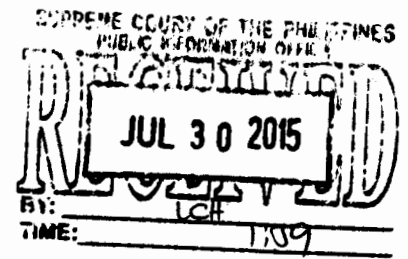




REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **06 July 2015** which reads as follows:*

***"G.R. No. 215321 - People of the Philippines v. Cerelo P. Aragon.***

The records of this case were elevated to this Court on November 28, 2014, pursuant to the Court of Appeals (CA) Resolution, dated October 17, 2014, which gave due course to the notice of appeal filed by accused-appellant Cerelo P. Aragon.

Pursuant to the Court's February 16, 2015 Resolution, the Office of the Solicitor General filed its Manifestation and Compliance, dated March 27, 2015, stating that it was no longer submitting a supplemental brief as its Appellee's Brief had already exhaustively discussed the issues and assignments raised by the accused-appellant. On April 17, 2015, the accused-appellant filed a manifestation in lieu of supplemental brief averring that he was adopting his Appellant's Brief which he had earlier filed before the CA.

After a perusal of the records of the case, the Court resolves to **DISMISS** the appeal for failure of the accused-appellant to sufficiently show reversible error in the challenged decision to warrant the exercise of its appellate jurisdiction.

The Court, however, finds that the damages awarded by the lower courts should be modified. Recent jurisprudence<sup>1</sup> has set the minimum indemnity and damages in cases where death should be the penalty as warranted by the facts but not imposable under the present law, to be as follows: ₱100,000.00 as civil indemnity; ₱100,000.00 as moral damages; and ₱100,000.00 as exemplary damages to set an example for the public good. The CA, nonetheless, appropriately held that an interest at the rate of 6% per annum shall be imposed on all damages awarded from the date of finality of this judgment until fully paid pursuant to prevailing jurisprudence.<sup>2</sup>

**WHEREFORE**, the appeal is **DISMISSED**. The January 30, 2014 Decision of the Court of Appeals in CA-G.R. CEB CR-HC No. 01353 is **AFFIRMED with MODIFICATION**, as to the award of damages, increasing the amounts for each count of qualified rape, as follows:

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

<sup>2</sup> *People v. Manigo*, G.R. No. 194612, January 27, 2014, 714 SCRA 551, 564.

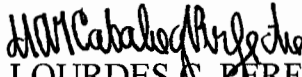
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₱100,000.00 as civil indemnity; ₱100,000.00 as moral damages; and ₱100,000.00 as exemplary damages. All amounts are subject to 6% interest per annum from the date of finality of this judgment until fully paid. (*Carpio J., on official leave, Del Castillo, J., designated Acting Chairperson and Peralta, J., designated Acting Member, per Special Order Nos. 2087 (Revised) and 2088, both dated July 1, 2015; Brion, J., on leave, Bersamin, J., designated Acting Member, per Special Order No. 2079, dated June 29, 2015.*)

**SO ORDERED."**

Very truly yours,

  
 MA. LOURDES C. PERFECTO  
 Division Clerk of Court 6/7/15

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THE DIRECTOR (reg)  
 Bureau of Corrections  
 1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)  
 Regional Trial Court, Branch 13  
 Carigara, Leyte 6529

COURT OF APPEALS (reg)  
 Cebu City  
 CA-G.R. CEB CR HC No. 01353

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Please notify the Court of any change in your address.  
 GR215321. 07/06/15 (137)URES