

Republic of the Philippines
Supreme Court
Manila

CERTIFIED TRUE COPY
Wilfredo V. Lapitan
WILFREDO V. LAPITAN
Division Clerk of Court
Third Division

JUL 24 2019

THIRD DIVISION

ESTEBAN DONATO REYES,
Petitioner,

G.R. No. 232678

Present:

PERALTA, J., *Chairperson,*
LEONEN,
REYES, A., JR.,
HERNANDO, and
INTING, JJ.

-versus-

PEOPLE OF THE PHILIPPINES,
Respondent.

Promulgated:

July-3, 2019

X ----- *Wilfredo V. Lapitan* ----- X

DECISION

PERALTA, J.:

Before the Court is a petition for review on *certiorari* filed by petitioner Esteban Donato Reyes (*Reyes*) seeking to reverse and set aside the June 23, 2017 Decision¹ of the Court of Appeals (*CA*) in CA-G.R. CR No. 38609 which affirmed the March 3, 2016 Decision² of the Regional Trial Court, Branch 89, Quezon City (*RTC*), in Criminal Case No. Q-06-143139, finding him guilty beyond reasonable doubt of the crime of Violation of Section 5(i) of Republic Act No. 9262 (*R.A. No. 9262*), otherwise known as the *Anti-Violence Against Women and Their Children Act of 2004 (VAWC)*, committed against AAA.³

¹ Penned by Associate Justice Ramon A. Cruz, with Associate Justices Marlene Gonzales-Sison and Josep Y. Lopez, concurring; *rollo*, pp. 26-37.

² Penned by Judge Cecilyn E. Burgos-Villaverit; *id.* at 38-44.

³ The real names of persons (other than the accused) and places or any other information tending to reveal the identity of the private complainant and those of her immediate family or household members are withheld in accordance with Republic Act No. 9262, or the *Anti-Violence Against Women and their Children Act of 2004* (Sec. 44); Republic Act No. 7610, or the *Special Protection of Children Against Abuse, Exploitation and Discrimination Act* (Sec. 29); A.M. No. 04-10-11-SC, known as "*Rule on Violence Against Women and Their Children*," effective November 15, 2004, (Sec. 40); the case of *People v. Cabalquinto*, 533 Phil. 703, 705-709 (2006); and and per this Court's Resolution dated September 19, 2006 in A.M. No. 04-11-09-SC.

The antecedent facts are as follows:

An Information, dated June 5, 2006, was filed on September 26, 2006 before the RTC against Reyes designating the crime as one for violation of Section 5(e), paragraph 2 of R.A. No. 9262. On March 12, 2007, a Temporary Protection Order (*TPO*) was issued by the RTC directing Reyes to resume the delivery of monthly financial support to private complainant, AAA, in the amount of ₱20,000.00 to be deducted from his net monthly salary of Two Thousand Five Hundred Dollars (US\$2,500.00), reckoned from the time it was withheld in July 2005. Upon motion of AAA, with the conformity of the public prosecutor, the RTC issued on August 30, 2007 a Hold Departure Order⁴ (*HDO*) against Reyes. In the October 28, 2008 Order⁵ of the RTC, the TPO issued on March 12, 2007 was made permanent.

On June 11, 2009, Reyes filed a Motion to Quash⁶ the Information anchored on the ground that the allegations set forth therein do not constitute the crime of violation of Section 5(e), par. 2 of R.A. No. 9262. He contended that “*abandoning without financial support,*” which is different from deprivation or denial of financial support, is not criminalized under R.A. No. 9262. Reyes posited that the June 5, 2006 Information should be quashed as it does not charge any offense, otherwise, his constitutional right to due process and right to be informed of the nature and the cause of accusation against him, would be infringed. By way of Comment/Opposition,⁷ the prosecution maintained that the totality of facts as alleged in the Information constitutes the crime of violation of Section 5(e), par. 2 of R.A. No. 9262.

In its Order⁸ dated November 24, 2009, the RTC ruled that on the basis of the allegations in the Information, Reyes is being charged with violation of Section 5(i) of R.A. No. 9262 and not with violation of Section 5(e), par. 2. Consequently, the RTC directed the Office of the City Prosecutor to amend the Information by designating the proper crime to which Reyes should be charged. The RTC held that the amendment of the Information was proper, since Reyes has not been arraigned at that time, and inclusion sought would not prejudice his rights being merely formal in nature. Reyes’ Motion to Quash was denied by the trial court.

