



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

PEOPLE OF THE PHILIPPINES, G.R. No. 234191
Plaintiff-appellee,

Present:

-versus-

LEONEN, *J.*, Chairperson,
GISMUNDO,*
INTING,
DELOS SANTOS, and
ROSARIO, *JJ.*

EFREN T. TABIEROS and JOHN
DAVID INFANTE, accused; and
JOHN DAVID INFANTE,
Accused-appellant.

Promulgated:
February 1, 2021

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DECISION

LEONEN, *J.*:

In the prosecution of the offense of trafficking in persons, “the corroborating testimonies of the arresting officer and the minor victims [are] sufficient to sustain a conviction.”¹

For this Court’s resolution is an appeal² challenging the Decision³ and Resolution⁴ of the Court of Appeals which affirmed the Decision⁵ of the

* Designated additional Member per Raffle dated December 21, 2020.

¹ *People v. Ramirez*, G.R. No. 217978, January 30, 2019, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65006>> [Per J. Leonen, Third Division] citing *People v. Rodriguez*, G.R. No. 211721, September 20, 2017, 840 SCRA 388 [Per J. Martires, Third Division] and *People v. Casio*, 749 Phil. 458 (2014) [Per J. Leonen, Third Division].

² *Rollo*, pp. 21–22.

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Regional Trial Court, Branch 21, Vigan City convicting Efren T. Tabieros (Tabieros) and John David Infante (Infante) of violating the Anti-Trafficking in Persons Act of 2003.

In an Information, Tabieros and Infante were charged with committing acts of qualified trafficking in persons in relation to Section 4(e) of Republic Act No. 9208, or the Anti-Trafficking in Persons Act of 2003.⁶ The Information read:

That on or about the 22nd of November 2012, and on the dates prior thereto, in Sto. Domingo, Ilocos Sur, and within the jurisdiction of this Honorable Court, the above-named accused, EFREN T. TABIEROS and JOHN DAVID T. INFANTE, the owner and cashier, respectively of [REDACTED] Bar, located in [REDACTED], Ilocos Sur, in conspiracy with one another, and taking advantage of the vulnerability of victim [AAA], and for the purpose of exploitation, such as prostitution, did then and there willfully, unlawfully and knowingly hire, maintain and manage said victim to engage in prostitution through sexual services or lascivious conduct, in consideration of the payments and benefits given to her by customers, to her damage and prejudice.

That the crime was attended by the qualifying circumstance of minority, victim [AAA], being 16 years of age.

CONTRARY TO LAW.⁷

On arraignment, Tabieros and Infante pleaded not guilty to the offense charged. Trial then ensued.⁸

The prosecution, through witnesses Police Senior Inspector Napoleon Cruz (PSI Cruz), Mike Launio (Launio), Clementino A. Dumdum, Jr. (Dumdum), and AAA,⁹ established the following:

On November 21, 2012, the Criminal Investigation and Detection Group (CIDG), Camp Crame, Quezon City received a human trafficking report from the Department of Social Welfare and Development.¹⁰ The mother of minor AAA requested for an investigation claiming that her daughter was unknowingly recruited as a prostitute for [REDACTED] Bar,

³ Id. at 2–15. The March 23, 2017 Decision in CA-G.R. CR-HC No. 07631 was penned by Associate Justice Stephen C. Cruz, and concurred in by Associate Justices Jose C. Reyes, Jr. and Nina G. Antonio-Valenzuela of the Fourth Division, Court of Appeals, Manila.

⁴ CA *rollo*, pp. 172–173. The June 28, 2017 Resolution in CA-G.R. CR-HC No. 07631 was penned by Associate Justice Stephen C. Cruz, and concurred in by Associate Justices Jose C. Reyes, Jr. and Nina G. Antonio-Valenzuela of the Fourth Division, Court of Appeals, Manila.

⁵ Id. at 88–107. The June 15, 2015 Decision was penned by Acting Presiding Judge Gina Juan-Chan of Branch 21, Regional Trial Court, Vigan City, Ilocos Sur.

⁶ Id. at 88.

⁷ Id.

⁸ Id. at 89.

⁹ Id.

