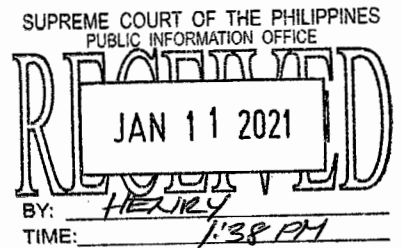




Republic of the Philippines  
Supreme Court  
Manila

THIRD DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **July 13, 2020**, which reads as follows:

**“G.R. No. 251410 (Jessie Pendre a.k.a. “Joselito Noceda Pendre,” Petitioner, v. People of the Philippines, Respondent).** – After review of the records, the Court resolves to DENY the appeal for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in its 14 June 2019 Decision and 16 January 2020 Resolution as to warrant the exercise of the Court’s appellate jurisdiction.

Nevertheless, We modify the nomenclature of the offense committed from violation of Section 5(b) of Republic Act No. (RA) 7610 to acts of lasciviousness under Article 336 of the Revised Penal Code in relation to Section 5(b) of RA 7610. The award of damages imposed against the accused-appellant should be modified as well, in keeping with jurisprudence.<sup>1</sup> Accused-appellant is liable to pay AAA<sup>2</sup> the following amounts: Php50,000.00 as civil indemnity, Php50,000.00 as moral damages and Php50,000.00 as exemplary damages.

**WHEREFORE**, the appeal is hereby **DENIED**. Accordingly, the 14 June 2019 Decision and the 16 January 2020 Resolution of the Court of Appeals in CA-G.R. CR No. 41187 are **AFFIRMED WITH MODIFICATIONS**. Accused-appellant is hereby found guilty beyond reasonable doubt of the crime of Acts of Lasciviousness under Article 336 of the Revised Penal Code, in relation to Section 5(b), Article III of RA 7610. He is sentenced to suffer the indeterminate penalty of imprisonment of thirteen (13) years, nine (9) months and eleven (11) days of *reclusion temporal*, as minimum, to sixteen (16) years and five (5) months and ten (10)

<sup>1</sup>*People v. Tulagan*, G.R. No. 227363, 12 March 2019.

<sup>2</sup>The identity of the victim or any information which could establish or compromise her identity, including the names of her immediate family or household members, and the *barangay* and town of the incident, are withheld pursuant to SC Amended Administrative Circular No. 83-2015.

July 13, 2020

days of *reclusion temporal*, as maximum. Further, accused-appellant is liable to pay AAA the following amounts: Php50,000.00 as civil indemnity, Php50,000.00 as moral damages, Php50,000.00 as exemplary damages and Php15,000.00 fine. Likewise, all the amounts awarded shall be subject to six percent (6%) interest *per annum* from the date of the resolution until fully paid.<sup>3</sup>

**SO ORDERED.”**

By authority of the Court:

*Mis PDC Batt*  
**MISAELO DOMINGO C. BATTUNG III**  
*Division Clerk of Court* *J. M. M. M.*

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**G.R. No. 251410**

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<sup>3</sup>*Nacar v. Gallery Frames*, G.R. No. 189871, 13 August 2013.