



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. 254797 (Edeson Aquino, Petitioner, v. People of the Philippines, Respondent). – After a review of the records, the Court resolves to DENY the petition for failure of petitioner to sufficiently show that the Court of Appeals (CA) committed any reversible error in its Decision¹ dated 15 November 2019, to warrant the exercise of the Court's appellate jurisdiction.

As correctly ruled by the CA, the prosecution was able to establish petitioner's guilt beyond reasonable doubt for Attempted Murder. However, there is a need to modify the award for damages to conform to current jurisprudence.² Accordingly, petitioner and his co-accused are hereby ordered to pay Dennis Gorospe the following amounts: Php17,130.00 as actual damages, Php25,000.00 civil indemnity, Php25,000.00 moral damages and Php25,000.00 exemplary damages. All monetary awards shall earn legal interest at the rate of six percent (6%) *per annum* from date of finality of the Resolution until full payment.³

WHEREFORE, the Decision dated 15 November 2019 of the Court of Appeals in CA-G.R. CR. No. 42499 is **AFFIRMED with MODIFICATION**, in that petitioner and his co-accused are hereby ordered to pay Dennis Gorospe the following amounts: Php17,130.00 as actual damages, Php25,000.00 civil indemnity, Php25,000.00 moral damages and Php25,000.00 exemplary damages. Likewise, all

- over – two (2) pages ...

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¹ *Rollo*, pp. 24-37; penned by Associate Justice Marlene Gonzales-Sison and concurred in by Associate Justices Pedro B. Corales and Ronaldo Roberto B. Martin of the Court of Appeals, Manila

² *People v. Jugueta*, G.R. No. 202124, 05 April 2016 [Per J. Peralta].

³ *Nacar v. Gallery Frames*, G.R. No. 189871, 13 August 2013, 716 Phil. 267 (2013) [Per J. Peralta].

monetary awards shall earn legal interest at the rate of six percent (6%) *per annum* from date of finality of this Resolution until full payment.

SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court *m4117*

by:

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

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Court of Appeals (x)
Manila
(CA-G.R. CR No. 42499)

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

The Hon. Presiding Judge
Regional Trial Court, Branch 52
Tayug, 2445 Pangasinan
(Crim. Case No. T-6707)

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