¹⁰ Id. at 92–94.

located at [REDACTED], Ilocos Sur.¹¹ Acting on the report and verifying the details, PSI Cruz and several personnel from the Department of Social Welfare and Development and the Department of Justice departed for Ilocos Sur to entrap the bar's owner and rescue AAA.¹²

At around 8:30 p.m. on even date, the team arrived at the bar. PSI Cruz and two CIDG Ilocos personnel occupied a room where they ordered beer and asked for services of "bar girls,"¹³ while the rest of the team remained outside. Three women attended to their table, one of whom was AAA. Confirming that the women provide sexual services, AAA also informed PSI Cruz that he should "ask permission from the owner, Efren Tabieros and if he approves, she will go."¹⁴ Tabieros agreed and instructed PSI Cruz to pay Infante. PSI Cruz handed Infante three ₱500.00 bills, two of which were marked. As soon as the transaction occurred, PSI Cruz placed a missed call to the raiding team, who rushed to the scene. Tabieros and Infante were arrested.¹⁵

The officers took Tabieros, Infante, and the three women to Camp Crame where Tabieros and Infante were detained, while the women were medically examined. AAA was turned over to the custody of Department of Social Welfare and Development.¹⁶

AAA narrated that Baby Velasco (Velasco), a neighbor who is also Tabieros' relative, convinced her to work as a *kasambahay* in Ilocos. Against her mother's will, AAA went with Velasco on June 2, 2012, in the hope of being gainfully employed.¹⁷ However, AAA was instead forced to work as a prostitute in a videoke bar run by Tabieros and Infante. She once attempted to escape, but Tabieros' wife hit her. She also rarely earned money since her debts accumulated from buying personal needs from Tabieros' wife.¹⁸

The defense presented Tabieros, Infante, Rural Health Center employee Manolo Tobias, and Angelica Ariola, a waitress from the videoke bar, as witnesses.¹⁹

The defense claimed that AAA hid her minority and real name, and applied to work as a waitress in [REDACTED] Bar. They testified that since she was of age and tested negative from any communicable disease, she was hired in a legitimate business. They contended that they only found out

¹¹ Id. at 89.

¹² Id.

¹³ Id.

¹⁴ Id.

¹⁵ Id. at 89-90.

¹⁶ Id. at 90.

¹⁷ Id. at 99.

¹⁸ Id. at 90-92.

¹⁹ Id. at 94.

AAA's real name and age when the entrapment transpired.²⁰

In its June 15, 2015 Decision,²¹ the Regional Trial Court convicted Tabieros and Infante of qualified trafficking in persons under Section 4(e) of the Anti-Trafficking in Persons Act. It gave credence to AAA's "straightforward and categorical"²² testimony. It held that the prosecution witnesses proved that Tabieros and Infante hired AAA "to engage in prostitution in exchange for money."²³ Tabieros and Infante were sentenced to life imprisonment and were fined ₱2 million. The dispositive portion of the Decision reads:

WHEREFORE, premises considered, accused EFREN TABIEROS and JOHN DAVID INFANTE JR. are found guilty beyond reasonable doubt of violating Section 4(e), in relation to Sections 3(a) and (c), qualified by Section 6(a) of Republic Act No. 9208, and sentenced to suffer the penalty of life imprisonment and a fine of P2,000,000.00 and shall not be eligible for parole under Act No. 4103 (Indeterminate Sentence Law) in accordance with Section 3 of Republic Act No. 9346. They are likewise ordered to pay the private complainant:

- (1) P300,000.00 as moral damages; and
- (2) P100,000.00 as exemplary damages.

SO ORDERED.²⁴ (Emphasis in the original)

On April 18, 2016, the Court of Appeals issued a Resolution²⁵ dismissing Tabieros' appeal by virtue of his death which extinguished both his criminal liability and civil liability *ex delicto*. It then resolved Infante's appeal.

In its March 23, 2017 Decision,²⁶ the Court of Appeals affirmed Infante's conviction. It found that all the elements of trafficking in persons were established.²⁷ AAA testified that she was coerced into working as a prostitute primarily through deception. She identified Tabieros and Infante's participation in the scheme, which trumped their mere self-serving denial.²⁸ The dispositive portion of the Decision reads:

WHEREFORE, the instant appeal is hereby **DENIED**. The June 15, 2015 Decision of the Regional Trial Court of Vigan City, Ilocos Sur, Branch 21, in Criminal Case No. 7114-V, finding accused Efren T.

²⁰ Id. at 94–96.

²¹ Id. at 88–107.

²² Id. at 102.

²³ Id. at 98.

²⁴ *Rollo*, pp. 2–3.

