



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 June 2020** which reads as follows:*

“G.R. No. 249827 (People of the Philippines v. Rhodelio Gamo y Torres). – The Court resolves to: (a) **NOTE** the manifestation and motion dated January 29, 2020 of the Office of the Solicitor General, dispensing with the filing of supplemental brief, and adopting its Brief for the plaintiff-appellee dated June 29, 2018 filed before the Court of Appeals (CA) as its supplemental brief; and (b) **GRANT** the motion of accused-appellant Rhodelio Gamo y Torres (accused-appellant) for extension of thirty (30) days from January 22, 2020, within which to file supplemental brief, and **NOTE** aforesaid supplemental brief dated February 20, 2020, in compliance with the Resolution dated November 20, 2019.

After a judicious study of the case, the Court further resolves to **DISMISS** the appeal¹ for failure to sufficiently show that the 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 September 26, 2018 Decision² of the CA in CA-G.R. CR HC No. 09702 and **AFFIRMS** said Decision finding accused-appellant **GUILTY** beyond reasonable doubt of the crimes of Illegal Sale and Illegal Possession of Dangerous Drugs, defined and penalized under Sections 5 and 11, Article II of Republic Act No. 9165,³ otherwise known as the ‘Comprehensive Dangerous Drugs Act of 2002.’ Accordingly, he is sentenced as follows: (a) in Criminal Case No. 11698 for Illegal Sale of Dangerous Drugs, accused-appellant is sentenced to suffer the penalty of life imprisonment and to pay a fine in the amount of ₱500,000.00; and (b) in Criminal Case No. 11697 for Illegal Possession of Dangerous Drugs,

¹ See Notice of Appeal dated October 23, 2018; *rollo*, pp. 21-22.

² *Id.* at 3-20. Penned by Associate Justice Fernanda Lampas Peralta with Associate Justices Rodil V. Zalameda (now a member of this Court) and Marie Christine Azcarraga-Jacob, concurring.

³ Entitled “AN ACT INSTITUTING THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 6425, OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES,” approved on June 7, 2002.

June 22, 2020

accused-appellant is sentenced to suffer the penalty of imprisonment for an indeterminate period of twelve (12) years and one (1) day of *reclusion temporal*, as minimum, to twenty (20) years of *reclusion temporal*, as maximum, and to pay a fine in the amount of P300,000.00.

SO ORDERED. (Gaerlan, J., designated Additional Member per Special Order No. 2780 dated May 11, 2020, on leave.)”

Very truly yours,


TERESITA AQUINO TUAZON

Deputy Division Clerk of Court

08 JUL 2020

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THE DIRECTOR (reg)
Bureau of Corrections
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 2
Balanga City, Bataan
(Crim. Case Nos. 11697 and 11698)

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Please notify the Court of any change in your address.
GR249827. 6/22/2020A(134)URES