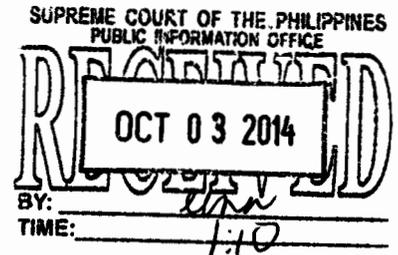




Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated September 17, 2014 which reads as follows:*

**“G.R. No. 205152 (People of the Philippines v. Jaime Calupas y Pampiona a.k.a. “Jimboy”).** - After a judicious perusal of the records, the Court resolves to **DISMISS** the appeal for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in the assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction. However, to conform with recent jurisprudence,<sup>1</sup> the Court deems it proper to award exemplary damages in the amount of ₱30,000.00.

**WHEREFORE,** the Court **ADOPTS** the findings of fact and conclusions of law in the June 26, 2012 Decision<sup>2</sup> of the CA in CA-G.R. CR-H.C. No. 04827 and **AFFIRMS** said Decision finding accused-appellant Jaime Calupas y Pampiona *a.k.a.* “Jimboy” **GUILTY** beyond reasonable doubt of the crime of Simple Rape defined and penalized under Articles 266-A and 266-B of the Revised Penal Code, as amended, sentencing him to suffer the penalty of *reclusion perpetua* without eligibility for parole, and to pay the victim AAA<sup>3</sup> the following amounts: (a) ₱50,000.00 as civil indemnity; (b) ₱50,000.00 as moral damages; and (c) ₱30,000.00 as exemplary damages. In addition, pursuant to prevailing jurisprudence,<sup>4</sup> interest at the rate of six percent (6%) *per annum* shall be imposed on all damages awarded from the date of the finality of this judgment until fully paid.

- over – two (2) pages .....

<sup>1</sup> See *People v. Taguibuya*, G.R. No. 180497, October 5, 2011, 658 SCRA 685.

<sup>2</sup> *Rollo*, pp. 2-18. Penned by Associate Justice Apolinario D. Bruselas, Jr. with Associate Justices Sesinando E. Villon and Manuel M. Barrios, concurring.

<sup>3</sup> The identity of the victim shall be withheld pursuant to Republic Act No. 7610, entitled “AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES.” See also Section 40 of A.M. No. 04-10-11-SC, known as the Rule on Violence against Women and their Children, effective November 5, 2004. (See *People v. Lomaque*, G.R. No. 189297, June 5, 2013, 697 SCRA 383, 389, citing *People v. Dumadag*, G.R. No. 176740, June 22, 2011, 652 SCRA 535, 538-539.)

<sup>4</sup> *People v. Cabangon*, G.R. No. 189355, January 23, 2013, 689 SCRA 236, 249.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court  
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The Solicitor General (x)  
Makati City

Court of Appeals (x)  
Manila  
(CA-G.R. CR HC No. 04827)

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(For uploading pursuant to A.M.  
No. 12-7-1-SC)

The Hon. Presiding Judge  
Regional Trial Court, Br. 17  
1000 Manila  
(Crim. Case No. 07-254195)

Judgment Division (x)  
Supreme Court

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SR

*Handwritten mark*