²⁵ Id. at 16–20. The Resolution was penned by Associate Justice Stephen C. Cruz, and concurred in by Associate Justices Jose C. Reyes, Jr. and Ramon Paul L. Hernando (now a member of this Court) of the Fifth Division, Court of Appeals, Manila.

²⁶ Id. at 2–15.

²⁷ Id. at 8.

²⁸ Id. at 12.

Tabieros and accused-appellant John David Infante, guilty beyond reasonable doubt for violation of Section 4(e), in relation to Sections 3(a) and (c), qualified by Section 6(a) of Republic Act (RA) No. 9208, otherwise known as the “Anti-Trafficking in Persons Act of 2003,[”] is hereby **AFFIRMED** as to accused-appellant John David Infante.

SO ORDERED.²⁹ (Emphasis in the original)

Infante moved for reconsideration, but the Court of Appeals denied his motion in its June 28, 2017 Resolution.³⁰

Thus, Infante filed his Notice of Appeal³¹ which the Court of Appeals gave due course to in its August 18, 2017 Resolution.³²

On November 29, 2017, this Court required the parties to file their respective supplemental briefs.³³

The Office of the Solicitor General, on behalf of plaintiff-appellee People of the Philippines, manifested that it would no longer file a supplemental brief.³⁴ Accused-appellant filed his supplemental brief on March 7, 2018.³⁵ These were noted by this Court in its April 16, 2018 Resolution.³⁶

Arguing that the prosecution failed to prove his guilt beyond reasonable doubt, accused-appellant points out the lack of evidence that he conspired with Tabieros. He claims that PSI Cruz’s testimony about giving accused-appellant money does not establish conspiracy.³⁷ He adds that he had no hand in AAA’s hiring either.³⁸

For resolution is the issue of whether or not accused-appellant John David Infante is guilty of qualified trafficking in relation to Section 4(e) of the Anti-Trafficking in Persons Act.

This Court denies the appeal.

²⁹ Id. at 14.

³⁰ Id. at 172–173.

³¹ Id. at 21–22.

³² Id. at 23.

³³ Id. at 25.

³⁴ Id. at 30–35.

³⁵ Id. at 36–39.

³⁶ Unpaginated.

³⁷ *Rollo*, p. 38.

³⁸ Id. at 37.

The trial court's findings should be given respect,³⁹ especially when the Court of Appeals affirmed them.⁴⁰ This is because "the trial court is in the best position to assess the credibility of witnesses and their testimonies because of its unique opportunity to observe the witnesses, their demeanor, conduct and attitude on the witness stand."⁴¹ The exception is when the lower courts "overlooked or misconstrued substantial facts which could have affected the outcome of the case."⁴²

Here, nothing warrants a reversal of the Court of Appeals' and the Regional Trial Court's Decisions convicting accused-appellant.

Section 3(a) of Republic Act No. 9208, or the Anti-Trafficking in Persons Act, defines the crime of trafficking in persons:

SECTION 3. *Definition of Terms.* — As used in this Act:

(a) *Trafficking in Persons* — refers to the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the persons, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

Jurisprudence enumerated the elements of the crime:

The elements of trafficking in persons can be derived from its definition under Section 3 (a) of Republic Act No. 9208, thus:

(1) The act of "recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders."

(2) The means used which include "threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another[?]; and

³⁹ *People v. Montinola*, 567 Phil. 387, 404 (2008) [Per J. Carpio, Second Division], citing *People v. Fernandez*, 561 Phil. 287 (2007) [Per J. Carpio, Second Division]; *People v. Abulon*, 557 Phil. 428 (2007) [Per J. Tinga, En Banc]; and *People v. Bejic*, 552 Phil. 555 (2007) [Per J. Chico-Nazario, En Banc].

⁴⁰ *People v. Baraoil*, 690 Phil. 368, 377 (2012) [Per J. Reyes, Second Division].

⁴¹ *Ditche v. Court of Appeals*, 384 Phil. 35, 46 (2000) [Per J. De Leon, Jr., Second Division].

⁴² *People v. Montinola*, 567 Phil. 387, 404 (2008) [Per J. Carpio, Second Division], citing *People v. Fernandez*, 561 Phil. 287 (2007) [Per J. Carpio, Second Division]; *People v. Abulon*, 557 Phil. 428 (2007) [Per J. Tinga, En Banc]; and *People v. Bejic*, 552 Phil. 555 (2007) [Per J. Chico-Nazario, En Banc].