Upon arraignment, Reyes pleaded not guilty to the crime of violation of Section 5(i) of R.A. No. 9262. After pre-trial was terminated, trial on merits ensued.

⁴ *Rollo*, pp. 59-60

⁵ *Id.* at 75-76.

⁶ *Id.* at 77-83.


⁷ *Id.* at 84-86.

⁸ *Id.* at 90-91.

Evidence for the prosecution tends to show that AAA and Reyes were married on May 15, 1969. Four children were born out of this union, of whom only three are living, and who are all now of legal ages. Reyes was seldom at home since he used to render military service as a Philippine Air Force pilot, and later he worked as a commercial pilot for the Philippine Airlines. At the time the complaint for violation of the VAWC was filed against him, Reyes was employed as a pilot based in Angola, Africa tasked to deliver relief goods by air. Sometime in 2005, AAA learned that Reyes got married to a certain Marilou Osias Ramboanga who had borne him four children and with whom he is living with up to the present.

AAA claimed that Reyes used to give her and their children monthly financial support, ranging from Ten Thousand Pesos (₱10,000.00) to Twenty Thousand Pesos (₱20,000.00), but he suddenly ceased giving the same in July 2005. On top of this unpleasant situation, AAA got sick of various illness such as hypertension, cardio-vascular disease, diabetes and osteoarthritis. Due to her advancing age, AAA's health condition further deteriorated requiring her to take maintenance medicines and to undergo regular consultation, monitoring and treatment to prevent organ damage, stroke, renal failure and heart attack. According to AAA, what impelled her to file the complaint for violation of R.A. No. 9262 against Reyes was due to the latter's failure to provide her with monthly financial support.⁹

The defense presented petitioner as its lone witness. Primarily, Reyes assailed the validity of his marriage with AAA alleging that he never attended the marriage ceremony and that his supposed signature appearing in the marriage certificate was forged. He also pointed out that his supposed age of twenty-five years old as reflected in the marriage certificate was erroneous considering that he was born on August 3, 1948. Petitioner alleged that he lived with AAA in a common-law relationship, which produced three daughters and a son. He narrated that he met AAA when he went for a vacation at her aunt's house in Bicol where AAA was a housemaid. He averred that he gave AAA monthly financial support of ₱20,000.00. In addition, he also gave her Christmas bonuses, shouldered the expenses for her cataract operation, her denture and vacation in Tagaytay, as well as paid for the matriculation of her grandchildren and the materials of their second daughter. He admitted that he no longer provides AAA with financial support since July 2006 because he was disappointed with her for instituting a criminal case for Bigamy against him which he considered as an act of ingratitude. In 2007, he stopped flying as a pilot after he was prevented from leaving the Philippines by virtue of a Hold Departure Order issued against him at the instance of AAA.



⁹ *Id.* at 161-162. (Citations omitted)

The RTC Ruling

After trial, the RTC rendered its Decision dated March 3, 2016 finding accused-petitioner guilty as charged. The RTC disposed the case as follows:

WHEREFORE, in view of the foregoing, the Court finds accused Esteban Donato Reyes GUILTY beyond reasonable doubt [of] violating Section 5(i) of Republic Act No. 9262, otherwise known as the Anti-Violence Against Women and their Children Act, and is hereby sentenced to suffer an indeterminate penalty of THREE (3) YEARS of *prision correccional*, as minimum, to EIGHT (8) YEARS and ONE (1) DAY of *prision mayor*, as maximum.

SO ORDERED.¹⁰

The RTC found the testimonies of the prosecution witnesses: AAA, her attending physician, Dr. Rey Caesar R. Anunciacion and the victim's daughter, to be credible and sufficient. It ruled that the evidence proffered by the prosecution has adequately established all the elements of violation of Section 5(i) of R.A. No. 9262.

Not in conformity, Reyes appealed his conviction before the CA.

The CA Ruling

On June 23, 2017, the CA rendered its assailed Decision upholding the conviction of Reyes for Violation of Section 5(i) of R.A. No. 9262, the *fallo* of which states:

WHEREFORE, in view of the foregoing, the appeal is DISMISSED FOR LACK OF MERIT. The Decision dated March 3, 2016 issued by the Regional Trial Court of Quezon City, Branch 89 in Criminal Case No. Q-06-143139 is AFFIRMED.

