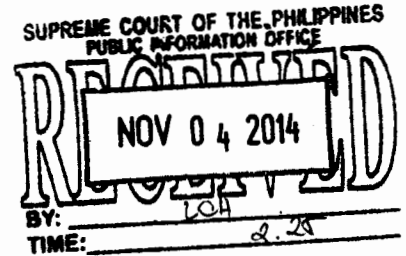




Republic of the Philippines  
**Supreme Court**  
 Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated September 17, 2014, which reads as follows:*

***“G.R. No. 201451 - PEOPLE OF THE PHILIPPINES, Plaintiff-Appellee, v. ANDRES PILEO y ESTUARIA, Defendant-Appellant.*”**

Before Us for review is the Decision<sup>1</sup> dated November 9, 2010 of the Court of Appeals in CA-G.R. CR.-H.C. No. 02639, which affirmed the Decision<sup>2</sup> dated November 22, 2006 of the Regional Trial Court (RTC) of Gubat, Sorsogon, Branch 54, in Criminal Case No. 2090, finding accused-appellant Andres Pileo y Estuarina guilty beyond reasonable doubt of the crime of rape and sentencing him to suffer the penalty of *reclusion perpetua* and to pay private complainant AAA<sup>3</sup> civil indemnity and moral damages, each in the amount of ₱50,000.00.

Accused-appellant was charged before the RTC with the crime of rape in an Information<sup>4</sup> dated August 7, 1998, which reads:

That on or about the 12<sup>th</sup> day of June, 1998, at around 9:00 o'clock in the evening at x x x, Province of Sorsogon, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, by means of force and intimidation, did then and there,

<sup>1</sup> Rollo, pp. 2-13; penned by Associate Justice Noel G. Tijam with Associate Justices Marlene Gonzales-Sison and Jane Aurora C. Lantion, concurring.

<sup>2</sup> Records, pp. 328-337.

<sup>3</sup> In lieu of the victim's name, fictitious letters were utilized in order to protect the victim's privacy pursuant to Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004) and the ruling of the Court in *People v. Cabalquinto*, 533 Phil. 703 (2006).

<sup>4</sup> Records, pp. 31-32.

- over – thirteen (13) pages .....

willfully, unlawfully and feloniously had carnal knowledge of one AAA against the latter's will and consent, to her damage and prejudice.

During his arraignment on December 21, 1999, accused-appellant pleaded not guilty to the crime charged. Thereafter, trial ensued.

The prosecution presented three witnesses: AAA, her husband BBB, and Municipal Health Officer Dr. Antonio Falcotelo (Falcotelo). The prosecution's version of the incident is as follows:

AAA was 27 years of age and married to BBB, with whom she had four children. On June 12, 1998, BBB left for the Municipality of Gubat at around 5:00 in the afternoon to attend the celebrations on the eve of the town fiesta. On the way to Gubat, BBB passed by the house of accused-appellant who was having a drinking spree with friends. Upon being invited by accused-appellant, BBB partook of a drink with the group, then continued on his way.

At around 7:00 to 8:00 in the evening of the same day, AAA was with her four children watching a film on Betamax at the place of a certain Titay Evasco. AAA and her four children left for home at around 8:30 in the evening. While on their way, AAA and her children passed in front of accused-appellant's house. Accused-appellant called AAA to ask her where BBB was. AAA told accused-appellant that BBB was in Gubat, and AAA and her children continued on their way.

Upon reaching their house, AAA and her children prepared to go to sleep. Before AAA could fall asleep, she heard accused-appellant, identifying himself as Andy, repeatedly calling her name from outside the house. AAA asked accused-appellant's purpose for calling her, and accused-appellant replied that he wanted to speak to AAA for just a moment. Out of respect for accused-appellant, who was the *barangay* captain, and thinking that they would talk about the settlement of a case involving BBB pending before the *barangay*, AAA opened the door and acceded to sit and talk with accused-appellant out on the porch. While they were talking and sitting on a bench, accused-appellant stretched out his arms and embraced AAA. AAA struggled to free herself from accused-appellant's embrace. AAA reached for a 2 x 2 piece of wood to defend herself, but before she could get it, accused-appellant lifted her up. Despite AAA's efforts to escape, accused-appellant was able to bring her to a place about 20 meters away with banana and belanghoy plants and a mango tree. When accused-appellant put her down, AAA attempted to escape but accused-appellant was able to catch her.

