



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE G.R. No. 267946
PHILIPPINES,

Plaintiff-appellee,

-versus-

Present:

LEONEN, *SAJ*, Chairperson,
LAZARO-JAVIER,
LOPEZ, M.,
LOPEZ, J., and
KHO, JR., *JJ*.

NELL JACKEL TUAZON *y* Promulgated:
PANLAQUI,

Accused-appellant.

MAY 27 2024

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DECISION

LAZARO-JAVIER, *J.*:

The Case

This Appeal seeks to reverse the following disposition of the Court of Appeals in CA-G.R. CR No. 44345 titled “*People of the Philippines v. Nell Jackel Tuazon y Panlaqui*.”

1) Decision¹ dated November 22, 2021 affirming with modification the Decision dated November 13, 2019 of Branch [REDACTED],² Regional Trial

¹ *Rollo*, pp. 9–28. Penned by Associate Justice Ramon A. Cruz and concurred in by Associate Justices Ruben Reynaldo G. Roxas and Bonifacio S. Pascua of the Former Tenth Division, Court of Appeals, Manila.

² Amended Administrative Circular No. 83-2015 dated September 5, 2017, Subject: Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Names/Personal Circumstances.

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Court, [REDACTED] in Criminal Case No. MC16-4937-FC, which found accused-appellant Nell Jackel Tuazon y Panlaqui (Nell) guilty of violation of Republic Act No. 9208, Section 11 or the “Anti-Trafficking in Persons Act of 2003,” as amended by Republic Act No. 10364 or the “Expanded Anti-Trafficking in Persons Act of 2012.” The Court of Appeals sentenced Nell to *reclusion temporal* in its medium period to *reclusion perpetua* or 17 years to 40 years of imprisonment. He was further ordered to pay a fine of PHP 500,000.00;³ and

2) Resolution⁴ dated November 22, 2022, denying accusedappellant, Nell’s motion for reconsideration.

Antecedents

Under Information dated September 2, 2016, Nell was charged with trafficking of persons committed against 16-year-old AAA viz.:

That on or about the 19th day of August 2016, in the City of [REDACTED], Philippines, a place within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully[,] and feloniously engage the services of [AAA], a sixteen (16) year old minor, a trafficked person for prostitution through sex peddler for and in consideration of P[HP] 4,500.00 to the damage and prejudice of said [AAA].

Contrary to law.⁵

The case was raffled to [REDACTED], Regional Trial Court, [REDACTED]. On arraignment, Nell pleaded not guilty.⁶

AAA and Police Officer 1 Joseneal Leaño (PO1 Joseneal) of [REDACTED] Police Station testified for the prosecution.

AAA testified that she was born on February 25, 2000, as evidenced by her birth certificate and she was 16 years old at the time of the incident.⁷ On August 18, 2016, she and her friends went to a birthday celebration of one Jamaica Martin in [REDACTED] City. After the party or around 12 a.m. of August 19, 2016, she and her friends went to [REDACTED], [REDACTED] to eat porridge.⁸ Then she received a text message from a certain “Mamu Respito” (Mamu) whom she met in 2016 during a volleyball game. Mamu asked her to see her on Acacia Lane to meet with their friends

³ *Id.* at 23.

⁴ *Id.* at 27.

⁵ *Id.* at 10.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

from the volleyball league.⁹ AAA agreed and told Mamu to wait for her because she would have to change her clothes first.¹⁰

When she arrived at Acacia Lane, she saw Mamu standing in front of a green car. Mamu then instructed her to get inside the car; both of them boarded and took the rear seat. Minutes later, Mamu disembarked and a woman named “Lian” went inside the car and sat beside her.¹¹ Thereafter, two men came in. One of them was Nell who took the driver’s seat, while the other man took the passenger’s seat. Nell locked the doors and drove to **Bermuda** Hotel **Bermuda** on **Highway Hills, Mandaluyong** City.¹² AAA was nervous, but she kept silent. On their way, she immediately texted Mamu to ask where the car was headed. Mamu replied that she would have to wait for their friends in **Bermuda**.¹³

