



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 4, 2022**, which reads as follows:

“G.R. No. 248243 (*People of the Philippines v. Allan Mandea y Payaga a.k.a. Papa Allan, a.k.a. Allan Manin y Payaga*).— Accused-appellant Allan Mandea y Payaga (Allan) bewails the *Decision*¹ dated 29 March 2019 of the Court of Appeals (CA) in CA-G.R. CR-H.C. No. 10370, which affirmed the *Judgment*² dated 6 July 2017 of the Regional Trial Court (RTC) of ██████ City, Branch 98. The RTC found him guilty beyond reasonable doubt of the crime of Statutory Rape.

In the Information dated 13 September 2013, Allan was indicted for the crime of Statutory Rape,³ the accusatory averments of which read:

That on or about the 27th day of June 2013 in the City of ██████, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, with lewd design, did then and there wilfully, unlawfully and feloniously have sexual intercourse with “AAA,”⁴ an eight (8) year old child, and the daughter of his common law spouse, against her will and consent.

SO ORDERED.⁵

Upon arraignment, Allan pled not guilty to the charge. Trial forthwith ensued.

The prosecution endeavored to prove the culpability of Allan cashing in on the testimonies of AAA⁶ and BBB,⁷ her mother. A synthesis thereof

¹ *Rollo*, pp. 3-14. Penned by Associate Justice Ma. Luisa C. Quijano-Padilla (now retired) with the concurrence of Associate Justices Elihu A. Ybañez (now retired) and Gabriel T. Robeniol.

² *CA Rollo*, pp. 49-62. Penned by Presiding Judge Purita M. Deynata.

³ The case was docketed as Criminal Case No. 2013-46934.

⁴ Consistent with the ruling of this Court in the case of *People v. Cabalquinto* and the Resolution dated 19 September 2006 in A.M. No. 04-11-09-SC, the real name and identity of the victim, as well as the members of her family, are not disclosed. The rape victim shall herein be referred to as AAA. AAA’s personal circumstances, as well as other information tending to establish her identity, and that of her immediate family or household members, are not disclosed in this Decision.

⁵ Records, p. 1.

⁶ TSN, 5 August 2014, pp. 4-25.

⁷ TSN, 2 September 2014, pp. 3-16.

follows.

Around four o'clock in the afternoon of 27 June 2013, while BBB was still at work, then eight-year-old AAA was inside the bedroom with her younger brother who was asleep. Allan, who AAA endearingly called "Papa Allan," approached and ordered her to remove her panty. Prior to satiating his bestial desires, he threatened to hurt AAA and her family should she fight back or tell anyone about the molestation. Feeling weak and helpless, AAA froze as Allan laid on top of her and forcibly inserted his penis into her vagina for a period of time.⁸

After a few minutes, BBB arrived. Seeing that the door of their house was closed, she peeped through the window and saw Allan completely naked. She likewise saw AAA shaking and sitting on the floor near the bed. BBB rushed towards AAA and she asked her what had happened. In response, AAA uttered that she was raped by her "Papa Allan." Furious, BBB slapped and confronted Allan, who, in turn, immediately asked for BBB's forgiveness professing that he just fell into temptation.⁹ BBB wasted no time in accompanying AAA to the police station to report the incident. The medical examination conducted on her by Police Chief Inspector Anna Lisa Dela Cruz (PCI Dela Cruz) revealed that she had a deep healing laceration at the six o'clock position of the posterior fourchette with superimposed congestion extending up to the peri-hymenal region.¹⁰

Professing innocence, Allan denied having raped AAA and insisted that BBB, his live-in partner for five years, merely fabricated the charge against him out of extreme jealousy.¹¹

Sifting through the discordant evidence of the prosecution and the defense, the RTC rendered judgment, convicting Allan of the crime charged. The *fallo* thereof ordains:

ACCORDINGLY, [accused] ALLAN MANDEA y Payaga @ Papa Allan @ Allan Manin y Payaga is found **GUILTY** beyond reasonable doubt of statutory rape, with relationship and minority as aggravating circumstances. He is sentenced to suffer the penalty of *reclusion perpetua* and, in line with current jurisprudence, he is ordered to pay "AAA": (1) moral damages in the amount of P75,000.00; (2) civil indemnity in the amount of P75,000.00; and, (3) exemplary damages in the amount of P75,000.00.