SO ORDERED.¹¹

The CA echoed the conclusion reached by the RTC that Reyes committed psychological violence against his wife AAA when he suddenly stopped giving her financial support and by reason of which, she suffered emotional and mental anguish. According to the CA, Reyes has an obligation to financially support his wife AAA and their marriage is valid until annulled by the court. It held that Reyes could not escape liability by the mere

¹⁰ *Id.* at 44.

¹¹ *Id.* at 140.

expedient of claiming that his marriage with AAA is void because violation of Section 5(i) of R.A. No. 9262 can be committed even against a woman with whom the accused had a sexual or dating relationship, or with whom he has a common child. The CA opined that Reyes can also be convicted for violation of Section 5(e), assuming that he is indicted for the said crime, because said provision criminalizes the mere act of depriving a woman of financial support legally due her.

Maintaining his innocence of the crime charged, Reyes filed the present petition and posited the following issues, to wit:

- I. THE HONORABLE COURT OF APPEALS COMMITTED A REVERSIBLE ERROR WHEN IT AFFIRMED THE RULING OF THE HONORABLE REGIONAL TRIAL COURT DIRECTING HEREIN PETITIONER TO RESUME GIVING REGULAR MONTHLY FINANCIAL SUPPORT TO AAA IN THE AMOUNT OF P20,000.00 TO BE DEDUCTED DIRECTLY FROM HIS NET MONTHLY SALARY RECKONED FROM THE TIME IT WAS WITHHELD IN JULY 2005.
- II. THE HONORABLE COURT OF APPEALS COMMITTED A REVERSIBLE ERROR WHEN IT AFFIRMED THE DECISION OF THE HONORABLE REGIONAL TRIAL COURT, FINDING THE PETITIONER GUILTY BEYOND REASONABLE DOUBT OF VIOLATING SECTION 5(i) OF REPUBLIC ACT NO. 9262 OTHERWISE KNOWN AS THE ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT AND SENTENCING HIM TO SUFFER AN INDETERMINATE PENALTY OF THREE (3) YEARS OF *PRISION CORRECCIONAL*, AS MINIMUM, TO EIGHT (8) YEARS AND ONE (1) DAY OF *PRISION MAYOR*, AS MAXIMUM.¹²

Petitioner insists that the Information, dated June 5, 2006, failed to allege any of the acts punishable under either Section 5(e), par. 2 or Section 5(i) of R.A. No. 9262. He contends that the defective criminal Information should have been quashed at the first instance by the RTC because it effectively deprived him of his right to due process.

The OSG counters that it is apparent from a perusal of the Information that Reyes is charged under Section 5(e), par. 2 for having committed economic abuse against AAA when he abandoned her and failed to give her financial support. The OSG submits that the CA is correct in not only affirming the conviction of Reyes under Section 5(i), but in finding that he can be also held criminally liable under Section 5(e), par. 2 because his purpose in depriving AAA with support is to cow her from further filing cases against him or to withdraw those already filed. The OSG asserts that petitioner's guilt for violation of the provisions of Sections 5(e), par. 2 and

¹² *Id.* at 15.

5(i) of R.A. No. 9262 has been established by the prosecution beyond cavil of a doubt.

The petition is devoid of merit.

Reyes stands charged with violation of Section 5(i) of R.A. No. 9262. By alleging that the Information should have been quashed by the RTC for lack of the essential elements of the crime of violation of Section 5(i) of R.A. No. 9262, Reyes is essentially averring that the recital of facts therein do not constitute the offense charged.

Under Section 6, Rule 110 of the Rules of Court, the complaint or information is sufficient if it states the names of the accused; the designation of the offense given by the statute; the acts or omissions complained of as constituting the offense; the name of the offended party; the approximate date of the commission of the offense; and the place where the offense was committed. It is imperative that an indictment fully states the elements of the specific offense alleged to have been committed.¹³

The sufficiency of the allegations of facts and circumstances constituting the elements of the crime charged is crucial in every criminal prosecution because of the ever-present obligation of the State to duly inform the accused of the nature and cause of the accusation.¹⁴ Every element constituting the offense must be alleged in the Information¹⁵ since the prosecution has the duty to prove each and every element of the crime charged in the information to warrant a finding of guilt for the crime charged. Thus, the Information must correctly reflect the charge against the accused before any conviction may be made.