Around 2:45 a.m. of August 19, 2016, they arrived at **Bermuda**. Nell talked with a male service crew and handed him money.¹⁴ Thereafter, AAA, Lian, Nell, and the other man went inside **Bermuda** and proceeded to Room 12A.¹⁵ There was no one in the room, contrary to Mamu’s promise that their volleyball friends were there. AAA thus suspected that she was already sold by Mamu to Nell for sexual pleasure. Nell himself also disclosed that he paid Mamu PHP 5,000.00.¹⁶ Moments later, Lian and the other man stepped out of the room, leaving her alone with Nell. She immediately went inside the comfort room as she was worried what Nell might do. As soon as she went out the comfort room, she saw Nell naked in the bed.¹⁷ Nell then stood, laid her on the bed, kissed her on the neck and breasts, inserted his finger, and then his penis into her vagina. AAA was crying the whole time and resisted, but to no avail.¹⁸ Fortunately, a service crew rang the doorbell, so she took the opportunity to get away from him. She went to the comfort room again and locked the door.¹⁹ She texted one Jommel Mulacruz (Jommel) and asked the latter to get her out of the hotel room.²⁰ When she came out from the comfort room, Nell continued kissing and molesting her.²¹ Thereafter, the doorbell rang again; this time, it was the hotel manager who informed Nell that several police officers were waiting outside **Bermuda**.²² The manager told her to leave the room, while a service crew showed her the way out. She went outside **Bermuda** and was comforted by Jommel and several police officers. One police officer stayed with her while the others went to Room 12A where Nell

⁹ *Id.* at 11.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.* at 32.

¹⁷ *Id.* at 11.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.* at 32.

²² *Id.* at 12.

was.²³ When the police officers came out with Nell, she pointed him out to the police officers and identified him as the man who abused her inside the hotel room.²⁴

Meanwhile, PO1 Joseneal testified that on August 19, 2016, he was assigned as beat patroller in the area around **Bermuda**.²⁵ By 2:45 a.m., a person later identified as Jommel approached and told him that AAA was brought to **Bermuda** by a certain man. PO1 Joseneal, together with PO1 Rowel Concha (PO1 Rowel), and PO1 Peter Belington, Jr. (PO1 Peter), went to **Bermuda** and told the crew that they received a report involving a minor who was brought to **Bermuda**.²⁶ PO1 Joseneal, accompanied by a crew, proceeded to Room 12A and he saw Nell. On their way out, they saw AAA who was crying. Thereafter, PO1 Joseneal asked AAA who was with her in Room 12A; She pointed Nell. Thereafter, PO1 Joseneal then brought AAA, Nell, and Jommel to the Women and Children Protection Desk of **Mandaluyong** City Police Station.²⁷ Together with PO1 Rowel, and PO1 Peter, they executed their joint affidavit.²⁸

The parties stipulated on the proposed testimonies of PO1 Rowel and PO1 Peter that they were among the arresting officers who apprehended Nell on August 19, 2016; testimony of Police Officer 2 Stacy Mae Clores that she assisted in taking the respective statements of AAA, PO1 Joseneal, PO1 Rowel, and PO1 Peter;²⁹ and of Dr. Ian Paolo Virtucio that he examined AAA and per his Medico-Legal Report No. R-004-16E dated August 19, 2016, AAA had deep healed lacerations at 3, 5, 8, & 9 o'clock positions.³⁰

After the prosecution rested its case, the defense filed a Demurrer to Evidence.³¹ By Order³² dated July 26, 2018, the trial court denied the demurrer and held that "the prosecution has tendered adequate evidence to support its case." Nell's motion for reconsideration was also denied per Order³³ dated March 15, 2019.

At the scheduled initial presentation of defense evidence, Nell, through his counsel, manifested that he "is exercising his constitutional right to remain silent and will no longer adduce evidence . . ."³⁴

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.* at 13.

²⁸ *Id.*

²⁹ *Id.* at 14.

³⁰ *Id.* at 15.

³¹ *Id.*

³² *CA rollo*, pp. 369–384.

³³ *Id.* at 489–494.

³⁴ *Rollo*, p. 15.

