



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated 27 January 2021 which reads as follows:*

“**G.R. No. 252608 (People of the Philippines v. XXX<sup>1</sup>)**. – The Court **NOTES** the separate manifestations (in lieu of supplemental briefs) of the Public Attorney’s Office dated December 15, 2020<sup>2</sup> and of the Office of the Solicitor General dated January 6, 2021,<sup>3</sup> adopting their respective briefs filed before the Court of Appeals (CA) as supplemental briefs on the common ground that all matters pertinent to their cases have adequately been discussed in their respective briefs filed before the CA.

After a judicious study of the case, the Court resolves to **DISMISS** the appeal<sup>4</sup> for failure to sufficiently show that the CA committed any reversible error in the assailed Decision 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<sup>5</sup> dated October 23, 2019 of the CA in CA-G.R. CR-IIC No. 09151 and **AFFIRMS** said Decision finding accused-appellant XXX **GUILTY** beyond reasonable doubt of the crime of Qualified Rape, as defined and penalized

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<sup>1</sup> The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to RA 7610, entitled ‘AN ACT PROVIDING FOR STRONGER DEFERENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES,’ approved on June 17, 1992; RA 9262, entitled ‘AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PRESCRIBING PENALTIES THEREFORE, AND FOR OTHER PURPOSES,’ approved on March 8, 2004; and Section 40 of A.M. No. 04-10-11-SC, otherwise known as the ‘Rule on Violence against Women and Their Children’ (November 15, 2004). (See footnote 4 in *People v. Cadano, Jr.*, 729 Phil. 576, 578 [2014], citing *People v. Lomaque*, 710 Phil. 338, 342 [2013]. See also Amended Administrative Circular No. 83-2015, entitled ‘PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS NAMES/PERSONAL CIRCUMSTANCES,’ dated September 5, 2017.)

<sup>2</sup> *Rollo*, pp. 23-27.

<sup>3</sup> *Id.* at 28-31.

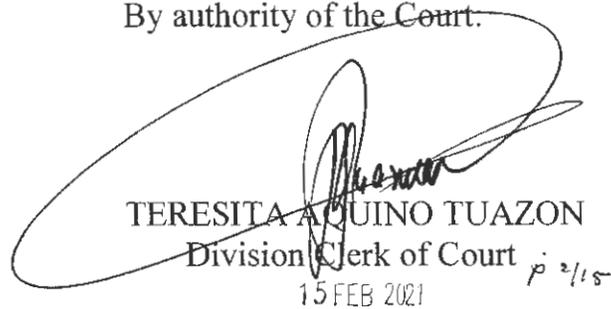
<sup>4</sup> *Id.* at 18-20.

<sup>5</sup> *Id.* at 3-17. Penned by Associate Justice Maria Elisa Sempio Diy with Associate Justices Priscilla J. Baltazar-Padilla (now retired member of the Court) and Walter S. Ong, concurring.

under Article 266-A, in relation to Article 266-B of the Revised Penal Code.<sup>6</sup> Accordingly, he is sentenced to suffer the penalty of *reclusion perpetua* without eligibility for parole and to pay AAA the amounts of ₱100,000.00 as civil indemnity, ₱100,000.00 as moral damages, and ₱100,000.00 as exemplary damages. In addition, all monetary awards shall earn legal interest at the rate of six percent (6%) per annum from the date of finality of this Resolution until full payment.<sup>7</sup>

**SO ORDERED.** (Lopez, J., J., designated additional member per Special Order No. 2813 dated January 26, 2021).”

By authority of the Court.

  
TERESITA AQUINO TUAZON  
Division Clerk of Court p 2/15  
15 FEB 2021

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XXX (reg)

Prison No. N217P-0837

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 65

Sorsogon City

(Crim. Case No. 09-1113)

JUDGMENT DIVISION (x)

Supreme Court, Manila

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CA-G.R. CR-HC No. 09151

*Please notify the Court of any change in your address.*

GR252608. 1/27/2021(179)URES(m)

<sup>6</sup> Entitled "AN ACT REVISING THE PENAL CODE AND OTHER PENAL LAWS, approved on December 8, 1930.

<sup>7</sup> *Rollo*, p. 16.