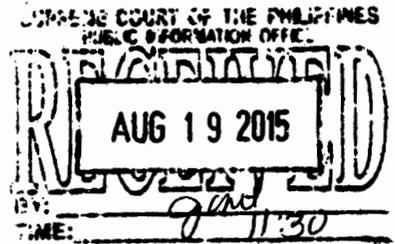




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated July 29, 2015 which reads as follows:

“G.R. No. 214478 (People of the Philippines v. Victoriano Balmonte y Corpuz). – The accused-appellant’s manifestation in lieu of supplemental brief and the Office of the Solicitor General’s manifestation (re: supplemental brief) stating that it will not file a supplemental brief since the Court of Appeals had adequately addressed the issues and arguments raised in the brief for accused-appellant, in compliance with the Resolution dated February 4, 2015 are both **NOTED**.

After a judicious perusal of the records, the Court resolves to **DISMISS** the appeal for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in its assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction. The Court, however, deems it proper to increase the award of moral damages from ₱50,000.00 to ₱75,000.00 to conform with prevailing jurisprudence.¹

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the January 29, 2014 Decision² of the CA in CA-G.R. CR HC No. 04981 and **AFFIRMS** said Decision finding accused-appellant Victoriano Balmonte y Corpuz **GUILTY** beyond reasonable doubt of the crime of Murder in violation of Article 248 of the Revised Penal Code, in relation to Republic Act No. 7610,³ with **MODIFICATION** as to the award of moral damages, sentencing him to suffer the penalty of *reclusion*

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¹ *People v. Wahiman*, G.R. No. 200942, June 16, 2015.

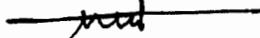
² *Rollo*, pp. 2-10. Penned by Associate Justice Elihu A. Ybañez with Associate Justices Japar B. Dimaampao and Melchor Quirino C. Sadang concurring.

³ Entitled “AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES”; approved June 17, 1992.

perpetua, without eligibility for parole, and to indemnify the heirs of the victim the following amounts: (a) ₱75,000.00 as civil indemnity; (b) ₱75,000.00 as moral damages; (c) ₱30,000.00 as exemplary damages; and (d) ₱113,180.00 as actual damages, with legal interest at the rate of six percent (6%) per annum on all damages awarded from the date of finality of this Decision until full payment.

SO ORDERED. SERENO, C.J., on wellness leave; **PERALTA, J.**, designated acting member per S.O. No. 2103 dated July 13, 2015.

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. 04981)

The Hon. Presiding Judge
Regional Trial Court, Br. 31
Guimba 3115 Nueva Ecija
(Crim. Case No. 2697-G)

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