The fundamental test in determining the sufficiency of the averments in a complaint or information is whether the facts alleged therein, if hypothetically admitted, constitute the elements of the offense.¹⁶ To meet the test of sufficiency, therefore, it is necessary to refer to the law defining the offense charged which, in this case, is Section 3(c) of R.A. No. 9262, in relation to Section 5(i), which provides as follows:

Section 3. *Definition of Terms.* – As used in this Act:

x x x x

C. “Psychological violence” refers to acts or omissions, causing or likely to cause mental or emotional suffering of the

¹³ *People v. Cutamora*, 396 Phil. 405, 414 (2000).

¹⁴ *People v. PO2 Valdez, et al.*, 679 Phil. 279, 283 (2012).

¹⁵ *Andaya v. People*, 526 Phil. 480, 497 (2006).

¹⁶ *People v. Balao, et al.*, 655 Phil. 563, 571-572 (2011).

victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and mental infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.

X X X X

Section 5(i) of R.A No. 9262 penalizes some forms of psychological violence that are inflicted on victims who are women and children through the following acts:

X X X X

(i) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and *denial of financial support or custody of minor children* or access to the woman's child/children.¹⁷

In *Dinamling v. People*,¹⁸ the Court had the occasion to enumerate the elements of violation of Section 5(i) of R.A. No. 9262, to wit:

- (1) The offended party is a woman and/or her child or children;
- (2) The woman is either the wife or former wife of the offender, or is a woman with whom the offender has or had a sexual or dating relationship, or is a woman with whom such offender has a common child. As for the woman's child or children, they may be legitimate or illegitimate, or living within or without the family abode;
- (3) The offender causes on the woman and/or child mental or emotional anguish; and
- (4) The anguish is caused through acts of public ridicule or humiliation, repeated verbal and emotional abuse, *denial of financial support* or custody of minor children or access to the children or similar acts or omissions.¹⁹

Were the elements of violation of Section 5(i) sufficiently alleged in the June 5, 2006 Information? To answer this query and for easy reference, the accusatory portion of the Information is hereto reproduced, as follows:

That on or about the month of July, 2005 and continuously up to the present, in Quezon City, Philippines, the said accused, did then and there, willfully, unlawfully and feloniously commit economic abuse upon his wife, AAA, by then and there abandoning her without any financial support

¹⁷ Emphasis ours.

¹⁸ 761 Phil. 356, 373 (2015).

¹⁹ Emphasis ours.

thereby depriving her of her basic needs and inflicting upon her psychological and emotional suffering and/or injuries, to the damage and prejudice of the said offended party.

CONTRARY TO LAW.²⁰

In the context of Section 6, Rule 110, the Court finds that the afore-quoted Information contains the recital of facts necessary to constitute the crime charged. The June 5, 2006 Information stated in no uncertain terms that: (1) the offended party, AAA, is the wife of the offender Reyes; (2) AAA sustained mental and emotional anguish; and (3) such anguish is inflicted by offender Reyes when he deliberately and unlawfully denied AAA with financial support.

Psychological violence is certainly an indispensable element of violation of Section 5(i) of R.A. No. 9262. Equally essential is the element of the mental or emotional anguish which is personal to the complainant. Psychological violence is the means employed by the perpetrator, while mental or emotional suffering is the effect caused to or the damage sustained by the offended party.²¹ To establish psychological violence, it is necessary to adduce proof of the commission of any of the acts enumerated in Section 5(i) or similar of such acts. We concur with the similar findings of the courts *a quo* that the prosecution had duly proved, through the clear and convincing testimonies of AAA and her daughter, that Reyes committed psychological violence against AAA when he deprived her of financial support beginning July 2005 and onwards which caused her to experience mental and emotional suffering to the point that even her health condition was adversely affected.

Reyes argues that he cannot be held liable for violation of R.A No. 9262 because he has no obligation to financially support AAA since he never contracted marriage with her. Petitioner is mistaken.

