



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **14 September 2020** which reads as follows:*

“G.R. No. 252288 (Julio Cabanero y Bautista v. People of the Philippines). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the June 25, 2019 Decision² and the March 3, 2020 Resolution³ of the Court of Appeals (CA) in CA-G.R. CR No. 41115 for failure of petitioner Julio Cabanero y Bautista (petitioner) to sufficiently show that the CA committed any reversible error in affirming his conviction for two (2) counts of the complex crime of Attempted *Estafa* through Falsification of Commercial Documents, defined and penalized under paragraph 1 (b), Article 315 and Article 172 of the Revised Penal Code, respectively.

As correctly ruled by the CA, all the elements of the crimes charged had been sufficiently established, as it was shown that: (a) petitioner was entrusted with the safekeeping of a checkbook containing blank and unsigned checks belonging to the Dr. Carl E. Balita Review Center (CBRC); and (b) petitioner had unduly attempted to convert two (2) checks to pay for his personal loan obligation by falsely making it appear that CBRC issued said checks in favor of Frontrow Enterprises Philippines, Inc. in the amounts of ₱70,000.00 and ₱60,000.00.⁴ It bears stressing that factual findings of trial courts, especially when affirmed by the CA, deserve respect and finality by this Court.⁵ Although there are recognized exceptions to this rule,⁶ none are applicable in the instant case.

SO ORDERED. (Baltazar-Padilla, *J.*, on leave.)”

¹ *Rollo*, pp. 12-27.

² *Id.* at 33-44. Penned by Associate Justices Eduardo B. Peralta, Jr. with Associate Justices Ramon R. Garcia and Gabriel T. Robeniol, concurring.


³ *Id.* at 46-47.

⁴ See *id.* at 40.

⁵ See *Pacific Airways Corporation v. Tonda*, 441 Phil. 156, 162 (2002).

⁶ See *Spouses Aboitiz v. Spouses Po*, G.R. Nos. 208450 and 208497, June 5, 2017, 825 SCRA 457, 499.

By authority of the Court:


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Deputy Division Clerk of Court *Utah*
09 OCT 2020 *10/9*

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(Crim. Case No. Q-10-166761 & 762)

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Please notify the Court of any change in your address.
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