



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **11 November 2020** which reads as follows:*

**“G.R. No. 248816 (*People of the Philippines v. Ma. Charizenie Canaria y Abad a.k.a. “Connie Canaria,” “Charizenie Canafia,” “Connie Mendoza,” “Charise,” “Ma. Consolacion Canaria”*). – The Court NOTES the letter dated September 21, 2020 of CTSupt. Virginia S. Mangawit, Acting Superintendent, Correctional Institution for Women, Mandaluyong City, confirming the confinement of Ma. Charizenie Canaria y Abad @ “Connie Canaria,” @ “Charizenie Canafia,” @ “Connie Mendoza,” @ “Charise,” @ “Ma. Consolacion Canaria” (*accused-appellant*) in said institution on May 5, 2018.**

After a review 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 March 28, 2019 Decision,<sup>1</sup> finding accused-appellant guilty of illegal recruitment in large scale, as to warrant the exercise of the Court’s appellate jurisdiction.

As correctly held by the *CA*, all the elements for the crime of illegal recruitment in large scale as defined and penalized under Section 6, in relation to Section 7(b) of Republic Act (*R.A.*) No. 8042, or *The Migrant Workers and Overseas Filipinos Act of 1995*, as amended by *R.A.* No. 10022, were proven by the prosecution’s evidence warranting the affirmance of the judgment of the courts *a quo* convicting accused-appellant.

---

<sup>1</sup> *Rollo*, pp. 3-14; *CA rollo*, pp. 110-121; penned by Associate Justice Stephen C. Cruz with Associate Justices Pedro B. Corales and Ruben Reynaldo G. Roxas, concurring.

The Court, however, deems it proper to modify the amount of the fine imposed by the Regional Trial Court, Ligao City, Branch 13 (RTC) and affirmed by the CA, in accordance with Sec. 7(b) of R.A. No. 8042, which states:

SECTION 7. *Penalties.* –

x x x x

(b) The penalty of life imprisonment and a fine of not less than five hundred thousand pesos (P500,000.00) nor more than one million pesos (P1,000,000.00) shall be imposed if illegal recruitment constitutes economic sabotage as defined herein.

x x x x

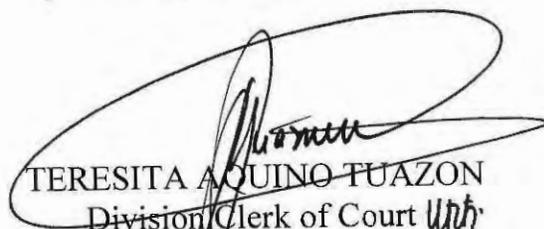
Since the law provides that the fine to be imposed should be from P500,000.00 to P1,000,000.00, it is but proper to reduce the amount of the fine imposed by the RTC. Additionally, the same article further provides that the maximum penalty shall be imposed if committed by a non-licensee or non-holder of authority. Accordingly, the fine should be reduced to P1,000,000.00.

**WHEREFORE**, the appeal is **DISMISSED**. The March 28, 2019 Decision of the Court of Appeals in CA-G.R. CR-H.C. No. 10779 is **AFFIRMED with MODIFICATION** in that the fine imposed is reduced to P1,000,000.00.

Costs against accused-appellant.

**SO ORDERED.** (Rosario, J., designated additional member per Special Order No. 2797 dated November 5, 2020)”

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Division Clerk of Court *urh*  
18 DEC 2020 12/18

\*PUBLIC ATTORNEY'S OFFICE (reg)  
Special & Appealed Cases Service  
Department of Justice  
5<sup>th</sup> Floor, PAO-DOJ Agencies Building  
NIA Road corner East Avenue  
Diliman, 1104 Quezon City

\*OFFICE OF THE SOLICITOR GENERAL (reg)  
134 Amorsolo Street  
1229 Legaspi Village  
Makati City

\*MA. CHARIZENIE CANARIA y ABAD a.k.a.  
"CONNIE CANARIA," "CHARIZENIE CANAFIA,"  
"CONNIE MENDOZA," "CHARISE,"  
"MA. CONSOLACION CANARIA" (reg)  
Accused-Appellant  
c/o The Superintendent  
Correctional Institution for Women  
1550 Mandaluyong City

THE SUPERINTENDENT (reg)  
Correctional Institution for Women  
1550 Mandaluyong City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 13  
Ligao City  
(Crim. Case No. 7457)

JUDGMENT DIVISION (x)  
Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)  
LIBRARY SERVICES (x)  
[For uploading pursuant to A.M. No. 12-7-SC]

OFFICE OF THE CHIEF ATTORNEY (x)  
OFFICE OF THE REPORTER (x)  
Supreme Court, Manila

COURT OF APPEALS (x)  
Ma. Orosa Street  
Ermita, 1000 Manila  
CA-G.R. CR-H.C. No. 10779

\*with copy of CA Decision dated 28 March 2019  
*Please notify the Court of any change in your address.*  
GR248816. 11/11/2020(74 & 181)URES *fu/v*