



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **February 17, 2021** which reads as follows:*

**“G.R. No. 224543 (Nilo P. Casas v. People of the Philippines).**  
- This is to resolve the Motion to Dismiss on the Ground of the Death of [Petitioner] Nilo P. Casas dated July 7, 2019.

The said motion states that petitioner passed away on June 10, 2019 due to the following, as described in the certified machine copy of petitioner’s death certificate:

a. HYPOXIC IS[C]HEMIC ENCEPHALOPATHY FROM  
CARDIO-PULMONARY ARREST SEC. TO FATAL  
ARRYTHMIA

b. ACUTE RESPIRATORY FAILURE FROM 1)  
WORSENING HOSPITAL ACQUIRED PNEUMONIA, 2) T/C  
ACUTE CORONARY SYNDROME, 3) INCREASE[D]  
INTERCRANIAL PRESSURE FROM CRYPTOCOCCAL  
MENINGITIS

c. SHOCK 1) SEPTIC FROM CRYPTOCOCCAL  
MENINGITIS, 2) CARDIOGENIC FROM ACUTE CORONARY  
SYNDROME.<sup>1</sup>

As such, this Court issued a Resolution dated October 16, 2019 requiring the Office of the Solicitor General (OSG) to file its Comment.

The OSG, in its Comment dated January 14, 2020, agrees to the dismissal of the petition due to the death of the petitioner.

Article 89 of the Revised Penal Code provides:

- over – two (2) pages ...

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<sup>1</sup> Rollo, p. 480.

ART. 89. *How criminal liability is totally extinguished.* –  
Criminal liability is totally extinguished:

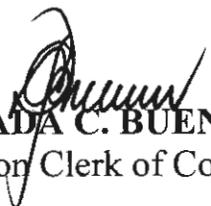
1. By the death of the convict, as to the personal penalties; and as to pecuniary penalties, liability therefor is extinguished only when the death of the offender occurs before final judgment.

x x x

Hence, due to the demise of petitioner Nilo P. Casas, Criminal Case Nos. 11-619, 11-620, 11-621, 11-622 and 11-623, against deceased petitioner are now considered **CLOSED** and **TERMINATED**, and his criminal liability is thereby **TOTALLY EXTINGUISHED**.

**SO ORDERED.”**

**By authority of the Court:**

  
**LIBRADA C. BUENA**  
Division Clerk of Court <sup>11/17/21</sup>

by:

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

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Manila  
(CA-G.R. CR No. 37290)

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Supreme Court  
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No. 12-7-1-SC)

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Judgment Division (x)  
Supreme Court

The Hon. Presiding Judge  
Regional Trial Court, Branch 138  
1200 Makati City  
(Crim. Case Nos. 11-619 to 11-623)

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