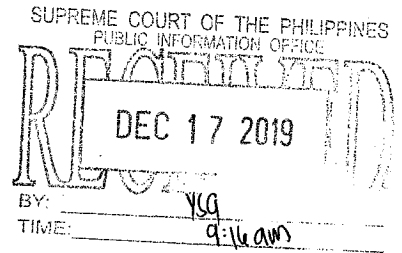




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION



NOTICE

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **11 November 2019** which reads as follows:

G.R. No. 242163 (People of the Philippines v. AAA¹)

After a judicious study of the case, the Court resolves to **DISMISS** the appeal² for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in the assailed Decision as to warrant the exercise of the Court's appellate jurisdiction.

WHEREFORE, the Court **ADOPTS** the findings of fact and conclusions of law in the May 25, 2018 Decision³ of the CA in CA-G.R. CR-HC No. 08234 and **AFFIRMS** said Decision finding accused-appellant AAA **GUILTY** beyond reasonable doubt of the crimes of Rape in Criminal Case No. 2012-14290-MK, defined and penalized under Article 266-A of the Revised Penal Code, and Qualified Trafficking in Criminal Case No. 2012-14291-MK, defined and penalized under Section 4 (a), in relation to Section 6 (a) of Republic Act No. (RA) 9208,⁴ otherwise known as the Anti-Trafficking in Persons Act of 2003." Accordingly, he is sentenced to suffer the following penalties: (a) *reclusion perpetua* and to pay BBB⁵ the amounts of ₱75,000.00 as civil indemnity, 75,000.00 as moral damages, and 75,000.00 as exemplary damages for Rape; and (b) life imprisonment and to pay BBB the amounts of ₱500,000.00 as moral damages, ₱100,000.00 as exemplary damages,⁶ and a fine of ₱2,000,000.00⁷ for Qualified Trafficking.

¹ Pursuant to Supreme Court Amended Administrative Circular No. 83-2015 entitled "PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS NAMES/PERSONAL CIRCUMSTANCES" issued on September 5, 2017.

² See Notice of Appeal dated June 18, 2018; *rollo*, pp. 32-33.

³ *Id.* at 2-31. Penned by Associate Justice Sesinando E. Villon with Associate Justices Edwin D. Sorongon and Maria Filomena D. Singh, concurring.

⁴ Entitled "AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS, AND FOR OTHER PURPOSES," approved on May 26, 2003.

⁵ The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to RA 7610, entitled "AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES," approved on June 17, 1992; RA 9262, entitled "AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER PURPOSES," approved on March 8, 2004; and Section 40 of A.M. No. 04-10-11-SC, otherwise known as the "RULE ON VIOLENCE AGAINST WOMEN AND THEIR CHILDREN" (November 15, 2004). (See footnote 4 in *People v. Cadano, Jr.*, 729 Phil. 576, 578 [2014], citing *People v. Lomaque*, 710 Phil. 338, 342 [2013]. See also Amended Administrative Circular No. 83-2015, entitled "PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS NAMES/PERSONAL CIRCUMSTANCES," dated September 5, 2017.) See further *People v. Ejercito*, G.R. No. 229861, July 2, 2018. To note, the unmodified CA Decision was not attached to the records to verify the real name of the victim.

⁶ See *People v. Aguirre*, G.R. No. 219952, November 20, 2017, 845 SCRA 227, 246.

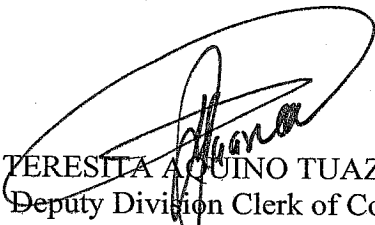
⁷ See Section 10 (e) RA 9208, as amended by RA 10364, otherwise known as the "Expanded Anti-Trafficking in Persons Act of 2012." See also *People v. Ybañez*, 793 Phil. 877, 885 (2016).

Andy

Moreover, all monetary awards shall earn an interest at the legal rate of six percent (6%) per annum from the date of finality of this Resolution until full payment.

SO ORDERED. (INTING, J., on official leave. ZALAMEDA, J., designated as Additional Member per Special Order No. 2727 dated October 25, 2019.)"

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court
10 DEC 2019

PUBLIC ATTORNEY'S OFFICE (reg)
Special & Appealed Cases Service
Department of Justice
5th Floor, PAO-DOJ Agencies Building
NIA Road corner East Avenue
Diliman, 1104 Quezon City

OFFICE OF THE SOLICITOR GENERAL (reg)
134 Amorsolo Street
1229 Legaspi Village
Makati City

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 168
Marikina City
(Crim. Case No. 2012-14290-91-MK)

JUDGMENT DIVISION (x)
Supreme Court, Manila

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Supreme Court, Manila

COURT OF APPEALS (x)
Ma. Orosa Street
Ermita, 1000 Manila
CA-G.R. CR-HC No. 08234

Please notify the Court of any change in your address.
GR242163. 11/11/19A(48)URES(m)