(3) The purpose of trafficking is exploitation which includes “exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.”⁴³

On February 6, 2013, the law was amended by Republic Act No. 10364.⁴⁴ *People v. Casio*⁴⁵ also enumerated the elements of the crime under the expanded definition:

Under Republic Act No. 10364, the elements of trafficking in persons have been expanded to include the following acts:

(1) The act of “recruitment, *obtaining, hiring, providing, offering,* transportation, transfer, *maintaining,* harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders[“;”];

(2) The means used include “by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”[“;”];

(3) The purpose of trafficking includes “the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs[.]”⁴⁶

Here, the offense was committed on November 22, 2012,⁴⁷ prior to the amendment. Thus, the original provisions of Republic Act No. 9208 apply.

The Information charged accused-appellant with violation of qualified trafficking, in relation to Section 4(e) of the Anti-Trafficking in Persons Act. Section 4(e) prohibits any person “[t]o maintain or hire a person to engage in prostitution or pornography[.]” Trafficking is qualified when “the trafficked person is a child[.]”⁴⁸

AAA’s birth certificate establish that she was only 16 years old when she was victimized.⁴⁹ This is undisputed.

⁴³ *People v. Casio*, 749 Phil. 458, 472–473 (2014) [Per J. Leonen, Third Division] citing Republic Act No. 9208 (2003), sec. 3(a).

⁴⁴ Expanded Anti-Trafficking in Persons Act of 2012.

⁴⁵ 749 Phil. 458, 472–473 (2014) [Per J. Leonen, Third Division].

⁴⁶ *People v. Casio*, 749 Phil. 458, 474 (2014) [Per J. Leonen, Third Division].

⁴⁷ CA rollo, p. 88.

⁴⁸ Rep. Act No. 9208 (2003), sec. 6 (a).

⁴⁹ CA rollo, p. 99.

*People v. Ramirez*⁵⁰ explained that in the prosecution of trafficking in persons, corroborating testimonies of the arresting officer and the minor victim suffice to convict:

This Court in *People v. Rodriguez* acknowledged that as with *Casio*, the corroborating testimonies of the arresting officer and the minor victims were sufficient to sustain a conviction under the law. In *People v. Spouses Ybañez, et al.*, this Court likewise affirmed the conviction of traffickers arrested based on a surveillance report on the prostitution of minors within the area. In *People v. XXX and YYY*, this Court held that the exploitation of minors, through either prostitution or pornography, is explicitly prohibited under the law. *Casio* also recognizes that the crime is considered consummated even if no sexual intercourse had taken place since the mere transaction consummates the crime.⁵¹ (Citations omitted)

In this case, PSI Cruz narrated the events that transpired during the entrapment operation to rescue AAA. However, accused-appellant contends that PSI Cruz's failed to establish his participation in the trafficking of minors. The prosecution simply established that accused-appellant received the marked bills, which he admitted, as he worked as the cashier in a legitimate business.

Granting that PSI Cruz's testimony failed to show how accused-appellant participated in the scheme, the trafficked person, AAA, clearly recounted how accused-appellant and Tabieros used her for illicit transactions:

FISCAL GANABAN:

....

Q: How long have you been at ■■■ bar?

A: 7 months po.

Q: How did you go to that ■■■ bar?

A: *Ano po. Sabi daw po gaganda po ang buhay ko. Sinama po ako ng kapit bahay naming babae.*

Q: what is the name of your neighbor 'kapitbahay' as you said?

A: Baby Velasco po.

....

Q: Before you go to ■■■ bar, what did Baby Velasco tell you?

A: *sabi niya daw po sumama daw po ako doon, gaganda daw po ang buhay ko pero wala po siyang sinabing ganon ang trabaho.*

....

Q: After that, what was your answer to Baby Velasco?

A: *Opo, papaalam ko po kay mama.*

⁵⁰ G.R. No. 217978, January 30, 2019, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65006>> [Per J. Leonen, Third Division].

⁵¹ Id.

Q: what did Baby Velasco tell you about your work?
A: *wala naman daw pong gagawin dun, maghuhugas-hugas lang daw ng plato.*

Q: Where are you supposed to work according to Baby Velasco?
A: *Sa Ilocos po.*

.....

Q: when Baby Velasco offered you to work in Manila, did you go with Baby Velasco?
A: *Opo, ayaw kong sumama noon pero tinetex[t] niya po ako.*

.....