Accused-appellant pinned AAA down and forcefully removed her skirt and panty. Then, accused-appellant hugged AAA and kissed her lips. AAA fought back by biting accused-appellant's tongue and chest and pinching accused-appellant. AAA also kept her legs together to prevent accused-appellant from inserting his penis into her vagina. AAA tried to shout for help but no sound came out of her throat. AAA resisted accused-appellant's sexual advances for about 10 minutes. However, accused-appellant was able to lift AAA's foot and place it on his shoulder, which allowed him to insert his penis into AAA's vagina. AAA continued to pinch accused-appellant to stop the latter and free herself, but accused-appellant was strong and was able to fully satisfy his lust.

As soon as accused-appellant stood up, AAA searched for and put on her panty and skirt. AAA got hold of a cassava stem and hit accused-appellant on his face with it. AAA told accused-appellant that she will file a case against him but the latter simply said, "Go, file a case. Let's see who'll [be] put to shame." AAA ran away from accused-appellant toward no specific direction until she found herself at the house of Lucena Espera (Lucena), AAA's friend, who also happened to be accused-appellant's sister. Upon AAA's knock, Lucena opened the door. Lucena asked what happened to AAA, so AAA told Lucena her ordeal in accused-appellant's hands. Lucena commented that accused-appellant was using prohibited drugs, which was probably why he was able to commit such bestial act against AAA. Lucena also noticed reddish marks on AAA's chest and neck. AAA asked for water so she can wash herself. After showing AAA where the water was, Lucena instructed AAA not to tell anybody what had happened as it was better to keep the matter secret.

When she finished washing herself, AAA left for home. AAA though returned to Lucena's house to ask if Lucena could accompany her because she feared that accused-appellant might be at her house. Lucena and her husband Alden agreed to go with AAA. At AAA's house, AAA requested that Alden give her the 2 x 2 piece of wood so she had something to use to defend herself in case accused-appellant returned. When Lucena and Alden left at around 10:00 in the evening, AAA took another bath.

BBB returned home at around 1:00 in the morning of June 13, 1998 and found AAA crying. BBB did not press AAA for an explanation. AAA did not tell her husband BBB about her rape because she feared losing him. AAA was concerned that BBB might confront and kill accused-appellant or, the other way around, accused-appellant might kill BBB. AAA further

considered the welfare of her four children since she did not have any job and had no means of earning income for her family.

On June 15, 1998, AAA narrated her traumatic experience with accused-appellant to their Municipal Mayor, warning the Mayor that BBB does not yet know about the incident. The Mayor summoned accused-appellant and BBB to his office, and it was there that the Mayor informed BBB about AAA's rape by accused-appellant. Upon learning about AAA's ordeal, BBB wanted to kill accused-appellant to avenge his wife. The Mayor was able to pacify BBB by assuring the latter that the Mayor's office was already taking care of the case. AAA underwent a physical and vulvar examination conducted by Dr. Falcotelo who issued a Medical Certificate dated June 15, 1998. The police took AAA's statement on June 17, 1998 and AAA subsequently filed a Complaint for Consummated Rape against accused-appellant on June 19, 1998. Because of the rape, BBB subsequently relocated AAA and their children to another *barangay*.

The defense painted a totally different picture of the events of June 12, 1998.

Accused-appellant testified on his own behalf. According to accused-appellant, as a *barangay* official, he participated in a parade held on June 12, 1998 from 7:00 to 11:00 in the morning. Accused-appellant went home at around 12:00 noon. Esteban Estopace (Esteban), the *barangay* captain of Jibong, dropped by to invite accused-appellant to his house to celebrate the arrival of Roel Estopace (Roel), Esteban's son and accused-appellant's friend. By the time accused-appellant arrived at Esteban's house, Roel had already left. Accused-appellant waited for Roel's return and in the meantime, had a drinking spree with Esteban until 4:00 in the afternoon. When Roel got back, he and accused-appellant agreed to transfer to the latter's place to continue drinking. Roel and accused-appellant drank until 9:00 that evening. Roel then went home and accused-appellant, after eating the food prepared by his wife, went to sleep as he was already drunk.

The defense presented several other witnesses, mostly AAA's immediate neighbors, namely, Paula Evasco-Estuarina, Lolita Evasco, Jael Habulan (Jael), Gemma Habulan, Celedonia Gabion, and accused-appellant's sister Lucena.

