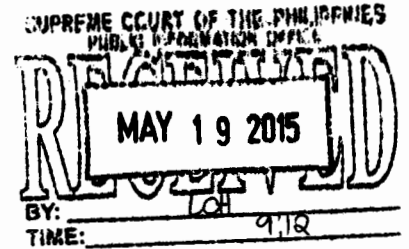




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Baguio City

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **15 April 2015** which reads as follows:

"G.R. No. 214504 (People of the Philippines v. Felipe Obsequio)

The records of this case were elevated to this Court on October 21, 2014, pursuant to the May 28, 2014 Resolution of the Court of Appeals, which gave due course to the notice of appeal filed by the accused, Felipe Obsequio.

The Court resolves to:

- (1) **NOTE** the Manifestation (In Lieu of Supplemental Brief), dated February 13, 2015 and February 18, 2015, filed by the Office of the Solicitor General (*OSG*) and the accused, respectively, stating that they were both dispensing with the filing of a supplemental brief as their respective appellee's and appellant's brief had exhaustively discussed the issues and the legal principles involved in this case; and
- (2) **DISMISS** the appeal of the accused for his failure to sufficiently show reversible error in the challenged decision warranting the exercise of the Court's appellate jurisdiction. Thus, the decision of the CA is affirmed, with the modification that moral damages and exemplary damages be awarded for each count of rape committed against the offended parties, in line with recent jurisprudence.¹

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the January 24, 2014 Decision of the Court of Appeals in CA G.R. CR-HC No. 05386, as follows:

- a) *In Criminal Case No. 22-M-2001* finding the accused, Felipe Obsequio, **GUILTY** beyond reasonable doubt of the crime of Rape against AAA under paragraph 2 of Article 266-B of the Revised Penal Code and sentencing him to suffer the indeterminate penalty of Eight (8) Years of *Prision Mayor*, as minimum, to Eighteen (18) Years of *Reclusion Temporal*, as maximum, and to pay the offended party the amount of Thirty Thousand Pesos

¹ *People v. Gambao*, G.R. No. 172707, October 1, 2013, 706 SCRA 508.

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(₱30,000.00) as civil indemnity, Thirty Thousand Pesos (₱30,000.00) as moral damages, and Thirty Thousand Pesos (₱30,000.00) as exemplary damages. The amount shall earn interest at Six (6%) Percent per annum from the finality of this judgment until fully paid.²

- b) *In Criminal Case No. 23-M-2001*, finding the accused, Felipe Obsequio, **GUILTY** beyond reasonable doubt of the crime of Rape through carnal knowledge against BBB and sentencing him to suffer the penalty of *Reclusion Perpetua*, without eligibility for parole, and to pay the offended party the amount of One Hundred Fifty Thousand Pesos (₱150,000.00) as civil indemnity, One Hundred Thousand Pesos (₱100,000.00) as moral damages, and One Hundred Thousand Pesos (₱100,000.00) as exemplary damages. The amount shall earn interest at Six (6%) Percent per annum from the finality of this judgment until fully paid.
- c) *In Criminal Case No. 24-M-2001*, finding the accused, Felipe Obsequio, **GUILTY** beyond reasonable doubt of the crime of Rape through carnal knowledge against CCC and sentencing him to suffer the penalty of *Reclusion Perpetua*, without eligibility for parole, and to pay the offended party the amount of One Hundred Fifty Thousand Pesos (₱150,000.00) as civil indemnity, One Hundred Thousand Pesos (₱100,000.00) as moral damages, and One Hundred Thousand Pesos (₱100,000.00) as exemplary damages. The amount shall earn interest at Six (6%) Percent per annum from the finality of this judgment until fully paid.
- d) *In Criminal Case No. 25-M-2001*, finding the accused, Felipe Obsequio, **GUILTY** beyond reasonable doubt of rape against AAA under paragraph 2 of Article 266-B of the Revised Penal Code and sentencing him to suffer the indeterminate penalty of Eight (8) Years of *Prision Mayor*, as minimum, to Eighteen (18) Years of *Reclusion Temporal*, as maximum, and to pay the offended party the amount of Thirty Thousand Pesos (₱30,000.00) as civil indemnity, Thirty Thousand Pesos (₱30,000.00) as moral

² *People v. Crisostomo*, G.R. No. 196435, January 29, 2014, 715 SCRA 99, citing *People v. Lomaque*, G.R. No. 189297, June 5, 2013, 697 SCRA 383.


damages, and Thirty Thousand Pesos (₱30,000.00) as exemplary damages. The amount shall earn interest at Six (6%) Percent per annum from the finality of this judgment until fully paid.³

- e) *In Criminal Case No. 26-M-2001*, finding the accused, Felipe Obsequio, **GUILTY** beyond reasonable doubt of rape against CCC under paragraph 2 of Article 266-B of the Revised Penal Code and sentencing him to suffer the indeterminate penalty of Eight (8) Years of *Prision Mayor*, as minimum, to Eighteen (18) Years of *Reclusion Temporal*, as maximum, and to pay the offended party the amount of Thirty Thousand Pesos (₱30,000.00) as civil indemnity, Thirty Thousand Pesos (₱30,000.00) as moral damages, and Thirty Thousand Pesos (₱30,000.00) as exemplary damages. The amount shall earn interest at Six (6%) Percent per annum from the finality of this judgment until fully paid.⁴

- f) *In Criminal Case No. 27-M-2001*, finding the accused, Felipe Obsequio, **GUILTY** beyond reasonable doubt of the crime of Rape against BBB under paragraph 2 of Article 266-B of the Revised Penal Code and sentencing him to suffer the indeterminate penalty of Eight (8) Years of *Prision Mayor*, as minimum, to Eighteen (18) Years of *Reclusion Temporal*, as maximum, and to pay the offended party the amount of Thirty Thousand Pesos (₱30,000.00) as civil indemnity, Thirty Thousand Pesos (₱30,000.00) as moral damages, and Thirty Thousand Pesos (₱30,000.00) as exemplary damages. The amount shall earn interest at Six (6%) Percent per annum from the finality of this judgment until fully paid.⁵ (*Brion, J., on leave; Perez, J., designated Additional Member, per Special Order No. 1977 dated April 15, 2015*)

SO ORDERED.

Very truly yours,


MA. LOURDES C. PERFECTO
Division Clerk of Court *19/04*

³ Id.

⁴ Id.

⁵ Id.

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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 13
Malolos, 3000 Bulacan
(Crim. Case Nos. 22-M-2001 to 27-M-2001)

FELIPE OBSEQUIO (reg)
Accused-Appellant
c/o The Director
Bureau of Corrections
1770 Muntinlupa City

THE DIRECTOR (reg)
Bureau of Corrections
1770 Muntinlupa City

COURT OF APPEALS (x)
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CA-G.R. CR-HC. No. 05386

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GR214504. 04/15/15 (77 & 192[b])URES ^{04/16/15}