Ruling of the Regional Trial Court

In its Decision³⁵ dated November 13, 2019, the trial court rendered a verdict of conviction. It found that Nell engaged the services of AAA through a sex peddler in violation of Section 11 of Republic Act No. 9208, as amended by Republic Act No. 10364.³⁶ AAA also positively identified Nell as the person who transacted with Mamu, who peddled her for sex with Nell in consideration of PHP 4,500.00.³⁷

The dispositive portion of the trial court's ruling reads:

WHEREFORE, premises considered, the Court finds accused NELL JACKEL PANLAQUI **GUILTY** of the crime of violation of Section 11 of Republic Act No. 9208 otherwise known as the Anti-Trafficking in Persons Act of 2003, as amended by Republic Act No. 10364. Accordingly, the court hereby sentenced ACCUSED to suffer the prison term of SIX (6) YEARS of *prision correccional*, as minimum to TEN (10) YEARS of *prision mayor*, as maximum. Likewise, he is ordered to pay a fine in the amount of FIFTY THOUSAND (PHP50,000.00) PESOS.

SO ORDERED.³⁸ (Emphasis in the original).

Ruling of the Court of Appeals

On appeal, Nell argued that the prosecution failed to prove all the elements of the crime. For he did not recruit, obtain, hire, provide, offer, transfer, maintain, or harbor AAA.³⁹ In fact, she voluntarily went inside his car and kept silent the whole time.⁴⁰ Further, she failed to present the respective testimonies of Lian, her supposed companion, or the hotel crew to support her claim that she went to **Dennada** with him.⁴¹ In the same vein, Mamu was not even presented in court to testify that she received money from him.⁴² Finally, the deep healed hymenal lacerations indicated in the Medico-Legal Report meant AAA had prior sexual intercourse with other men, not him.⁴³

On the other hand, the Office of the Solicitor General (OSG), through Assistant Solicitor General Bernard Hernandez and Senior State Solicitor Kristan Carlos Cristobal, argued in the main that the prosecution established

³⁵ *Id.* at 30–44.

³⁶ *Id.* at 35.

³⁷ *Id.* at 15. Sometimes the amount is PHP 5,000.00, *see id.* at 38.

³⁸ *Id.* at 44.

³⁹ CA *rollo*, p. 55.

⁴⁰ *Id.* at 25.

⁴¹ *Id.* at 36.

⁴² *Id.* at 40.

⁴³ *Id.* at 23.

all the elements of trafficking in persons. Nell, as a paying customer, used AAA, a minor and trafficked person, to satisfy his sexual desires.⁴⁴

By Decision⁴⁵ dated November 22, 2021, the Court of Appeals affirmed with modification, increasing Nell's sentence to *reclusion temporal* in its medium period to *reclusion perpetua* or 17 years to 40 years imprisonment.⁴⁶

The Court of Appeals held that the prosecution established all the elements of trafficking in persons penalized under Section 11 of Republic Act No. 9208, as amended. AAA's detailed and forthright testimony established that Nell used her to satisfy his lust through a sex peddler.⁴⁷ Regardless of whether if it was Mamu who invited AAA to Nell's car, the fact remained that he received AAA whom he eventually exploited in [REDACTED].⁴⁸

On Nell's claim that AAA was not sexually violated, considering that the medico-legal report showed her hymenal lacerations were healed,⁴⁹ the Court of Appeals stressed that sexual intercourse with the victim is not required to support a finding of trafficking.⁵⁰

Nell's Motion for Reconsideration was denied per Resolution dated November 22, 2022.⁵¹

The Present Appeal

Nell now seeks affirmative relief and prays anew for his acquittal. In compliance with Resolution dated August 23, 2023, he maintains in his supplemental brief that: a) no one from the hotel crew of [REDACTED] testified to his presence at the hotel together with AAA; b) AAA's alleged sexual peddler, Mamu, as well as her companion, Lian, likewise failed to testify;⁵² and c) the deep healed hymenal lacerations indicated in the Medico-Legal Report meant that she had sexual contact with other men, but not with him.⁵³ In fine, he is innocent of the crime charged.

On the other hand, the OSG manifested that in lieu of a supplemental brief, it is adopting its brief before the Court of Appeals.

⁴⁴ *Id.* at 113.

⁴⁵ *Rollo*, pp. 9-25.