According to the collective testimonies of these witnesses, AAA and her children did spend the night of June 12, 1998 watching Betamax at another person's house and went home at around 9:00 in the evening.

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AAA would later drop by the Habulan's house to ask for help lighting her kerosene lamp. None of the witnesses observed anything strange about AAA's appearance or actuations that night, or noticed something unusual happening at AAA's house. AAA did not ask for help from any of the witnesses. Lucena denied that AAA came to her house that night. On June 13, 1998, AAA and her children joined accused-appellant's wife and children at a picnic in Kalayukan beach.

On November 22, 2006, the RTC promulgated its Decision, giving credence to the evidence of the prosecution and convicting accused-appellant of rape. The RTC decreed thus:

**WHEREFORE**, accused Andres Pileo y Estuaria is found GUILTY of RAPE beyond a reasonable doubt with one mitigating circumstance of voluntary surrender. He is sentenced to suffer the penalty of RECLUSION PERPETUA.

He is further ordered to pay the victim, AAA, civil indemnity of Fifty Thousand Pesos (₱50,000.00) and moral damages of Fifty Thousand Pesos (₱50,000.00).<sup>5</sup>

Hoping for the reversal of his conviction, accused-appellant appealed to the Court of Appeals. In his appeal brief, accused-appellant assigned the following errors on the part of the RTC:

- I. THE TRIAL COURT ERRED IN GIVING WEIGHT AND CREDENCE TO THE TESTIMONY OF THE COMPLAINANT DESPITE THE PRESENCE OF ATTENDANT AND COMPELLING CIRCUMSTANCES WHICH NEGATE THE COMMISSION OF RAPE BY THE ACCUSED ON THE COMPLAINANT.
- II. THE TRIAL COURT ERRED WHEN IT RESORTED TO SPECULATION AND CONJECTURE IN FINDING THAT THE ACCUSED COMMITTED THE CRIME CHARGED BECAUSE OF THE EFFECT OF ALCOHOL, AND THAT THE ACCUSED KNEW THAT AT THAT TIME COMPLAINANT'S HUSBAND WAS AWAY FROM x x x, SORSOGON, AS HE WAS IN GUBAT, SORSOGON.
- III. THE TRIAL COURT ERRED IN NOT GIVING CREDENCE TO THE TESTIMONY OF THE COMPLAINANT AND HIS WITNESSES AS TO THE IMPOSSIBILITY OF THE ACCUSED COMMITTING THE CRIME OF RAPE AGAINST THE COMPLAINANT, HIS VEHEMENT DENIALS

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<sup>5</sup> Id. at 337.

AGAINST THE CHARGE, AND SUPPORTED BY THE TESTIMONY OF THE MEDICO-LEGAL OFFICER THAT HE DID NOT FIND ANY LESIONS INDICATIVE OF FORCED SEXUAL INTERCOURSE OR RAPE.

- IV. THE TRIAL COURT ERRED IN NOT HOLDING THAT THE DELAY OF THE COMPLAINANT IN REPORTING TO HER HUSBAND THAT THE ACCUSED RAPED HER DESPITE THE FACT THAT HER HUSBAND ARRIVED AT MIDNIGHT OF THE SAME DAY OF THE ALLEGED COMMISSION OF THE CRIME CONSTITUTES A VERY SERIOUS FLAW IN THE EVIDENCE OF THE PROSECUTION.
- V. THE TRIAL COURT ERRED IN NOT ACQUITTING THE ACCUSED OF THE CRIME OF RAPE, AS HIS GUILT HAS NOT BEEN PROVEN BEYOND REASONABLE DOUBT.<sup>6</sup>

The Court of Appeals rendered its Decision on November 9, 2010, dismissing accused-appellant's appeal and affirming the RTC Decision *in toto*. In its Resolution<sup>7</sup> dated July 18, 2011, the appellate court denied accused-appellant's Motion for Reconsideration.

Hence, the instant appeal.

In compliance with our Resolution<sup>8</sup> dated July 4, 2012, both the accused-appellant and plaintiff-appellee filed their respective Manifestation and Motion stating that they are no longer filing a supplemental brief.

For our review are the same arguments accused-appellant raised before the Court of Appeals. Accused-appellant contends that AAA's testimony was not credible, the following being contrary to human experience: (a) AAA did not shout for help or create any noise during the alleged rape to catch the attention of her neighbors living nearby; (b) AAA did not confront accused-appellant and simply kept silent even when the two of them met a day after the alleged rape; (c) AAA and her children still joined accused-appellant's wife and children at a beach picnic on June 13, 1998; and (d) AAA ran to the house of accused-appellant's sister Lucena, which was a little farther off, and immediately told the latter about the alleged rape, instead of seeking help from her nearest neighbors and divulging the alleged rape to BBB as soon as he came home that night.