Q: After you alighted at Sto. Domingo, Ilocos Sur at 8:00 o'clock in the morning, what happened next, where did you go?
A: *tinawagan niya po si Dagul na sunduin po kami doon.*

COURT:

Q: *tinawagan nino?*
A: *ni Mommy Baby.*

Q: *sino ang tinawagan niya?*
A: *si Kuya Rolly po.*

FISCAL GANABAN:

Q: Do you know the complete name of Rolly?
A: *Rolly Infante po.*

Q: what did Baby tell Rolly Infante?
A: *'nandito na po kami sa Ilocos, sunduin niyo kami'.*

Q: Did Rolly Infante fetch you in Sto. Domingo?
A: *Opo, sinundo niya po kami.*

Q: Where did Rolly bring you? *Saan niya kayo dinala?*
A: *Doon po sa [REDACTED] bar, deretso na po kami doon."*

.....

Q: Now, after meeting with this Efren and Janet, what happened next?
A: *ano po, yung nagpaalam po ako sa ano, ayaw po nila akong payagan, binubugbog po ako ng babae.*

Q: you mean to say that you were asking permission to leave, is that correct?
A: *opo, maayos po yung paalam ko, ayaw po akong payagan.*

.....

Q: what is again your work at [REDACTED] bar?
A: *bukod po sa nagpapalinis, ano po, pag me gustong maglabas, nagpapalabas po kami.*

Q: You mentioned that aside from cleaning, you are being allowed to go with the customer, what do you mean going with the customer, can you please explain to this honorable court?

A: *Ano po. Pumupunta po kami sa hotel.*

Q: Who are the customers, do you know them?

A: *Marami na po eh.*

Q: when you are allowed to go with the customers at the hotel, what are you doing inside the hotel with the customer?

A: *Marami pong gingawa.*

Q: what are those 'maraming ginagawa' kindly explain to the court?

.....

A: *Ano po, nakikipag sex po.*

Q: what do you mean 'nakikipag sex', kindly please explain?

A: *Inaano po yung ari niya sa ari ko.*

Q: you said that the customer 'inaano niya yung ari niya sa ari ko'?

A: *Pinapasok yung ari ng lalaki sa ari ko.*

.....

Q: Now, during that time or rather every time the customer will bring you to the hotel, how much is your pay from each customer?

A: *1,500 po.*

Q: Is that 1,500 given to you in full?

A: *hati po kami.*

Q: Where will the one half go?

A: *doon po sa amo ko. Kay Efren Tabieros.*

.....

Q: Do you go voluntarily with the customer?

A: *Hindi po.*

Q: who tells you if you are not voluntarily going to the customer, who tells you to go with the customer?

A: *kinakausap po nila si Dagul.*

Q: *Sino? Si Dagul?*

A: *Dagul po.*

Q: who is Dagul?

A: *yun po.*

Q: what is the work of Dagul in the ■■■ bar?

A: *Cashier po.⁵² (Emphasis in the original)*

⁵² Rollo, pp. 8-12.

The trafficked victim's testimony that she was sexually exploited is "material to the cause of the prosecution."⁵³ Here, AAA clearly recalled her suffering and positively identified accused-appellant as the bar's cashier who would instruct her to go with the supposed clients.

AAA's clear recollection of events and positive identification of accused-appellant was corroborated by the testimonies of PSI Cruz, and representatives from the Department of Justice and the Department of Social Welfare and Development who conducted the entrapment. They recalled the steps they had taken to verify the report of AAA's mother, and how they eventually rescued her.⁵⁴ It is settled that denial fails when the prosecution positively ascertains the accused-appellant's identity.

We also underscore how the defense witness actually belied accused-appellant's claim of innocence. The defense presented Manolo Tobias, the Rural Health Center employee who issued AAA's medical certificate, to prove that she hid her minority. We echo the suspicion of the lower courts on why a business claiming to be legitimate would require a medical examination to prove that an applicant is not a carrier of communicable disease. As the Court of Appeals put it:

Common sense dictates that waitresses, who only serve foods and drinks, need not prove that she is free from any sexually transmitted diseases (STDs). Unless, she also serves her customers' sexual pleasure and satisfaction.⁵⁵

We also agree with the Court of Appeals that the prosecution sufficiently proved how Tabieros and accused-appellant conspired in exploiting AAA's person:

There is conspiracy when two or more persons come to an agreement concerning the commission of a felony and decide to commit it. Jurisprudence has established that direct proof of previous agreement to commit an offense is not necessary to prove conspiracy. Conspiracy may be proven by circumstantial evidence. It may be deduced from the mode, method and manner by which the offense is perpetrated, or inferred from the acts of the accused when such acts point to a joint purpose and design, concerted action and community of interest. It is not even required that the participants have an agreement for an appreciable period to commence it.