⁴⁶ *Id.* at 23.

⁴⁷ *Id.* at 19.

⁴⁸ *CA rollo*, p. 19.

⁴⁹ *Id.*

⁵⁰ *Id.* at 21.

⁵¹ *Id.* at 27.

⁵² Nell's Supplemental Brief dated December 18, 2023, p. 14.

⁵³ *Id.*



Our Ruling

Nell is guilty of qualified trafficking.

Republic Act No. 9208, Section 3(a), as amended by Republic Act No. 10364, defines “Trafficking in Persons” as:

. . . recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as ‘trafficking in persons’ even if it does not involve any of the means set forth in the preceding paragraph.⁵⁴

Section 4(a), of Republic Act No. 9208, as amended, further enumerates the acts that fall under the term “trafficking” in persons, thus:

- (a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation.⁵⁵

*Brozoto v. People*⁵⁶ ordained that “[t]he gravamen of the crime of trafficking is ‘the act of recruiting or using, with or without consent, a fellow human being for [inter alia,] sexual exploitation.’” *Brozoto* further elucidated:

Human beings are not chattels whose sexual favors are bought or sold by greedy pimps. Those who profit in this way by recruiting minors are rightfully, by law, labeled as criminals. They should be the subject of aggressive law enforcement, prosecuted,

⁵⁴ Republic Act No. 9208 (2003), sec. 3(a).

⁵⁵ *Id.*, sec. 4(a).

⁵⁶ G.R. No. 233420, April 28, 2021, [Per J. Lopez, Third Division].

tried, and when proof beyond reasonable doubt exists, punished.⁵⁷
(Emphasis supplied)

Further, *People v. Casio*⁵⁸ enumerated the elements of trafficking under the expanded definition of Republic Act No. 10364, the amendatory law, thus:

- (1) The act of “recruitment, *obtaining, hiring, providing, offering*, transportation, transfer, *maintaining*, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders[“;”]
- (2) The means used include “by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”[;]
[and]
- (3) The purpose of trafficking includes “the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs[.]”⁵⁹

Meanwhile, Section 6(a) of Republic Act No. 9208, as amended, states that the crime is deemed qualified when the victim is a “child.” A “child” is “a person below 18 years of age or one who is over 18 but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.”⁶⁰

The offense was committed on August 19, 2016. Thus, the provisions of Republic Act No. 10364, which was approved on February 6, 2013, and amended Republic Act No. 9208, are applicable.

Here, records show that Nell should be liable for qualified trafficking under Section 6(a) of Republic Act No. 9208, as amended.


AAA’s birth certificate shows that she was only 16 years old when she was victimized. This remains undisputed.

⁵⁷ *Id.*

⁵⁸ 749 Phil. 458 (2014) [Per J. Leonen, Second Division], *as cited in People v. Barrientos*, G.R. No. 255591, September 7, 2022, [Notice, First Division].

⁵⁹ *Id.*

⁶⁰ *People v. Barrientos*, G.R. No. 255591, September 7, 2022, [Notice, First Division].



She positively identified Nell as the person who received and used her to satisfy his sexual desires through a paid sexual peddler. She also recalled that Nell himself disclosed that he paid Mamu for PHP 5,000.00 to be with her.

Nell's claim that he never forced AAA to travel with him and go to [REDACTED], even if true, does not negate his culpability since the crime may be committed "with or without the victim's consent or knowledge."⁶¹ This reflects the simple fact that no person can consent to being exploited, because in the case of adults, consent has been negated through the use of improper means and, in the case of children, their vulnerable position makes it impossible for them to provide consent in the first place, as in this case.⁶²

Nell nonetheless insists that AAA's testimony was incredible because no one from [REDACTED], not even Mamu, or Lian, AAA's supposed companion, were ever presented to attest his presence in the hotel with AAA.

The argument does not persuade.

