

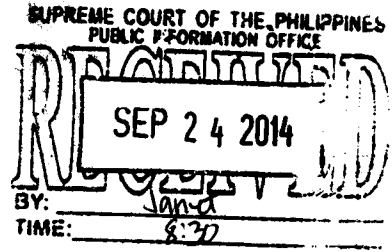
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REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **08 September 2014** which reads as follows:

G.R. No. 203104 – *People of the Philippines, plaintiff-appellee vs. Salvador Rubia y Priol, accused-appellant.*

After a careful review of the records of the case, the Court finds the appeal to be lacking in merit. Both the Regional Trial Court of Calabanga, Camarines Sur, Branch 63 and the Court of Appeals correctly found appellant Salvador Rubia y Priol guilty beyond reasonable doubt of two counts of rape and accordingly sentenced him to suffer the penalty of *reclusion perpetua* for each count. Furthermore, appellant is not eligible for parole pursuant to Section 3 of Republic Act No. 9346 (An Act Prohibiting The Imposition Of Death Penalty In The Philippines). The awards of moral damages in the amount of ₱50,000.00 and exemplary damages in the amount of ₱30,000.00, for each count, are proper. However, the award of civil indemnity for each count must be increased to ₱75,000.00 in line with prevailing jurisprudence. Moreover, interest at the rate of 6% *per annum* shall be imposed on all damages awarded pursuant to jurisprudence and Circular No. 799, series of 2013 of the *Bangko Sentral ng Pilipinas*.

**WHEREFORE**, the assailed February 9, 2012 Decision of the Court of Appeals in CA-G.R. CR H.C. No. 04619 finding appellant Salvador Rubia y Priol guilty beyond reasonable doubt of two counts of rape and sentencing him to suffer the penalty of *reclusion perpetua* and ordering him to pay “AAA” the amounts of ₱50,000.00 as moral damages and ₱30,000.00 as exemplary damages, for each count, is **AFFIRMED** with **MODIFICATIONS** in that the appellant is not eligible for parole; the award of civil indemnity is increased to ₱75,000.00 for each count; and interest at the rate of 6% *per annum* is imposed on all damages awarded from date of judgment until full payment. (*Mendoza, J., on leave under the Court’s Wellness Program from Sept. 1-15, 2014; Villarama, Jr., J., designated as Acting Member per S.O. No. 1767 dated August 27, 2014*).

**SO ORDERED.**

Very truly yours,

*MA. LOURDES C. PERFECTO*  
MA. LOURDES C. PERFECTO  
Division Clerk of Court *11/9/12*

By:

TERESITA AQUINO TUAZON  
Deputy Division Clerk of Court

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THE DIRECTOR (reg)  
Bureau of Corrections  
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 63  
Camarines Sur  
Crim. Cases No. 07-1170 to 1171

COURT OF APPEALS (x)  
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GR203104. 09/08/14 (485)SR *9/11/14*