

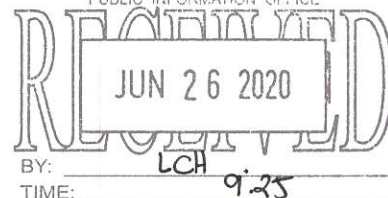


Republic of the Philippines
Supreme Court
 Manila

THIRD DIVISION

NOTICE

SUPREME COURT OF THE PHILIPPINES
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Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **March 4, 2020**, which reads as follows:

“G.R. No. 241945 (*People of the Philippines v. Roberto¹ Alfaro a.k.a. “Obet” and Henry Amurao y Guevarra a.k.a. “Ka Puti,” accused; Henry Amurao y Guevarra a.k.a. “Ka Puti,” accused-appellant*).—Considering the allegations, issues and arguments presented in the appellant’s and appellee’s briefs, which the parties adopted instead of filing their respective supplementary appeal briefs, the Court resolves to **DISMISS** the Appeal² for failure to sufficiently show that the Court of Appeals committed any reversible error in its assailed Decision³ dated March 15, 2018, finding appellant guilty of the crime of Murder.

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the Decision dated March 15, 2018 of the Court of Appeals in CA-G.R. CR HC No. 09071, and **AFFIRMS with MODIFICATIONS** said Decision finding appellant Henry Amurao y Guevarra a.k.a. “Ka Puti” **GUILTY** beyond reasonable doubt of Murder as defined under Article 248⁴ of the Revised Penal Code, as amended. Appellant is hereby sentenced to suffer the penalty of *reclusion perpetua*. The phrase

¹ Also referred to as “Robert” in some parts of the *rollo*.

² CA *rollo*, pp. 132-133.

³ *Rollo*, pp. 2-17; penned by Associate Justice Socorro B. Inting with Associate Justices Apolinario D. Bruselas, Jr. and Rafael Antonio M. Santos, concurring.

⁴ Art. 248. *Murder*. – Any person who, not falling within the provisions of Article 246, shall kill another, shall be guilty of murder and shall be punished by *reclusion perpetua*, to death if committed with any of the following attendant circumstances:

1. With treachery, taking advantage of superior strength, with the aid of armed men, or employing means to weaken the defense or of means or persons to insure or afford impunity;
2. In consideration of a price, reward, or promise;
3. By means of inundation, fire, poison, explosion, shipwreck, stranding of a vessel, derailment or assault upon a railroad, fall of an airship, by means of motor vehicles, or with the use of any other means involving great waste and ruin;
4. On the occasion of any of the calamities enumerated in the preceding paragraph, or of an earthquake, eruption of a volcano, destructive cyclone, epidemic, or any other public calamity;
5. With evident premeditation;
6. With cruelty, by deliberately and inhumanly augmenting the suffering of the victim, or outraging or scoffing at his person or corpse.

“without eligibility of parole” is deleted.⁵ Appellant is **ORDERED** to **PAY** civil indemnity in the amount of ₱75,000.00; moral damages in the amount of ₱75,000.00; exemplary damages in the amount of ₱75,000.00; and temperate damages in the amount of ₱50,000.00. Moreover, all damages awarded shall earn interest at the rate of six percent (6%) *per annum* from date of finality of this Resolution until fully paid.⁶

SO ORDERED.”

Very truly yours,

Misael D C Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court

Special & Appealed Cases Service
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Superintendent
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 BUREAU OF CORRECTIONS
 1770 Muntinlupa City

Mr. Henry Amurao y Guevarra
 c/o The Superintendent
 New Bilibid Prison
 BUREAU OF CORRECTIONS
 1770 Muntinlupa City

The Presiding Judge
 REGIONAL TRIAL COURT
 Branch 34, Gapan City
 3105 Nueva Ecija
 (Criminal Case No. 15737-12)

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⁵ Pursuant to A.M. No. 15-08-02-SC, entitled *Guidelines for the Proper Use of the Phrase “Without Eligibility for Parole” in Indivisible Penalties* dated August 4, 2015.

⁶ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013).