The failure of the prosecution to present a crew from [REDACTED], Mamu, or Lian, was not indispensable in the prosecution of the case. *People v. Ramirez*⁶³ explained that in the prosecution of trafficking in persons, corroborating testimonies of the arresting officer and the minor victim **suffice to convict**:

This Court in *People v. Rodriguez* acknowledged that as with *Casio*, the corroborating testimonies of the arresting officer and the minor victims were sufficient to sustain a conviction under the law. In *People v. Spouses Ybanez, et al.*, this Court likewise affirmed the conviction of traffickers arrested based on a surveillance report on the prostitution of minors within the area. In *People v. XXX and YYY*, this Court held that the exploitation of minors, through either prostitution or pornography, is explicitly prohibited under the law. *Casio* also recognizes that the crime is considered consummated even if no sexual intercourse had taken place since the mere transaction consummates the crime.⁶⁴ (Citations omitted)


In this case, AAA's clear recollection of events and positive identification of her sexual predator did not stand alone. It was corroborated by the testimony of PO1 Joseneal, who recalled the steps he and the other

⁶¹ See *Ferrer v. People*, G.R. Nos. 223042 & 223769, July 6, 2022, [Per J. Lazaro-Javier, First Division].

⁶² United Nations Office on Drugs and Crime, Vienna. 2009. *Anti-human trafficking manual for criminal justice practitioners*; See also *Ferrer v. People*, G.R. Nos. 223042 & 223769, July 6, 2022, [Per J. Lazaro-Javier, First Division].

⁶³ 846 Phil. 314 (2019) [Per J. Lazaro-Javier, Third Division]. as cited in *People v. Infante*, G.R. No. 234191, February 1, 2021, [Per J. Leonen, Third Division].

⁶⁴ *People v. Ramirez*, 846 Phil. 314, 324 (2019) [Per J. Lazaro-Javier, Third Division].



arresting officers had taken to verify the report of Jommel and how they eventually rescued AAA. The stipulations on the intended testimonies of PO1 Rowel and PO1 Peter likewise show that they were among the arresting officers who apprehended Nell on August 19, 2016. Suffice it to state that denial fails when the prosecution positively ascertains Nell's identity.⁶⁵

Finally, Nell maintains that per Medico-Legal Report No. R-004-16E, AAA had deep healed lacerations at 3, 5, 8, & 9 o'clock positions.⁶⁶ This means that she may have had sexual intercourse with other men in the past, and not with him.

The argument fails.

The crime of trafficking in persons is considered consummated even if no sexual intercourse takes place. Merely engaging in the transaction consummates the crime. This has been the consistent ruling of the Court. The gravamen of the crime of human trafficking is not so much the offer of a woman or child; it is the act of obtaining, using, or receiving, with or without consent, a fellow human being for sexual exploitation.⁶⁷

At any rate, the trial court's findings on AAA's credibility are accorded respect, especially since it carried the full concurrence of the appellate court.⁶⁸ Indeed, "the trial court is in the best position to assess the credibility of witnesses and their testimonies because of its unique opportunity to observe the witnesses, their demeanor, conduct, and attitude on the witness stand."⁶⁹

As regards the penalty, Section 10(c) of Republic Act No 9208, as amended, states that persons found guilty of qualified trafficking shall suffer the penalty of life imprisonment and a fine of not less than PHP 2,000,000.00 but not more than PHP 5,000,000.00.⁷⁰

Here, the crime of trafficking in persons was qualified by the fact that it was committed against AAA, who was only 16 years old at the time the incident happened. In accordance with Section 10(c) of Republic Act No. 9208, as amended, Nell is sentenced to life imprisonment and ordered to pay a fine of PHP 2,000,000.00.⁷¹

⁶⁵ *People v. Infante*, G.R. No. 234191, February 1, 2021, [Per J. Leonen, Third Division].

⁶⁶ *Rollo*, p. 15.

⁶⁷ *People v. Barrientos* G.R. No. 255591, September 7, 2022, [Notice, First Division].

⁶⁸ *People v. Infante*, G.R. No. 234191, February 1, 2021, [Per J. Leonen, Third Division].

⁶⁹ *Düche v. Court of Appeals*, 384 Phil. 35, 46 (2000) [Per J. De Leon, Jr., Second Division].

⁷⁰ *People v. Barrientos* G.R. No. 255591, September 7, 2022, [Notice, First Division].

⁷¹ *Ferrer v. People*, G.R. Nos. 223042 & 223769, July 6, 2022, [Per J. Lazaro-Javier, First Division].

