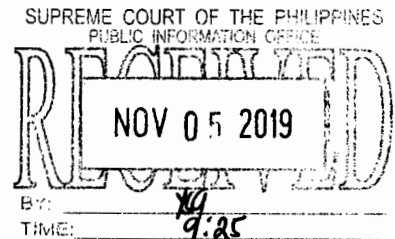




Republic of the Philippines  
Supreme Court  
Manila



FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **October 9, 2019** which reads as follows:*

**“G.R. No. 248574 (Spouses Jose and Amelia Garcia v. Venus M. Lorea)**

The petitioners’ motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period.

After a judicious study of the case, the Court resolves to **DENY** the instant petition<sup>1</sup> and **AFFIRM** the April 5, 2019 Decision<sup>2</sup> and the July 24, 2019 Resolution<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. CV No. 110184 for failure of petitioners Spouses Jose and Amelia Garcia (petitioners) to sufficiently show that the CA committed any reversible error in affirming the November 29, 2017 Decision<sup>4</sup> of the Regional Trial Court of Manila, Branch 28 in Criminal Case No. 15-317472, finding them civilly liable to pay respondent Venus M. Lorea (respondent) the amount of ₱915,000.00, which shall earn an interest at the rate of six percent (6%) per annum from the date of judicial demand until the finality of this Resolution. Moreover, the foregoing amount shall further earn interest at the rate of 6% per annum from the date of finality of this Resolution until full payment.

As correctly ruled by the CA, respondent is entitled to receive actual damages as adequate compensation for such pecuniary loss which she may have suffered and had duly proved.<sup>5</sup> While respondent

<sup>1</sup> Rollo, pp. 11-24.

<sup>2</sup> Id. at 31-38. Penned by Associate Justice Jané Aurora C. Lantion with Associate Justices Maria Elisa Sempio Diy and Germano Francisco D. Legaspi, concurring.

<sup>3</sup> Id. at 40-41.

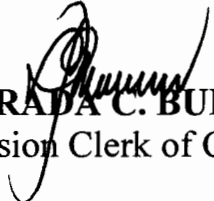
<sup>4</sup> Id. at 56-67. Penned by Presiding Judge Jean Marie A. Bacorro-Villena.

<sup>5</sup> See id. at 36-37. See also Article 2199 of the Civil Code reads:

was only able to present an acknowledgment receipt evidencing payment of the initial ₱450,000.00, petitioners admitted during trial that they received a total of ₱915,000.00 from respondent as payment for the subject property.<sup>6</sup> Settled is the rule that factual findings of trial courts, especially when affirmed by the appellate courts and supported by sufficient evidence, deserve respect and finality by this Court.<sup>7</sup>

**SO ORDERED.”** *Zalameda, J., designated as Additional Member per Special Order No. 2712 dated September 27, 2019.*

Very truly yours,

  
**LIBRADA C. BUENA**  
Division Clerk of Court

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(CA-G.R. CV No. 110184)

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The Presiding Judge  
Regional Trial Court, Branch 28  
1000 Manila  
(Criminal Case No. 15-317472)

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Article 2199. Except as provided by law or by stipulation, one is entitled to an adequate compensation only for such pecuniary loss suffered by him as he has duly proved. Such compensation is referred to as actual or compensatory damages.

<sup>6</sup> See *rollo*, p. 37.

<sup>7</sup> See *Pacific Airways Corporation v. Tonda*, 441 Phil. 156, 162 (2002).