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<sup>6</sup> CA *rollo*, pp. 63-64.

<sup>7</sup> *Id.* at 220-222.

<sup>8</sup> *Rollo*, p. 18.

Accused-appellant also protests, for being based on speculations and conjectures, the declaration of the RTC that accused-appellant hatched up his sinister plan to rape AAA because “the alcohol got the better of him” after his extended drinking session with his friends. Accused-appellant further called attention to Dr. Falcotelo’s medical finding that AAA had no vaginal contusion or laceration which could prove forced sexual intercourse, thus, negating AAA’s claim of rape. Lastly, accused-appellant asserts that AAA’s delay in telling her husband BBB or the police about the rape indicates that the rape charge is fabricated.

The present appeal has no merit.

Essentially, accused-appellant challenges the weight and credence accorded by the RTC and the Court of Appeals to the evidence of the prosecution, which chiefly consists of AAA’s testimony. In *People v. Barcelá*,<sup>9</sup> we held:

Jurisprudence is replete with cases where the Court ruled that questions on the credibility of witnesses should best be addressed to the trial court because of its unique position to observe that elusive and incommunicable evidence of the witnesses’ deportment on the stand while testifying which is denied to the appellate courts. The trial judge has the advantage of actually examining both real and testimonial evidence including the demeanor of the witnesses. Hence, the judge’s assessment of the witnesses’ testimonies and findings of fact are accorded great respect on appeal. In the absence of any substantial reason to justify the reversal of the trial court’s assessment and conclusion, as when no significant facts and circumstances are shown to have been overlooked or disregarded, the reviewing court is generally bound by the former’s findings. The rule is even more stringently applied if the appellate court has concurred with the trial court. (Citations omitted.)

The general rule applies herein and we are bound by the findings of fact of the RTC, especially when it was affirmed by the Court of Appeals, as accused-appellant failed to convince us that the trial and appellate courts overlooked or disregarded any significant fact or circumstance.

Rape can be committed in any of the ways described under Article 266-A(1) of the Revised Penal Code, as amended:

Article 266-A. *Rape, When And How Committed.* - Rape is committed -

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<sup>9</sup> G.R. No. 208760, April 23, 2014.

1) By a man who shall have carnal knowledge of a woman under any of the circumstances:

- a) Through force, threat or intimidation;
- b) When the offended party is deprived of reason or is otherwise unconscious;
- c) By means of fraudulent machination or grave abuse of authority;
- d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.

The elements of rape committed under Article 266-A(1)(a) of the Revised Penal Code, as amended, are: (a) that the offender, who must be a man, had carnal knowledge of a woman, and (b) that such act is accomplished by using force or intimidation.<sup>10</sup> AAA's positive, categorical, and straightforward testimony established that accused-appellant had carnal knowledge of her by force. Reproduced below are pertinent portions of AAA's testimony:

- q: Was he able to remove your skirt and panty from your feet completely?
- a: He was able to remove my skirt and panty as he was forceful. He forcefully undressed me.
- q: What happened after the accused succeeded in undressing you?
- a: As he was continuously hugging me at that place where there were banana plants he was able to successfully [lay] me down.
- q: Will you please demonstrate to us your position when you were already forcibly made to lie down or describe to us more or less your position when after accused forcibly made you to lie down?
- a: I was lying flat with my back on the ground. I was trying to resist not to give in to the force exerted by him in trying me to lie down but I could not because as he was very forceful.
- q: What happened when you were already lying down?
- a: When I was already lying down he continued hugging me and he kissed my lips but when he did that I bite (sic) his tongue because I did not want that.

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<sup>10</sup> *People v. Aaron*, 438 Phil. 296, 309 (2002).



- q: What else happened, if any?  
a: I also bite (sic) him to his chest and my intention [was] to inflict pain so that I could extricate myself from his hold.
- q: Were you successful in your effort to have yourself extricate (sic) from him?  
a: I was not able to do so as he was on top of me.
- q: When you were biting what was the accused doing?  
a: As I was pinching him and keeping my legs as closed (sic) with one another so that his penis could not enter my vagina.
- q: For how long did you have your feet or your thighs closing together?  
a: I think for about ten minutes.
- q: And, were you successful in evading the sexual assault by doing just that?  
a: No, sir. What he did was to lift one of my feet and placed on his shoulder that is why his penis was able to penetrate my vagina.