Further, damages in favor of AAA must be awarded. *People v. Lalli*⁷² is apropos:

The Civil Code describes moral damages in Article 2217:

Art. 2217. Moral damages include physical suffering, mental anguish, fright, serious anxiety, besmirched reputation, wounded feelings, moral shock, social humiliation, and similar injury. Though incapable of pecuniary computation, moral damages may be recovered if they are the proximate result of the defendant's wrongful act or omission.

Exemplary damages, on the other hand, are awarded in addition to the payment of moral damages, by way of example or correction for the public good, as stated in the Civil Code:

Art. 2229. Exemplary or corrective damages are imposed, by way of example or correction for the public good, in addition to the moral, temperate, liquidated or compensatory damages.

Art. 2230. In criminal offenses, exemplary damages as a part of the civil liability may be imposed when the crime was committed with one or more aggravating circumstances. Such damages are separate and distinct from fines and shall be paid to the offended party.

The payment of P500,000 as moral damages and P100,000 as exemplary damages for the crime of Trafficking in Persons as a Prostitute finds basis in Article 2219 of the Civil Code, which states:

Art. 2219. Moral damages may be recovered in the following and analogous cases:

- (1) A criminal offense resulting in physical injuries;
- (2) Quasi-delicts causing physical injuries;
- (3) Seduction, abduction, rape, or other lascivious acts;
- (4) Adultery or concubinage;
- (5) Illegal or arbitrary detention or arrest;
- (6) Illegal search;
- (7) Libel, slander or any other form of defamation;
- (8) Malicious prosecution;
- (9) Acts mentioned in Article 309;
- (10) Acts and actions referred to in Articles 21, 26, 27, 28, 29, 30, 32, 34, and 35.

⁷² 675 Phil. 126, 158- 159 (2011) [Per J. Carpio, Second Division].

The parents of the female seduced, abducted, raped, or abused, referred to in No. 3 of this article, may also recover moral damages.

The spouse, descendants, ascendants, and brothers and sisters may bring the action mentioned in No. 9 of this article, in the order named.

The criminal case of Trafficking in Persons as a Prostitute is an analogous case to the crimes of seduction, abduction, rape, or other lascivious acts. In fact, it is worse.⁷³


Hence, Nell is further ordered to pay AAA PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages with 6% interest per annum from the finality of this Decision until fully paid.⁷⁴

ACCORDINGLY, the Appeal is **DENIED**. The Decision dated November 22, 2021 and Resolution dated November 22, 2022 of the Court of Appeals in CA-G.R. CR No. 44345 are **AFFIRMED with MODIFICATIONS**.

Accused-appellant Nell Jackel Tuazon y Panlaqui is **GUILTY** of Qualified Trafficking under Section 6(a) of Republic Act No. 9208, as amended by Republic Act No. 10364. He is sentenced to **life imprisonment** and ordered to **PAY** a fine of PHP 2,000,000.00.

He is further ordered to **PAY** AAA PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages. These amounts shall earn 6% interest per annum from the finality of this Decision until fully paid.

SO ORDERED.

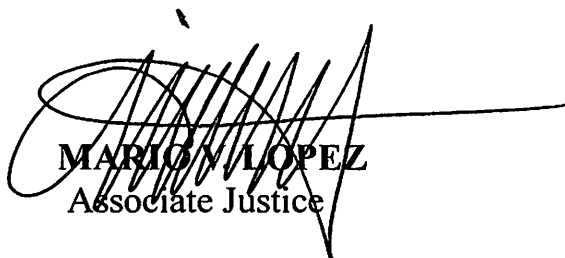

AMY C. LAZARO-JAVIER
Associate Justice

⁷³ *Id.*

⁷⁴ *Santiago, Jr. v. People*, 856 Phil. 536 (2019) [Per J. Leonen, Third Division]

WE CONCUR:


MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson



MARIO V. LOPEZ
Associate Justice



JHOSEP V. LOPEZ
Associate Justice


ANTONIO T. KHO, JR.
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


MARVIC M.V.F. LEONEN
Chairperson, Second Division
Senior Associate Justice



CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the above Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ALEXANDER G. GESMUNDO
Chief Justice