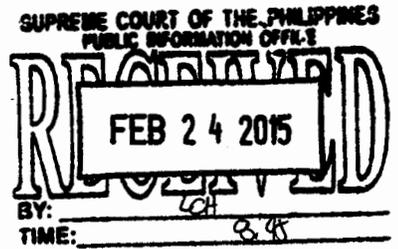




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated 10 December 2014 which reads as follows:

G.R. No. 212566: PEOPLE OF THE PHILIPPINES v. CARENIO OMAOENG Y VICENTE

X-----X

Before us is an appeal of the conviction of Carenio Omaoeng Y Vicente (Omaoeng) for rape under Article 266-A of the Revised Penal Code. The Regional Trial Court of Ilocos Sur, Branch 22-Narvacan rendered a decision finding Omaoeng guilty beyond reasonable doubt for three (3) counts of rape.¹ In its decision dated October 17, 2013, the Court of Appeals Fourteenth Division affirmed the trial court’s finding of guilt.²

For each count of rape, Omaoeng was sentenced to imprisonment of reclusion perpetua without eligibility for parole. The courts awarded ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages for each count of rape, and ₱30,000.00 as exemplary damages in favor of the victim.³

Considering the allegations, issues, and arguments adduced in the appeal, this court resolves to dismiss Omaoeng’s appeal for failure to sufficiently show any reversible error in the challenged decision warranting the exercise of this court’s appellate jurisdiction.

Consistent with prevailing jurisprudence, interest at the rate of 6% per annum “shall be imposed on all damages awarded to earn from the date of the finality of this judgment until fully paid.”⁴

WHEREFORE, the decision of the Court of Appeals in CA-G.R. CR-H.C. No. 04208 dated October 17, 2013 is **AFFIRMED** with **MODIFICATION** that the interest rate of 6% per annum shall be imposed on all damages awarded from the date of finality of this judgment until fully

¹ *Rollo*, pp. 115–138. The joint-decision for Criminal Cases No. 2516-N, 2517-N, and 2518-N dated May 18, 2009 was penned by Presiding Judge Isidro T. Pobre.

² *Id.* at 163–181. The decision dated October 17, 2013 was docketed as CA-G.R. CR-H.C. No. 04208, was penned by Associate Justice Elihu A. Ybañez, and concurred in by Associate Justices Japar B. Dimaampao and Victoria Isabel A. Paredes of the Court of Appeals Fourteenth Division.

³ *Id.* at 136–138.

⁴ *People v. Cruz*, G.R. No. 201728, July 17, 2013, 701 SCRA 548 [Per J. Reyes, First Division], *citing People v. Cabungan*, G.R. No. 189355, January 23, 2013, 689 SCRA 236, 249 [Per J. Del Castillo, Second Division]; *See also People v. Gani*, G.R. No. 195523, June 5, 2013, 697 SCRA 530, 540 [Per J. Peralta, Third Division], *citing People v. Amistoso*, G.R. No. 201447, January 9, 2013, 688 SCRA 376, 395–396 [Per J. Leonardo-De Castro, First Division]; *People v. Arpon*, G.R. No. 183563, December 14, 2011, 662 SCRA 506, 540 [Per J. Leonardo-De Castro, First Division].

- more -

paid. (Brión, J. on leave; Villarama, Jr., J. designated acting member per S.O. No. 1888 dated November 28, 2014.)

SO ORDERED.

Very truly yours,

MA Lourdes C. Perfecto
MA. LOURDES C. PERFECTO
Division Clerk of Court *12/14*

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Accused-Appellant
c/o The Director
Bureau of Corrections
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 22
Narvacan, Ilocos Sur
Crim. Case Nos. 2516-2518 N)

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GR212566. 12/10/14 B(149[b])SR