## PROS. PURA:

We would like to make of record that the witness continuous (sic) to sob for about 30 minutes while testifying on the silent (sic) point of her narration.

- q: Madam Witness, for how long was his penis able to stay in your vagina?  
a: I think about 15 minutes. I could not really determine. All I knew he was able to finish.<sup>11</sup>

Accused-appellant was able to have sexual intercourse with AAA against her will and only by the use of force. From the very beginning, on the porch of AAA's house, AAA had resisted accused-appellant's amorous advances. Throughout the ordeal, AAA had attempted to run away from accused-appellant, bit him, pinched him, kept her legs closed as long as she could, and even hit him with a cassava stem. Unfortunately, accused-appellant was able to overcome AAA's resistance with his brute strength.

Accused-appellant questions why AAA did not cry for help when there are neighbors nearby who could have easily heard her and helped her. AAA, when she testified, did say she tried to shout for help, but because of extreme nervousness, no sound came out of her mouth.

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<sup>11</sup> TSN, September 9, 1998, pp. 14-16.

Accused-appellant also considers it illogical that AAA would run to Lucena's house when there are other neighbors' houses that are nearer and that AAA would readily reveal the rape to Lucena when the latter is accused-appellant's sister. We quote with approval the ruling of the RTC on this matter:

The fact that private complainant found herself at the doorstep of Lucena Espera, sister of the accused, instead of at the house of Paula Estuaria or Lolita Evasco, her immediate neighbors, precisely showed the state of mind she was in after she fled from the accused. Her confusion and lack of straight thinking at that moment led her to the person whom she should have known would naturally side with her own blood.<sup>12</sup>

That AAA's neighbors did not observe anything unusual with how AAA looked and acted when they saw her on the night of June 12, 1998 and that AAA and her children still joined accused-appellant's wife and children at a beach picnic on June 13, 1998, do not necessarily refute AAA's rape. As the RTC correctly rationalized, AAA exerted deliberate effort to act normally after the rape because she had not yet told her husband BBB about it, fearing BBB's reaction, and she wanted to avoid further untoward incidents that might jeopardize the welfare of her family, especially her four children, who needed their father to support them.

Moreover, it is not for us to say what is normal behavior for a rape victim, whether during or after the rape. Behavioral psychology teaches us that people react to similar situations dissimilarly. There is no standard form of behavior when one is confronted by a shocking incident as the workings of the human mind when placed under emotional stress are unpredictable.<sup>13</sup> As we had observed in *People v. Pareja*<sup>14</sup>:

Victims of a crime as heinous as rape, cannot be expected to act within reason or in accordance with society's expectations. x x x One cannot be expected to act as usual in an unfamiliar situation as it is impossible to predict the workings of a human mind placed under emotional stress. Moreover, it is wrong to say that there is a standard reaction or behavior among victims of the crime of rape since each of them had to cope with different circumstances. (Citation omitted.)

AAA's failure to immediately divulge the rape to BBB or the police likewise has a reasonable explanation. AAA was certain that BBB would want to avenge her and she feared that BBB might kill accused-appellant or

<sup>12</sup> Records, p. 336.

<sup>13</sup> *People v. Patentes*, G.R. No. 190178, February 12, 2014.

<sup>14</sup> G.R. No. 202122, January 15, 2014.



that accused-appellant might kill BBB. In either case, AAA was worried that she would lose BBB and she would be unable to raise her four children on her own. It took AAA three days to gather enough courage and find the opportunity to reveal what had happened to her to their Municipal Mayor and seek his help in informing BBB and confronting accused-appellant about the rape. We cannot see this three-day delay to mean that AAA's rape is fabricated given our following pronouncement in *People v. Leonar*<sup>15</sup>:

It has been held in a number of cases that delay or vacillation in making a criminal accusation does not necessarily impair the credibility of witnesses if such delay is satisfactorily explained. Fear of reprisal, social humiliation, familial considerations and economic reasons have been considered as sufficient explanations. x x x. (Citation omitted.)

