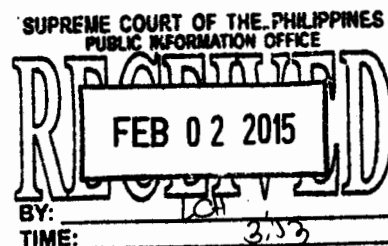




Republic of the Philippines  
Supreme Court  
Manila  
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated November 12, 2014 which reads as follows:*

**“G.R. No. 212812 (People of the Philippines v. Albert Juganas y Balmeo).**- The accused-appellant’s manifestation, in lieu of supplemental brief, that he will no longer file a supplemental brief and adopting the Appellant’s Brief dated April 13, 2012 as his supplemental brief; and the Office of the Solicitor General’s manifestation and compliance, stating that it is no longer submitting a supplemental brief since its Appellee’s Brief dated September 21, 2012 had already exhaustively and extensively discussed and refuted all the issues and arguments raised by appellant in his brief are both **NOTED**.

After a judicious perusal of the records, the Court resolves to **DISMISS** the appeal for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in its assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction. However, the Court deems it proper to award exemplary damages in the amount of ₱30,000.00, to conform with prevailing jurisprudence.<sup>1</sup>

**WHEREFORE**, the Court **ADOPTS** the findings of fact and conclusions of law in the December 9, 2013 Decision<sup>2</sup> of the CA in CA-G.R. CR-HC No. 05226 and **AFFIRMS** said Decision finding accused-appellant Albert Juganas y Balmeo **GUILTY** beyond reasonable doubt of the crime of Simple Rape, in violation of paragraph 1 (a), Article 266-A of the Revised Penal Code, with **MODIFICATIONS** as to the award of exemplary damages and eligibility for parole, sentencing him to suffer the penalty of *reclusion perpetua*, without eligibility for parole, and to pay the


<sup>1</sup> See *People v. Isla*, G.R. No. 199875, November 21, 2012, 686 SCRA 267.

<sup>2</sup> *Rollo*, pp. 2-10. Penned by Associate Justice Mario V. Lopez with Associate Justices Jose C. Reyes, Jr. and Socorro B. Inting, concurring.

following amounts: (a) ₱50,000.00 as civil indemnity; (b) ₱50,000.00 as moral damages; and (c) ₱30,000.00 as exemplary damages, plus legal interest of six percent (6%) *per annum* on all amounts imposed from the finality of this judgment until full payment.

**SO ORDERED.” SERENO, C.J.**, on official travel; **DEL CASTILLO, J.**, acting member per S.O. No. 1862 dated November 4, 2014. **BERSAMIN, J.**, on official travel; **VELASCO, JR., J.**, acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court <sup>manila</sup>  
**45**

The Solicitor General (x)  
Makati City

Court of Appeals (x)  
Manila  
(CA-G.R. CR H.C. No. 05226)

The Director  
Bureau of Corrections  
1770 Muntinlupa City

The Hon. Presiding Judge  
Regional Trial Court, Br. 27  
3100 Cabanatuan City  
(Crim. Case No. 13716)

Public Information Office (x)  
Library Services (x)  
Supreme Court  
(For uploading pursuant to A. M.  
No. 12-7-1-SC)

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Judgment Division (x)  
Supreme Court

Mr. Albert B. Juganas  
Accused-Appellant  
c/o The Director  
Bureau of Corrections  
1770 Muntinlupa City

SR