In conformity with current policy, the court imposes interest on all monetary awards for damages at the rate of six percent (6%) *per annum* from the date of the finality of this decision until fully paid (*People v. Veloso*, G.R. No. 188849, February 13, 2013, 690 SCRA 586.)

⁸ TSN, 5 August 2014, pp. 4-10.

⁹ TSN, 2 September 2014, pp. 5-8.

¹⁰ Records, p. 10.

¹¹ TSN, 3 November 2015, pp. 4-16.

[Accused] shall serve his sentence at the Bureau of Corrections, National Bilibid Prisons, Muntinlupa City, Metro Manila. The period of time already served by him while under detention at the ██████ City Jail shall be credited in his favour.

SO ORDERED.¹²

The RTC zeroed in on AAA's positive and categorical testimony, which established that indeed, Allan had carnal knowledge of her without her consent. Corollarily, the medical findings of PCI Dela Cruz evinced a blunt penetrating trauma to the hymen of AAA, then an eight-year-old girl. Thence, the RTC held that AAA's credible testimony, as corroborated by the physician's finding of penetration, conclusively proved the essential elements of statutory rape.

Allan thenceforth sought refuge before the CA, poking holes in the findings of the RTC by positing that the prosecution failed to sufficiently establish that AAA was under 12 years old at the time of the commission of the crime. He asseverated that the age of the victim was a necessary element of the crime charged and should be proven with equal certainty as the commission of the criminal offense.¹³

In the assailed *Decision*,¹⁴ the CA sustained the ruling of the RTC, ratiocinating and disposing in this prose:

While the victim's birth certificate was not presented, the record is replete with proof that the victim was only eight (8) years old at the time of the commission of the offense. The following documents were presented to prove that the victim was eight (8) years old, as follows:

1. The *Resolution* of the Office of the City Prosecutor;
2. The *Memorandum* of the Philippine National Police (PNP) ██████ Police Station;
3. The *Sinumpaang Salaysay* of the victim's mother;
4. The *Initial Medico-Legal Report* and *Medico Legal Report* of the ██████ Crime Laboratory; and
5. The *Urinalysis Results* of the victim.

In addition, the victim herself testified under oath and in open court that she was nine (9) years old at the time of her testimony, which was more than a year after the incident.

Yet, despite all these documents and testimonies, [accused-appellant] never contested the victim's age during trial. It is only now, on appeal, that he claims that the victim's age was not sufficiently proven.

Further, by impugning the victim's age, [accused-appellant] inadvertently admitted in his testimony that the victim was an eight-year old child, thus:

¹² CA rollo, pp. 61-62.

¹³ Id. at 39-47.

¹⁴ Supra note 1.

DIRECT EXAMINATION:

Q [Atty. Asuncion]: Good Morning, Mr. Witness. Are you the same Allan Manda, the accused in the instant case?

A [accused-appellant]: Yes, sir.

Q Do you know [AAA], an eight (8) year old child?

A Yes, sir. (Emphasis ours)

x x x x

Q Her sibling. How old is the sibling of [AAA], Mr. Witness?

A Six (6), Sir.

It is clear from [accused-appellant's] own testimony that he was very much aware of the victim's age, and even the age of her younger sibling. Consequently, when he confirmed that he knew the victim, who was described as an eight (8) year-old girl, he effectively admitted that he knew her to be of that age.

