



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated November 6, 2019, which reads as follows:

“G.R. No. 240435 (PEOPLE OF THE PHILIPPINES, *plaintiff-appellee* v. LORETO MERGINIO y DODNIDON a.k.a. “Aswang,” *accused-appellant*). — On June 5, 2018,¹ the Court of Appeals elevated the records of this case to this Court in accordance with its December 21, 2017 Resolution,² which gave due course to the Notice of Appeal³ filed by accused-appellant Loreto Merginio y Dodnidon.

In its August 13, 2018 Resolution,⁴ this Court noted the records of this case forwarded by the Court of Appeals and required accused-appellant and plaintiff-appellee People of the Philippines, through the Office of the Solicitor General, to file their respective supplemental briefs.

In its January 23, 2019 Resolution,⁵ this Court noted the separate manifestations filed by plaintiff-appellee⁶ and accused-appellant,⁷ stating that they would no longer file supplemental briefs, and that accused-appellant would adopt his appellant’s brief as his supplemental brief.

On July 17, 2019, this Court resolved to affirm with modifications the November 22, 2013 Court of Appeals Decision.⁸

Aggrieved, accused-appellant, through the Public Attorney’s Office, filed a Motion for Reconsideration seeking the reversal of the July 17, 2019 resolution.⁹

¹ *Rollo*, p. 1.
² *Id.* at 29.
³ *Id.* at 26–28.
⁴ *Id.* at 31–32.
⁵ *Id.* at 47–48.
⁶ *Id.* at 41–46.
⁷ *Id.* at 36–40.
⁸ *Id.* at 51–53.
⁹ Temporary *rollo*.

In a Letter¹⁰ dated August 12, 2019, the Inmate Documents and Processing Division Chief of the Bureau of Corrections informed this Court that accused-appellant died on August 10, 2019.

WHEREFORE, in view of accused-appellant Loreto Merginio y Dodnidon's death on August 10, 2019, this Court resolves to **RECALL** and **SET ASIDE** its Resolution dated July 17, 2019 and **DISMISS** the criminal case filed against accused-appellant.

In view thereof, the Motion to Withdraw Motion for Reconsideration dated October 15, 2019 of the Resolution dated July 17, 2019, filed by the Public Attorney's Office, SACS, is **NOTED WITHOUT ACTION**.

The case is considered **CLOSED** and **TERMINATED**.

SO ORDERED." (Gesmundo, J., on leave.)

Very truly yours,

Misael DC Batt
MISAELO DOMINGO C. BATTUNG III
Deputy Division Clerk of Court

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The Presiding Judge
REGIONAL TRIAL COURT
Branch 26, Sta. Cruz
4009 Laguna
(Crim. Case Nos. SC-9202, SC-9203
SC-9204 & SC-9452)

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¹⁰ Rollo, p. 54.