent (6%) per annum from the finality of this Resolution until their full satisfaction.<sup>9</sup>

**SO ORDERED.”**

Very truly yours,

*Misael DC Batt*  
**MISAEAL DOMINGO C. BATTUNG III**  
 Division Clerk of Court *8/7/2020*

PUBLIC ATTORNEY'S OFFICE  
 Special & Appealed Cases Service  
 DOJ Agencies Building  
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 Diliman, 1104 Quezon City

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 CA G.R. CR HC No. 01264-MIN  
 9000 Cagayan de Oro City

OFFICE OF THE SOLICITOR GENERAL  
 134 Amorsolo Street  
 Legaspi Village, 1229 Makati City

The Presiding Judge  
 REGIONAL TRIAL COURT  
 Branch 12, 8000 Davao City  
 (Crim. Case No. 62, 412-07)

CSSupt. Geraldo Padilla  
 Superintendent  
 DAVAO PRISON & PENAL FARM  
 B.E. Dujali, 8105 Davao del Norte

Mr. Diosdado Rabutan dela Rosa  
 c/o The Superintendent  
 DAVAO PRISON & PENAL FARM  
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**G.R. No. 227744**

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/s/oy

<sup>8</sup> *People v. Jugueta*, 783 Phil. 806 (2016) [Per J. Peralta, En Banc].

<sup>9</sup> *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].