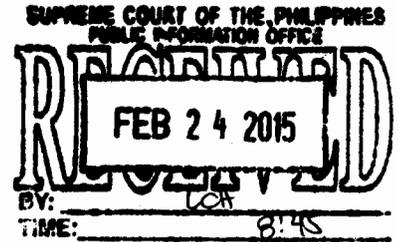




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated 14 January 2015 which reads as follows:

G.R. No. 212207 - *People of the Philippines v. George Mellona y Adduru.*

The records of this case were elevated to this Court on May 9, 2014, pursuant to the Court of Appeals Resolution, dated November 18, 2013, which gave due course to the notice of appeal filed by accused-appellant George Mellona.

In compliance with the Court's Resolution, dated July 7, 2014, the accused-appellant filed his Supplemental Brief on October 2, 2014. He reiterated his previous arguments in his Appellant's Brief that AAA's testimony failed to convince the Court that she was molested and that there was not enough proof to establish his participation. On the other hand, the Office of the Solicitor General manifested that it would no longer file a Supplemental Brief with this Court considering that all the errors assigned in the Appellants' Brief had already been thoroughly refuted and discussed in its Appellee's Brief.

After a perusal of the records of the case, the Court resolves to **DISMISS** the appeal for failure of the accused-appellant to sufficiently show reversible error in the challenged decision to warrant the exercise of the Court's appellate jurisdiction.

The award of damages, however, must be modified to conform to prevailing jurisprudence. The award of civil indemnity of ₱30,000.00 must be increased to ₱50,000.00;¹ the award of ₱100,000.00 as moral damages must be lowered to ₱50,000.00;² and the award of exemplary damages of ₱50,000.00 must be lowered to ₱30,000.00.³

¹ *People v. Cruz*, G.R. No. 201728, July 17, 2013, 701 SCRA 548, 559.

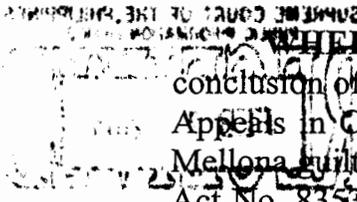
² *People v. Teodoro*, 622 Phil. 328, 345 (2009).

³ *People v. Buenvinoto*, G.R. No. 207990, June 9, 2014; *People v. Cabungan*, G.R. No. 189355, January 23, 2013, 689 SCRA 236, 249.

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WHEREFORE, the Court **ADOPTS** the findings of fact and conclusion of law in the Decision, dated September 25, 2013, of the Court of Appeals in CA-G.R. CR-HC No. 04226, finding accused-appellant George Mellona guilty beyond reasonable doubt of the crime of rape under Republic Act No. 8353, and **MODIFIES** the decision as to the award of damages as follows: ₱50,000.00 as civil indemnity; ₱50,000.00 as moral damages; and ₱30,000.00 as exemplary damages. (*Brion, J., on leave; Velasco, Jr., J., designated Acting member, per Special Order No. 1910, dated January 12, 2015*)

SO ORDERED.

Very truly yours,


 MA. LOURDES C. PERFECTO
 Division Clerk of Court *by 11/30*

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 GR212207. 01/14/15 (88[b])SR