We find that the National Statistics Office certified copy of a marriage certificate presented by the prosecution serves as positive evidence of the existence of the marriage between Reyes and AAA. The certified copy of the marriage contract, issued by a public officer in custody thereof, is admissible as the best evidence of its contents. The marriage contract plainly indicates that a marriage was celebrated between Reyes and AAA on May 15, 1969, and it should be accorded the full faith and credence given to public documents.²² As correctly pointed out by the CA, their marriage is deemed valid until declared otherwise in a judicial proceeding. Hence, Reyes is obliged to support his wife, AAA, the amount of which shall be in proportion to the resources or means of the said petitioner and to the needs of the latter.²³

²⁰ Records, p. 1.

²¹ *AAA v. BBB*, G.R. No. 212448, January 11, 2018.

²² *Tenebro v. Court of Appeals*, 467 Phil. 723, 740 (2004).

²³ *Lim-Lua v. Lua*, 710 Phil. 211, 221 (2013).

Reyes will not be exonerated even assuming that his marriage is declared void *ab initio* by the court. R.A. No. 9262 defines and criminalizes violence against women and their children perpetrated by the woman's husband, former husband or any person against whom the woman has or had a sexual or dating relationship with, or with whom the woman has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or likely to result in, *inter alia*, economic abuse or psychological harm or suffering. Thus, the offender need not be related or connected to the victim by marriage or former marriage, as he could be someone who has or had a sexual or dating relationship only or has a common child with the victim. In the case at bench, it is undisputed that AAA had borne Reyes four children out of their relationship.

The Court agrees with the observation of the CA that if properly indicted, Reyes can also be convicted of violation of Section 5(e), par. 2 for having committed economic abuse against AAA. Section 5(e), par. 2 identifies the act or acts that constitute the violence of economic abuse, the pertinent portions of which states:

(e) Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or desist from conduct which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physically or other harm or threat of physical or other harm, or intimidation directed against the woman or child. This shall include, but not limited to, the following acts committed with the purpose or effect of controlling or restricting the woman's or her child's movement or conduct:

x x x x

(2) Depriving or threatening to deprive the woman or her children of financial support legally due her or her family,
x x x;

(3) Depriving or threatening to deprive the woman or her child of a legal right;

x x x x

Indeed, criminal liability for violation of Section 5(e) of R.A. No. 9262 attaches when the accused deprives the woman of financial support which she is legally entitled to. Deprivation or denial of support, by itself, is already specifically penalized therein.²⁴

Here, we note that Reyes, although gainfully employed after June 2005, deliberately refused to provide financial support to AAA. According to Reyes,

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Melgar v. People, G.R. No. 223477, February 14, 2018.

he stopped giving monetary support to AAA because she filed a Bigamy case against him. The Court finds his excuse unacceptable and will not at all exculpate him from criminal liability under the VAWC. It is noteworthy that AAA charged Reyes with Bigamy not merely to torment or harass him but to enforce her right and protect her interest as petitioner's legal wife considering that he contracted a second marriage with one Marilou Osias Ramboanga during the subsistence of his marriage with AAA. Evidently, the denial of financial support is designed to subjugate AAA's will and control her conduct, either to pressure her to withdraw said criminal case for Bigamy or dissuade her from pursuing it, or at least, to discourage her from filing additional cases against him.

There is nothing in the definition nor in the enumeration of the acts constituting psychological violence and economic abuse that is vague and ambiguous that will confuse Reyes as what conducts are penalized under the VAWC. They are worded with sufficient definiteness and clarity that persons of ordinary intelligence can understand what act is prohibited, and need not guess as to its meaning nor differ in its application. The express language of R.A. No. 9262 reflects the intent of the legislature for liberal construction as will best ensure the attainment of the object of the law according to its true intent, meaning and spirit - to promote the protection and safety of victims of violence against women and children.²⁵

Lastly, the Court finds that Reyes should be compelled to comply with the directive under the TPO pertaining to the resumption of providing monthly financial support to AAA. It bears stressing that not an iota of evidence was adduced by him to show that he is no longer employed and/or he failed to obtain another gainful employment and/or that he has no resources or means to provide the same.

Having ascertain the guilt of Reyes for violation of Section 5(i), We shall now proceed to determine the appropriate penalty.

Section 6 of R.A. No. 9262 provides:

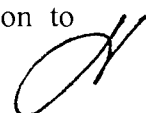
Section. 6. *Penalties.* – The crime of violence against women and their children, under Section 5 hereof shall be punished according to the following rules:

x x x x

(f) Acts falling under Section 5(h) and Section 5(i) shall be punished by *prision mayor*.