In the instant case, the prosecution was able to prove conspiracy from the following facts: the victim was hired by Tabieros in his bar, not only as a waitress, but also as a prostitute; PSI Cruz asked Tabieros and accused-appellant Infante if he could avail of the sexual service of the

⁵³ *People v. Rodriguez*, G.R. No. 211721, September 20, 2017, 840 SCRA 388, 401 [Per J. Martires, Third Division].

⁵⁴ *CA rollo*, pp. 89-94.

⁵⁵ *Rollo*, p. 13.

victim and the latter replied in the affirmative; and accused-appellant, who works in the bar as cashier, received Php1,500.00 payment from the CIDG personnels for the sexual services of [AAA]. The foregoing established facts, albeit circumstantial, when analyzed and taken together, lead to the inevitable conclusion that Tabieros and Infante conspired to use the minor victim for sexual favors in exchange for money.

The foregoing, coupled with the failure of accused-appellant Infante to overthrow the presumption of regularity accorded to the official acts of the CIDG personnels who conducted the entrapment operation, give Us no reason to overturn accused-appellant's conviction for violation of R.A. 9208.⁵⁶ (Citations omitted)

Thus, We affirm the lower courts' conviction of accused-appellant for violation of Republic Act No. 9208, Section 4(e), as qualified by Section 6(a) and penalized under Section Section 10(c).⁵⁷ The trial court correctly imposed the penalty of life imprisonment and the fine of ₱2,000,000.00. To conform with jurisprudence, We increase the awards of moral damages to ₱500,000.00 and exemplary damages to ₱100,000.00, with interest at the rate of six percent (6%) per annum from the finality of this Decision until fully paid.⁵⁸

Even in her young age, AAA sought greener pastures and bravely left her hometown for a better life. Aside from earning her mother's ire, she risked her life, dreams, and future. The likes of accused-appellant, who deceive, abuse, and exploit, rob women of these and trample on the dignity of their victims.

The injustice perpetrated upon AAA is incalculable. Law may only approximate recompense for the pain, anguish, and suffering which no person deserves.

WHEREFORE, the Court of Appeals' March 23, 2017 Decision and June 28, 2017 Resolution in CA-G.R. CR-HC No. 07631 are **AFFIRMED with MODIFICATION**.

Accused-appellant John David Infante is found **GUILTY** beyond reasonable doubt of qualified trafficking in relation to Section 4(e) of Republic Act No. 9208. He is sentenced to suffer the penalty of life imprisonment and to pay a fine of Two Million Pesos (₱2,000,000.00). He is likewise ordered to pay the victim, AAA: (1) moral damages of Five

⁵⁶ *Rollo*, pp. 13-14.

⁵⁷ Republic Act No. 9208, sec. 10(c) provides:

SECTION 10. *Penalties and Sanctions*. — The following penalties and sanctions are hereby established for the offenses enumerated in this Act:

....

(c) Any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00)[.]

⁵⁸ See *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].

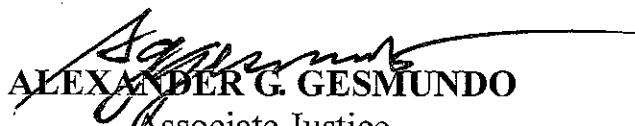
Hundred Thousand Pesos (₱500,000.00); and (2) exemplary damages of One Hundred Thousand Pesos (₱100,000.00).


All damages awarded shall be subject to the rate of six percent (6%) per annum from the finality of this Decision until its full satisfaction.

SO ORDERED.


MARVIC M.V.F. LEONEN
Associate Justice

WE CONCUR:


ALEXANDER G. GESMUNDO
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice


EDGARDO L. DELOS SANTOS
Associate Justice


RICARDO R. ROSARIO
Associate Justice


ATTESTATION

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.


MARVIC M.V.F. LEONEN
Associate Justice
Chairperson

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.



DIOSDADO M. PERALTA
Chief Justice