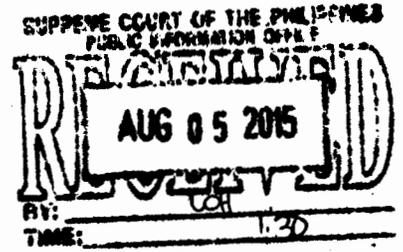




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 17, 2015** which reads as follows:*

“G.R. No. 214476 (People of the Philippines v. Roberto A. Mendoza). – The respective manifestations of the Office of the Solicitor General and the accused-appellant, both in lieu of their supplemental briefs and 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 convicting accused-appellant Roberto A. Mendoza of two (2) counts of Rape, as defined and penalized under paragraph 1 (a), Article 266-A, in relation to Article 266-B of the Revised Penal Code (RPC). However, to conform with prevailing jurisprudence,¹ the Court deems it proper to modify the award of damages as follows: (a) ₱50,000.00 as civil indemnity; and (b) ₱50,000.00 as moral damages.

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the November 21, 2013 Decision² of the CA in CA-G.R. CR-HC No. 05640 and **AFFIRMS** said Decision finding accused-appellant Roberto A. Mendoza **GUILTY** beyond reasonable doubt of two (2) counts of Rape, as defined and penalized under paragraph 1 (a), Article 266-A, in relation to Article 266-B of the RPC, with **MODIFICATION** as to the award of damages, sentencing him to suffer the penalty of *reclusion*

- over – two (2) pages

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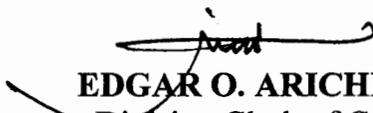
¹ *People v. Gallano*, G.R. No. 184762, February 25, 2015.

² *Rollo*, pp. 2-12. Penned by Associate Justice Franchito N. Diamante with Associate Justices Celia C. Librea-Leagogo and Angelita A. Gacutan concurring.

perpetua without eligibility for parole, and ordering him to pay the following amounts for each count of rape: (a) ₱50,000.00 as civil indemnity; (b) ₱50,000.00 as moral damages; and (c) ₱30,000.00 as exemplary damages. In addition, legal interest at the rate of six percent (6%) per annum shall be imposed on all amounts awarded 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 (x)
Manila
(CA-G.R. CR H.C. No. 05640)

The Hon. Presiding Judge
Regional Trial Court, Br. 172
Valenzuela City 1440
(Crim. Case Nos. 539-V-08 and
540-V-08)

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