



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **January 19, 2021** which reads as follows:*

**“G.R. No. 228254 – (PEOPLE OF THE PHILIPPINES, plaintiff-appellee v. BBB, accused-appellant).** – On October 16, 2015, the Twelfth Division<sup>1</sup> of the Court of Appeals (CA) issued a Minute Resolution<sup>2</sup> giving due course to the Notice of Appeal<sup>3</sup> in CA-G.R. CR-HC No. 06392, filed by accused-appellant BBB (appellant), thereby ordering the elevation of the records of the instant case to this Court.

In the Resolution<sup>4</sup> dated March 8, 2017, this Court noted the records of the case forwarded by the CA. The parties were then ordered to file their respective supplemental briefs, should they so desire, within 30 days from notice.

On May 4, 2017, the Office of the Solicitor General filed a Manifestation<sup>5</sup> on behalf of the People, stating that it would no longer file a supplemental brief because all of its contentions have been exhaustively ventilated in the Appellee’s Brief<sup>6</sup> that it submitted to the CA. On May 22, 2017, appellant, through the Public Attorney’s Office, filed a similar Manifestation (In Lieu of Supplemental Brief).<sup>7</sup>

Following a thorough and judicious review of the records of this case, as well as the parties’ respective postures as amplified in

- over – three (3) pages ...

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<sup>1</sup> Chaired by Associate Justice Ramon M. Bato, Jr., Associate Justices Rodil V. Zalameda (now a Member of this Court) and Maria Elisa Sempio Diy, as members.

<sup>2</sup> *Rollo*, p. 18.

<sup>3</sup> *CA rollo*, pp. 121-122.

<sup>4</sup> *Rollo*, pp. 21-22.

<sup>5</sup> *Id.* at 23-25.

<sup>6</sup> *CA rollo*, pp. 68-93.

<sup>7</sup> *Rollo*, pp. 34-36.

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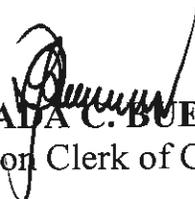
their pleadings, we affirm the conviction of the accused. Consequently, the instant appeal is dismissed, there being no reversible error in the assailed Decision<sup>8</sup> of the CA. However, in light of the pronouncement in *People v. Jugueta*,<sup>9</sup> where this Court declared that “when the crime proven is consummated and the penalty imposed is death but reduced to *reclusion perpetua* because of Republic Act No. 9346, the civil indemnity and moral damages that should be awarded will each be ₱100,000.00 and another ₱100,000.00 for exemplary damages,” We modify the award of civil indemnity and moral damages to ₱100,000.00 each. Further, exemplary damages are awarded at ₱100,000.00.

**WHEREFORE**, the findings of fact and conclusions of law of the Court of Appeals are **ADOPTED**. The assailed Decision of the Court of Appeals is **AFFIRMED with MODIFICATION**. Accused-appellant BBB is found **GUILTY** beyond reasonable doubt of the crime of rape. He is sentenced to suffer the penalty of *reclusion perpetua* without eligibility for parole and to pay private complainant civil indemnity, moral damages and exemplary damages at ₱100,000.00 each, and the costs of suit.

In line with current jurisprudence, interest at the rate of six percent (6%) *per annum* is hereby imposed on the total monetary award from the date of finality of this Resolution until its full satisfaction.

**SO ORDERED.”** *Zalameda, J., no part; Inting, J., designated Additional Member per Raffle dated December 14, 2020.*

**By authority of the Court:**

  
LIBRADA C. BUENA  
Division Clerk of Court

by:

**MARIA TERESA B. SIBULO**  
Deputy Division Clerk of Court  
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- over -

<sup>8</sup> Id. at. 2-14; penned by Associate Justice Maria Elisa Sempio Diy and concurred in by Associate Justices Ramon M. Bato, Jr. and Manuel M. Barrios.

<sup>9</sup> 783 Phil. 806 (2016).



The Solicitor General  
134 Amorsolo Street, Legaspi Village  
1229 Makati City

Court of Appeals (x)  
Manila  
(CA-G.R. CR HC No. 06392)

The Hon. Presiding Judge  
Regional Trial Court, Branch 172  
1440 Valenzuela City  
(Crim. Case No. 653-V-12)

PUBLIC ATTORNEY'S OFFICE  
Special and Appealed Cases Service  
Counsel for Accused-Appellant  
DOJ Agencies Building  
Diliman, 1101 Quezon City

BBB  
Accused-Appellant  
c/o The Director General  
Bureau of Corrections  
1770 Muntinlupa City

The Director General  
Bureau of Corrections  
1770 Muntinlupa City

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