



REPUBLIC OF THE PHILIPPINES  
 SUPREME COURT  
 Manila

SECOND DIVISION

SUPREME COURT OF THE PHILIPPINES  
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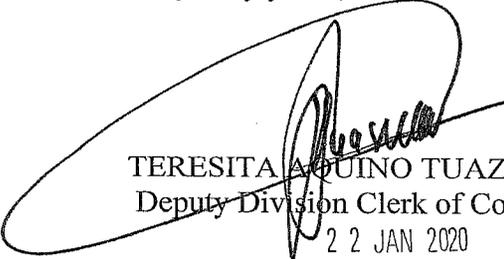
*Please take notice that the Court, Special Second Division, issued a Resolution dated 27 November 2019 which reads as follows:*

“G.R. No. 222332 (*People of the Philippines v. Leonardo Tupaz y Solano a.k.a. “Nene Agak”*). – Considering the allegations, issues and arguments presented in the Accused-Appellant’s and the Appellee’s Briefs,<sup>1</sup> the Court resolves to **DISMISS** the appeal for failure to sufficiently show that the Court of Appeals committed any reversible error in its assailed Decision<sup>2</sup> dated July 31, 2015, as to warrant the exercise of the Court’s appellate jurisdiction.

**WHEREFORE**, the Court **ADOPTS** the findings of fact and conclusions of law in the Decision dated July 31, 2015 of the Court of Appeals in CA-G.R. CR-HC No. 01789 and **AFFIRMS** the Decision finding appellant Leonardo Tupaz y Solano a.k.a. “Nene Agak” guilty beyond reasonable doubt for violation of Sections 5 and 11; Article II of Republic Act No. 9165, sentencing him to suffer the penalty of life imprisonment and a fine of ₱500,000.00 for violation of Section 5; and the indeterminate sentence of twelve (12) years and one (1) day, as minimum, to seventeen (17) years and four (4) months, as maximum, and a fine of ₱400,000.00 for violation of Section 11.

**SO ORDERED.**” (Zalameda, *J.*, designated additional member per Special Order No. 2724 dated October 25, 2019).

Very truly yours,

  
 TERESITA AQUINO TUAZON  
 Deputy Division Clerk of Court *utb 1/21*  
 22 JAN 2020

<sup>1</sup> CA rollo, pp. 19-42 and 70-87, respectively.

<sup>2</sup> Rollo, pp. 4-23; penned by Associate Justice Marilyn B. Lagura-Yap, and concurred in by Associate Justices Gabriel T. Ingles and Marie Christine Azcarraga-Jacob.

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6000 Cebu City

LEONARDO TUPAZ y SOLANO a.k.a "NENE AGAK" (reg)  
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 69  
Silay City  
(Crim. Cases No. 8351-69 & 8352-69)

COURT OF APPEALS (reg)  
Visayas Station  
Cebu City  
CA-G.R. CEB CR HC 01789

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*Please notify the Court of any change in your address.*  
GR222332. 11/27/2019(139)URES *NM*