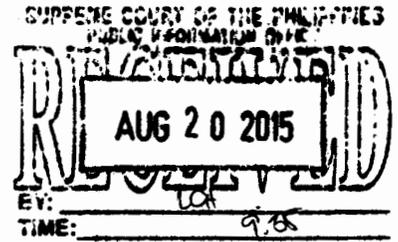




REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated 05 August 2015 which reads as follows:*

**G.R. No. 208763: PEOPLE OF THE PHILIPPINES v. EUSTACIO MENDOZA y POLITICO alias "JESSIE"**

X-----X

The Court of Appeals elevated the records of the case to this court on September 13, 2013 pursuant to its Resolution dated May 31, 2013.<sup>1</sup> The Resolution<sup>2</sup> gave due course to the Notice of Appeal filed by accused-appellant Eustacio Mendoza y Politico alias Jessie.

In the Resolution<sup>3</sup> dated October 9, 2013, this court noted the records forwarded by the Court of Appeals and informed the parties that they may file their supplemental briefs.

On December 17, 2013, the Office of the Solicitor General filed a Manifestation<sup>4</sup> on behalf of the People of the Philippines, stating that "it will no longer file a supplemental brief[.]"<sup>5</sup>

On April 1, 2014, the Public Attorney's Office, counsel for accused-appellant, filed a Manifestation,<sup>6</sup> informing the court that accused-appellant would not be filing a supplemental brief.<sup>7</sup>

After an evaluation of the records of the case, this court resolves to dismiss the appeal and affirm the conviction of accused-appellant Eustacio Mendoza y Politico alias Jessie for his failure to sufficiently show reversible error in the challenged decision warranting the exercise of this court's appellate jurisdiction.

**WHEREFORE**, this court **AFFIRMS** and **ADOPTS** the findings of fact and conclusions of law of the Court of Appeals in its February 26, 2013 Decision<sup>8</sup> in CA-G.R. CR-H.C. No. 05042, finding accused-appellant

<sup>1</sup> Rollo, p. 1.

<sup>2</sup> CA rollo, p. 211.

<sup>3</sup> Rollo, p. 31.

<sup>4</sup> Id. at 36-38.

<sup>5</sup> Id. at 36.

<sup>6</sup> Id. at 41-44.

<sup>7</sup> Id. at 41.

<sup>8</sup> Id. at 3-25. The Decision was penned by Associate Justice Socorro B. Inting and concurred in by Associate Justices Jose C. Reyes, Jr. (Chair) and Mario V. Lopez of the Ninth Division.

*mfp/8/13*

Eustacio Mendoza y Politico alias Jessie guilty beyond reasonable doubt of five (5) counts of the crime of acts of lasciviousness punished under Article III, Section 5(b) of Republic Act No. 7610.

Accused-appellant is sentenced to suffer five (5) counts of the indeterminate penalty of twelve (12) years and one (1) day of *reclusion temporal* in its minimum period, as minimum, to sixteen (16) years and one (1) day of *reclusion temporal* in its medium period, as maximum. He shall likewise pay the victim, AAA, the amount of ₱20,000.00 as civil indemnity, ₱15,000.00 as moral damages, and ₱15,000.00 as fine for each count of acts of lasciviousness committed, with interests at the rate of 6% per annum on all damages awarded from the finality of this judgment until full payment.

**SO ORDERED.**"

Very truly yours,

  
MA. LOURDES Q. PERFECTO  
Division Clerk of Court

-PAGE 2-

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

THE DIRECTOR (reg)  
Bureau of Corrections  
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 9  
Balayan, 4213 Batangas  
Crim. Case No. 6099 and  
Crim. Case Nos. 6122,6123,6124 & 6125

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*Please notify the Court of any change in your address.*  
GR208763. 08/05/15(91) *10/13*