

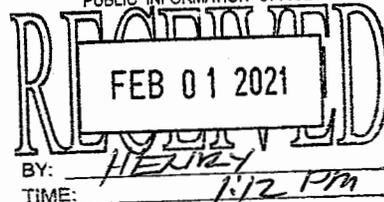


Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **July 15, 2020**, which reads as follows:

“G.R. No. 249885 (BRYAN GO FIJI, *petitioner* v. ROY C. PINEDA, *respondent*.) — After considering the allegations, issues, and arguments adduced in the petition for review on certiorari assailing the Court of Appeals’ Decision¹ and Resolution² in CA-G.R. SP No. 151335, this Court resolves to **DENY** the petition for lack of merit.

However, in view of this Court’s ruling in *Nacar v. Gallery Frames*,³ the dispositive portion of the assailed decision is **MODIFIED**:

WHEREFORE, premises considered, the court finds accused **BRYAN GO FIJI, GUILTY** beyond reasonable doubt of Violation of Batas Pambansa Bilang 22 and hereby imposes upon him the following penalty:

Accused is directed to **PAY A FINE** of Two Hundred Thousand pesos (Php 200,000.00) **AND RESTITUTE** to the private complainant the face value of Check No. 0552702 in the amount of One Million Six Hundred Seventy-six thousand six hundred and sixty-six with legal interest of [Six percent (6%)] per annum [or a fraction thereof] reckoned from the time the said check became due and demandable on November 6, 2010 and thereafter interest rate shall be at six percent (6%) per annum from the time the decision becomes final and executory until fully paid.⁴ (Citation omitted, underscoring provided)

¹ Rollo, pp. 37–46. The March 25, 2019 Decision was penned by Associate Justice Samuel H. Gaerlan (Now a Member of this Court) and concurred in by Associate Justices Celia C. Librea-Leagogo and Pablito A. Perez of the Fifth Division of the Court of Appeals, Manila.

² Id. at 67–68. The October 16, 2019 Resolution was penned by Associate Justice Samuel H. Gaerlan (Now a Member of this Court) and concurred in by Associate Justices Celia C. Librea-Leagogo and Pablito A. Perez of the Former Fifth Division of the Court of Appeals, Manila.

³ 716 Phil 267 (2013) [Per J. Peralta, En Banc].

⁴ Rollo, p. 40.

SO ORDERED.” (Gaerlan, J., no part for having penned the assailed Court of Appeals decision and resolution; Perlas-Bernabe, J., designated additional Member per June 29, 2020 Raffle.)

By authority of the Court:

MisPOC Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court *[Signature]*
12/23/2020

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The Presiding Judge
REGIONAL TRIAL COURT
Branch 92, 1100 Quezon City
(Crim. Case No. R-QZN-16-12134-CR)

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