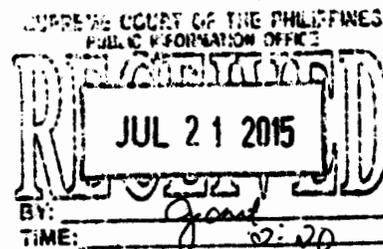




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **08 July 2015** which reads as follows:

"G.R. No. 203460 – *People of the Philippines, plaintiff-appellee v. Felipe Nachor y Omayan, accused-appellant.*

After a careful review of the records of the case, the Court finds the appeal to be lacking in merit. We thus adopt and affirm the findings of fact of the trial court as affirmed by the Court of Appeals. Both the trial court and the Court of Appeals correctly found appellant Felipe Nachor y Omayan guilty beyond reasonable doubt of two counts of qualified rape and accordingly sentenced him to suffer the penalty of *reclusion perpetua* without eligibility for parole pursuant to Section 3 of Republic Act No. 9346 (An Act Prohibiting The Imposition Of Death Penalty In The Philippines), for each count. The awards of civil indemnity in the amount of ₱75,000.00; moral damages in the amount of ₱75,000.00; and exemplary damages in the amount of ₱30,000.00, must however be modified and increased to ₱100,000.00 each, for each count, pursuant to prevailing jurisprudence.¹ Moreover, interest at the rate of 6% *per annum* shall be imposed on all damages awarded from date of finality of this resolution until full payment.

WHEREFORE, the assailed February 10, 2012 Decision of the Court of Appeals in CA-G.R. CR H.C. No. 04735 finding appellant Felipe Nachor y Omayan guilty beyond reasonable doubt of two counts of qualified rape and sentencing him to suffer the penalty of *reclusion perpetua* without eligibility for parole, for each count, is **AFFIRMED** with **MODIFICATIONS** that, for each count of qualified rape, appellant is ordered to pay "AAA" civil indemnity in the amount of ₱100,000.00; moral damages in the amount of ₱100,000.00; and exemplary damages in the amount of ₱100,000.00. Moreover, all damages awarded shall earn interest at the rate of 6% *per annum* from date of finality of this resolution until full payment. (*Del Castillo, J., designated as Acting Chairman of the Second Division in view of the leave of absence of Brion, J., per Special Order 2087 [REVISED] dated July 1, 2015; Peralta, J., designated as Acting Member in view of leave of absence of Carpio, J., per Special Order No. 2088 dated July 1, 2015; Bersamin, J., designated as Acting Member in view of the leave of absence of Brion, J., per Special Order 2079 dated June 29, 2015.*)

SO ORDERED."

Very truly yours,

MA. LOURDES C. PERFECTO
MA. LOURDES C. PERFECTO
Division Clerk of Court *file 7/10*

¹*People vs. Gambao*, G.R. No. 172707, October 1, 2013, 706 SCRA508, 535.

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GR203460. 07/08/15(185)URES *1110*