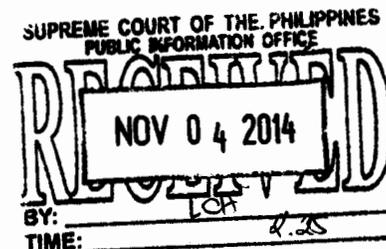




Republic of the Philippines  
Supreme Court  
Manila



FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **October 13, 2014** which reads as follows:*

**“G.R. No. 200155 (Linda Garcia Estrella v. People of the Philippines).** - After a judicious review of the records, the Court resolves to **DENY** the instant petition for failure of Linda Garcia Estrella (petitioner) to show any reversible error committed by the Court of Appeals (CA) in upholding her conviction for *estafa*, as defined and penalized under Article 315, paragraph 1 (b) of the Revised Penal Code (RPC), with modification as to the penalty.

The settled rule is that when the trial court’s findings have been affirmed by the appellate court, said findings are generally conclusive and binding upon this Court,<sup>1</sup> subject to certain recognized exceptions that do not obtain in this case. As correctly pointed out by the CA, petitioner’s unsubstantiated denials cannot prevail over the positive and categorical declarations of private complainant Angelita T. Santiago that she received pieces of jewelry in trust for the latter on December 11, 2000 for which she signed a trust receipt on even date. The fact that petitioner failed to timely move for fingerprint analysis before the trial court due to her lawyer’s mistake or negligence, to which she is bound, cannot exculpate her from liability.

**WHEREFORE**, the Court **ADOPTS** the findings of fact and conclusions of law in the June 30, 2011 Decision<sup>2</sup> of the CA in CA-G.R. CR No. 31766 and **AFFIRMS** said Decision finding petitioner Linda Garcia Estrella **GUILTY** beyond reasonable doubt of the crime of *Estafa* under Article 315, paragraph 1 (b) of the RPC. However, the penalty of

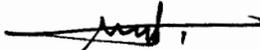
<sup>1</sup> *People v. de Guzman*, 550 Phil. 374, 384 (2007); citation omitted.

<sup>2</sup> *Rollo*, pp. 60-74. Penned by Associate Justice Stephen C. Cruz with Associate Justices Isaias P. Dicedican and Angelita A. Gacutan, concurring.

imprisonment is modified to four (4) years and two (2) months of *prision correccional*, as minimum, to six (6) years, eight (8) months, and twenty-one (21) days of *prision mayor*, as maximum. Petitioner is likewise ordered to pay private complainant Angelita T. Santiago the amount of ₱28,000.00 as civil liability.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court <sup>MDR</sup>  
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RENTA PE CAUSING  
SABARRE CASTRO &  
ASSOCIATES  
Counsel for Petitioner  
Unit No. 1, #2368 Leon Guinto St.  
Cor. J.B. Roxas St., Malate  
1004 Manila

Court of Appeals (x)  
Manila  
(CA-G.R. CR No. 31766)

The Solicitor General (x)  
Makati City

The Hon. Presiding Judge  
Regional Trial Court, Br. 171  
Valenzuela City  
(Crim. Case No. 568-V-02)

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Judgment Division (x)  
Supreme Court

SR



