



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **28 June 2021** which reads as follows:*

“**G.R. No. 253834 (People of the Philippines v. Edward Bateo a.k.a. ‘Jimboy’)**. - The Court **NOTES** the manifestation¹ (in lieu of supplemental brief) dated February 8, 2021 of the Public Attorney’s Office in compliance with the Resolution² dated November 9, 2020, adopting its brief filed before the Court of Appeals (CA) as accused-appellant Edward Bateo’s a.k.a. ‘Jimboy’ (accused-appellant) supplemental brief since the same had adequately discussed all the matters pertinent to the defense.

After a judicious study of the case, the Court resolves to **DISMISS** the appeal³ for failure to sufficiently show that the CA committed any reversible error in affirming the conviction of accused-appellant for the crime of Murder, as defined and penalized under Article 248 of the Revised Penal Code.

As correctly ruled by the CA, all the elements⁴ of the crime of Murder are present in this case as the prosecution clearly established that: (a) Jack Jose Padoc (Padoc) was killed on January 1, 2006; (b) accused-appellant was identified by the prosecution witnesses as one of the malefactors who stabbed and killed Padoc; (c) the killing was attended by abuse of superior strength; and (d) the killing is not parricide or infanticide.

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the Decision⁵ dated December 26, 2019 of the Court of Appeals in CA-G.R. CR-HC No. 02686 and **AFFIRMS** said Decision finding accused-appellant Edward Bateo a.k.a. ‘Jimboy’ **GUILTY** beyond reasonable doubt of the crime of Murder, as defined and penalized under Article 248 of the Revised Penal Code. Accordingly, he is sentenced to suffer the penalty of *reclusion perpetua* and to pay the heirs of the victim Jack Jose Padoc the following amounts: (a) ₱75,000.00 as civil

¹ *Rollo*, pp. 35-37.

² *Id.* 24-25.

³ *Id.* at 18-19.

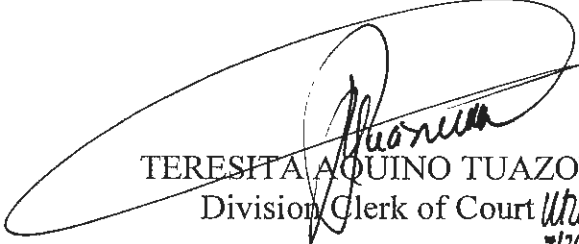
⁴ The elements of Murder are the following: (a) that a person was killed; (b) that the accused killed him; (c) that the killing was attended by any of the qualifying circumstances mentioned in Article 248 of the Revised Penal Code; and (d) that the killing is not parricide or infanticide. (see *People v. Aquino*, 829 Phil. 477, 485 [2018]).

⁵ *Rollo*, pp. 5-17.

indemnity; (b) ₱75,000.00 as moral damages; (c) ₱75,000.00 as exemplary damages; (d) ₱50,000.00 as temperate damages; and (e) the costs of suit. Moreover, all monetary awards shall earn an interest at the legal rate of six percent (6%) per annum from the date of the finality of this Resolution until full payment.

SO ORDERED.” (Lopez, J., J., designated additional member per Special Order No. 2822 dated April 7, 2021.)

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court *Utah*
26 JUL 2021 *7/26*

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(Crim. Case No. 2006-04-3171)

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