If the acts are committed while the woman or child is pregnant or committed in the presence of her child, the penalty to be applied shall be the maximum period of penalty prescribed in this section. In addition to

²⁵ *Go-Tan v. Spouses Tan*, 588 Phil. 532, 541 (2008).



imprisonment, the perpetrator shall (a) pay a fine in the amount of not less than One hundred thousand pesos (P100,000.00) but not more than Three hundred thousand pesos (P300,000.00); (b) undergo mandatory psychological counseling or psychiatric treatment and shall report compliance to the court.

Applying the Indeterminate Sentence Law, the minimum term of the indeterminate penalty shall be taken from the penalty next lower in degree, *i.e.*, *prision correccional*, or anywhere from six (6) months and one (1) day to six (6) years, while the maximum term shall be that which could be properly imposed under the law, which is eight (8) years and one (1) day to ten (10) years of *prision mayor*, there being no aggravating or mitigating circumstances attending the commission of the crime.²⁶ This Court deems it proper to impose on petitioner Reyes the indeterminate penalty of four (4) years and two (2) months of *prision correccional*, as minimum, to eight (8) years and one (1) day of *prision mayor*, as maximum.

Also, petitioner Reyes is **DIRECTED** to **PAY** a fine in the sum of ₱200,000.00. He is also required to submit himself to a mandatory psychological counselling or psychiatric treatment, and to report his compliance therewith to the court of origin.

WHEREFORE, the petition is **DENIED**. The Decision of the Court of Appeals dated June 23, 2017 in CA-G.R. CR No. 38609 is hereby **AFFIRMED** with **MODIFICATIONS**.

(1) Petitioner Esteban Donato Reyes is found **GUILTY** beyond reasonable doubt of Violation of Section 5(i) of Republic Act No. 9262 and is sentenced to suffer the indeterminate penalty of four (4) years and two (2) months of *prision correccional*, as minimum, to eight (8) years and one (1) day of *prision mayor*, as maximum.

(2) Petitioner is **ORDERED** to **PAY** a fine equivalent to Two Hundred Thousand Pesos (₱200,000.00); and

(3) Further, petitioner is **DIRECTED** to **UNDERGO** a mandatory psychological counselling or psychiatric treatment, and to report his compliance therewith to the court of origin within fifteen (15) days after the completion of such counselling or treatment.

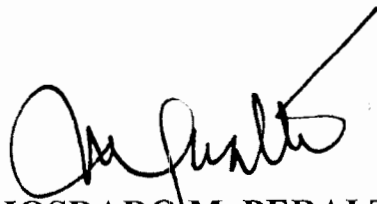
²⁶ Art. 64. *Rules for the application of penalties which contain three periods.* – In cases in which the penalties prescribed by law contain three periods, x x x, the courts shall observe for the application of the penalty the following rules, according to whether there are or are no mitigating or aggravating circumstances:

1. When there are neither aggravating nor mitigating circumstances, they shall impose the penalty prescribed by law in its medium period.

x x x




SO ORDERED.


DIOSDADO M. PERALTA
Associate Justice

WE CONCUR:


MARVIC MARIO VICTOR F. LEONEN
Associate Justice

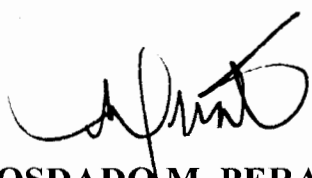

ANDRES B. REYES, JR.
Associate Justice


RAMON PAUL L. HERNANDO
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice

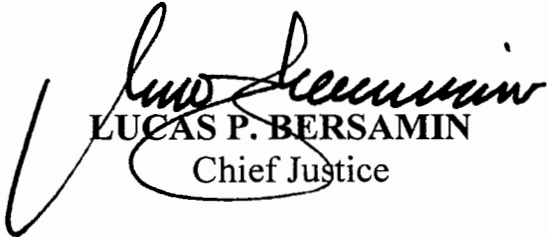
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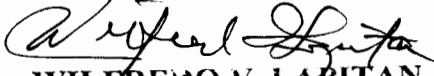
I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


DIOSDADO M. PERALTA
Associate Justice
Chairperson, Third Division

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


LUCAS P. BERSAMIN
Chief Justice

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WILFREDO V. LAPITAN
Division Clerk of Court
Third Division

JUL 24 2019