Accused-appellant harps about Dr. Falcotelo's medical findings which, according to accused-appellant, belie AAA's claim of rape. It is settled in our jurisprudence that the absence of hymenal lacerations or abrasions, as well as of seminal fluid, spermatozoa, or hematoma around the genital area does not negate the commission of rape.<sup>16</sup> In a rape case, what is most important is the credible testimony of the victim. A medical examination and a medical certificate are merely corroborative and are not indispensable to a prosecution for rape. The court may convict the accused based solely on the victim's credible, natural, and convincing testimony.<sup>17</sup> In the instant case, both the RTC and the Court of Appeals gave full credence to AAA's testimony that accused-appellant, with the use of force, was able to insert his penis into her vagina, which undoubtedly consummates the crime of rape.

Accused-appellant's denial cannot overturn his conviction in light of AAA's positive testimony. The positive identification of the accused, when categorical and consistent and without any showing of ill motive on the part of the eyewitness testifying, should prevail over the mere denial of the accused whose testimony is not substantiated by clear and convincing evidence.<sup>18</sup> Furthermore, alibi and denial are weak defenses especially when measured up against the positive identification of accused-appellant as the malefactor by the victim AAA. Besides, accused-appellant failed to prove that it was physically impossible for him to be at the crime scene at the time of its commission.<sup>19</sup> We note that accused-appellant and AAA

<sup>15</sup> 421 Phil. 905, 915 (2001).

<sup>16</sup> *People v. Ombreso*, 423 Phil. 966, 990 (2001).

<sup>17</sup> *People v. Boromeo*, G.R. No. 150501, June 3, 2004, 430 SCRA 533, 541.

<sup>18</sup> *People v. Manicat*, G.R. No. 205413, December 2, 2013.

<sup>19</sup> *People v. Guillen*, G.R. No. 191756, November 25, 2013, 710 SCRA 533, 541-542.

lived in the same *barangay*. Accused-appellant himself testified that his drinking companion Roel already went home at around 9:00 in the evening, and he did not present any witness to corroborate his whereabouts thereafter.

We will no longer address accused-appellant's objection to the RTC's finding that he committed the rape because of his alcohol consumption. As we had previously discussed, the two elements of rape were already established in this case. There is no need to determine the reason why accused-appellant could have committed such a dastardly act against his neighbor AAA for it is not among the elements of the crime.

All told, the prosecution was able to establish the guilt of accused-appellant beyond reasonable doubt. The Court of Appeals committed no error in dismissing accused-appellant's appeal.

The penalty of *reclusion perpetua* imposed by the RTC upon accused-appellant, affirmed by the Court of Appeals, is in accord with Article 266-B, in relation to Article 266-A(1), of the Revised Penal Code, as amended. We add that accused-appellant shall not be eligible for parole pursuant to Section 3 of Republic Act No. 9346. The awards of civil indemnity and moral damages in the amount of ₱50,000.00 each is likewise consistent with current jurisprudence. We further award exemplary damages in the amount of ₱30,000.00 even when there is no aggravating circumstance attendant in this case in order to deter similar conduct and to serve as an example for public good. Lastly, we expressly subject the monetary awards made herein to legal interest at the rate of six percent (6%) per annum, reckoned from the date of finality of this judgment until they are fully paid.<sup>20</sup>

**WHEREFORE**, premises considered, the Decision dated November 9, 2010 of the Court of Appeals in CA-G.R. CR.-H.C. No. 02639, affirming *in toto* the Decision dated November 22, 2006 of the RTC of Gubat, Sorsogon, Branch 54, in Criminal Case No. 2090, is **AFFIRMED WITH MODIFICATIONS**. Accused-appellant Andres Pileo y Estuaría is found **GUILTY** beyond reasonable doubt of the crime of rape and sentenced to suffer the penalty of *reclusion perpetua*, without eligibility for parole. He is ordered to pay private complainant AAA the amounts of ₱50,000.00 as civil indemnity, ₱50,000.00 as moral damages, and ₱30,000.00 as exemplary damages, which are all subject to six percent


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<sup>20</sup> *People v. Bacatan*, G.R. No. 203315, September 18, 2013, 706 SCRA 170, 186-187.

(6%) interest per annum from the finality of this judgment until they are fully paid.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court

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Makati City

Court of Appeals (x)  
Manila  
(CA-G.R. CR H.C. No. 02639)

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The Hon. Presiding Judge  
Regional Trial Court, Br. 54  
4710 Gubat, Sorsogon  
(Crim. Case No. 2090)

Judgment Division (x)  
Supreme Court

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