



Republic of the Philippines  
Supreme Court  
Manila  
FIRST DIVISION

SUPREME COURT OF THE PHILIPPINES  
PUBLIC INFORMATION OFFICE  
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**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **November 12, 2014** which reads as follows:*

**“G.R. No. 212441 (People of the Philippines v. Melvin Balauta).** - The Office of the Solicitor General’s manifestation that it will no longer file a supplemental brief because its Appellee’s Brief dated December 10, 2010 had already discussed exhaustively the propriety of accused-appellant’s conviction of the crime charged; and the accused-appellant’s manifestation with motion, stating that he is no longer filing a supplemental brief and praying that the filing of the supplemental appellant’s brief be dispensed with and that the case be submitted for resolution are both **NOTED.**

The confirmation of confinement of accused-appellant Melvin Balauta at the New Bilibid Prison on February 5, 2010 is likewise **NOTED.**

After a judicious perusal of the records, the Court resolves to **DISMISS** the appeal for failure to show that the Court of Appeals (CA) committed any reversible error in upholding the conviction of accused-appellant Melvin Balauta for violating Section 11, Article II of Republic Act No. (RA) 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002.”

**WHEREFORE,** the Court **ADOPTS** the findings of fact and conclusions of law in the September 10, 2013 Decision<sup>1</sup> of the CA in CA-G.R. CR-HC No. 01105 and **AFFIRMS** said Decision finding accused-

- over – two (2) pages .....

<sup>1</sup> *Rollo*, pp. 4-17. Penned by Associate Justice Marilyn B. Lagura-Yap with Associate Justices Pampio A. Abarintos and Gabriel T. Ingles, concurring.

appellant Melvin Balauta **GUILTY** beyond reasonable doubt of violating Section 11, Article II of RA 9165, sentencing him to suffer the penalty of life imprisonment, and ordering him to pay a fine in the amount of ~~P400,000.00~~ without any subsidiary imprisonment in case of insolvency.

The accused-appellant is hereby required to **SUBMIT** within five (5) days from notice hereof, a soft copy in compact disc, USB or e-mail containing the PDF file of the signed manifestation with motion pursuant to the Resolution dated February 25, 2014 in A.M. Nos. 10-3-7-SC and 11-9-4-SC.

**SO ORDERED.” SERENO, C.J.**, on official travel; **DEL CASTILLO, J.**, acting member per S.O. No. 1862 dated November 4, 2014. **BERSAMIN, J.**, on official travel; **VELASCO, JR., J.**, acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,

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

Court of Appeals  
6000 Cebu City  
(CA-G.R. CR H.C. No. 01105)

The Director  
Bureau of Corrections  
1770 Muntinlupa City

The Hon. Presiding Judge  
Regional Trial Court, Br. 13  
6000 Cebu City  
(Crim. Case No. CBU-74795)

Judgment Division (x)  
Supreme Court

ARCHIVAL YPANTO QUIBAN &  
ASSOCIATES  
Counsel for Accused-Appellant  
M-116, Doña Luisa Bldg.  
Fuente Osmeña, Cebu City 6000

Mr. Melvin Balauta  
Accused-Appellant  
c/o The Director  
Bureau of Corrections  
1770 Muntinlupa City

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