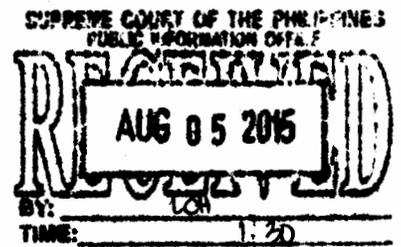




Republic of the Philippines
Supreme Court
 Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 22, 2015** which reads as follows:*

“G.R. No. 213591 (People of the Philippines v. Juanito Termulo).

- The manifestation of the Office of the Solicitor General stating that it will no longer file a supplemental brief; the letter dated March 27, 2015 of P/Supt. II Richard W. Schwarzkopf, Jr., Superintendent, New Bilibid Prison, Muntinlupa City, confirming the confinement of accused-appellant Juanito Termulo on October 22, 2005; and the accused-appellant’s manifestation (in lieu of supplemental brief), adopting his appellant’s brief filed in the Court of Appeals as his supplemental brief, all in compliance with the Resolution dated December 10, 2014 are **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 the assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction. However, the Court deems it proper to increase the award of civil indemnity, moral damages, and exemplary damages to ₱100,000.00 each, to conform with prevailing jurisprudence.¹

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the May 22, 2014 Decision² of the CA in CA-G.R. CR HC No. 00336 and **AFFIRMS** said Decision finding accused-appellant Juanito Termulo **GUILTY** beyond reasonable doubt of two (2) counts of Qualified Rape under paragraph 1 (a), Article 266-A, in relation to Article 266-B (1) of the RPC, with **MODIFICATION** as to the damages awarded.

- over - two (2) pages

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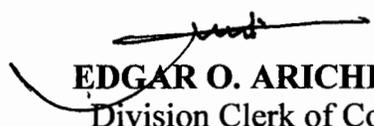
¹ See *People v. Gambao*, G.R. No. 172707, October 1, 2013, 706 SCRA 508, 533-535.

² *Rollo*, pp. 4-21. Penned by Associate Justice Ma. Luisa C. Quijano-Padilla with Associate Justices Ramon Paul L. Hernando and Marie Christine Azcarraga-Jacob concurring.

Thus, accused-appellant is sentenced to suffer the penalty of *reclusion perpetua* without eligibility for parole for two (2) counts of Qualified Rape, and ordered to pay the following amounts for each count: (a) ₱100,000.00 as civil indemnity; (b) ₱100,000.00 as moral damages; and (c) ₱100,000.00 as exemplary damages, plus legal interest at the rate of six percent (6%) per annum on all amounts imposed from the finality of this judgment until full payment.

SO ORDERED.”

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 HC No. 00336)

P/Supt. II Richard W. Schwarzkopf, Jr.
Superintendent
Bureau of Corrections
1770 Muntinlupa City

The Hon. Presiding Judge
Regional Trial Court, Br. 24
6000 Cebu City
(Crim. Case Nos. CBU-64679 &
CBU-64680)

PUBLIC ATTORNEY'S OFFICE
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Mr. Juanito Termulo
Accused-Appellant
c/o The Director
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1770 Muntinlupa City

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