Therefore, We find no reason to deviate from the finding of the trial court that the victim was only eight (8) years old at the time of the incident, especially considering that the trial court even had the opportunity to see the physique and appearance of the victim when she testified in open court.¹⁵

x x x x

WHEREFORE, premises considered, the instant *appeal* is **DENIED**. The *Judgment* dated July 6, 2017 of the Regional Trial Court (RTC), Branch 98, ██████ City, in Criminal Case No. 2013-46934, finding accused-appellant **ALLAN MANDEA y PAYAGA GUILTY** beyond reasonable doubt of the crime of Statutory Rape, is hereby **AFFIRMED**.

SO ORDERED.¹⁶

Displeased with the foregoing disposition, appellant is now before this Court, ascribing error on the part of the CA in affirming his conviction—

I

DESPITE THE PROSECUTION'S FAILURE TO PROVE THE MATERIAL ELEMENTS OF STATUTORY RAPE.

II

DESPITE THE INCONSISTENT TESTIMONIES OF THE PROSECUTION WITNESSES.

III

DESPITE THE PROSECUTION'S FAILURE TO PROVE HIS GUILT BEYOND REASONABLE DOUBT.¹⁷

¹⁵ *Rollo*, pp. 7-8.

¹⁶ *Id.* at. 13.

¹⁷ *CA rollo*, pp. 35-36.

Appellant intransigently avows that the prosecution failed to sufficiently establish that AAA was eight years old at the time of the commission of the crime, maintaining that the age of the victim is a necessary element of the crime charged which must be proven with equal certainty as the commission of the criminal offense.¹⁸ Moreover, he avouches that the RTC erred in giving full faith and credence on the testimonies of the prosecution witnesses despite the irreconcilable and unexplained contradictions therein.¹⁹

Appellant's avowal is partly meritorious.

Incipiently, it is axiomatic that an appeal in criminal cases opens the entire case for review, and it is the duty of the reviewing tribunal to correct, cite, and appreciate errors in the appealed judgment whether they are assigned or unassigned. The appeal confers the appellate court full jurisdiction over the case and renders such court competent to examine records, revise the judgment appealed from, increase the penalty, and cite the proper provision of the penal law.²⁰

Guided by the foregoing jurisprudential precept, this Court finds it judicious to modify appellant's conviction from Statutory Rape to Simple Rape, as will be explained hereunder.

The pertinent provisions of Article 266-A, in relation to Article 266-B, of the Revised Penal Code (RPC), as amended, respectively read:

Article 266-A. *Rape: When and How Committed.* — Rape is committed. —

1. By a man who shall have carnal knowledge of a woman under any of the following circumstances:
 - a) Through force, threat, or intimidation;
 - b) When the offended party is deprived of reason or otherwise unconscious;
 - c) By means of fraudulent machination or grave abuse of authority; and
 - d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.

x x x x

Article 266-B. *Penalties.* — Rape under paragraph 1 of the next preceding article shall be punished by *reclusion perpetua*.

x x x x

¹⁸ Id. at p. 39.

¹⁹ Id. at 42-44.

²⁰ See *People v. De Guzman y Buhay*, G.R. No. 234190, 1 October 2018.

The death penalty shall also be imposed if the crime of rape is committed with any of the following aggravating/qualifying circumstances:

- 1) When the victim is under eighteen (18) years of age and the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common-law spouse of the parent of the victim.

X X X X

Statutory Rape under Article 266-A (1)(d) of the RPC is committed by having sexual intercourse with a woman below twelve (12) years of age regardless of her consent, or lack of it, to the sexual act. Proof of force, threat, or intimidation, or consent of the offended party is unnecessary as these are not elements of Statutory Rape, considering that the absence of free consent is conclusively presumed when the victim is below the age of twelve (12). The law presumes that the offended party does not possess discernment and is incapable of giving intelligent consent to the sexual act. Thus, to sustain a conviction for Statutory Rape, the prosecution must establish the following: *(a) the age of the complainant; (b) the identity of the accused; and (c) the sexual intercourse between the accused and the complainant.*²¹ Furthermore, these acts of Rape shall be **qualified** pursuant to Article 266-B (1) of the RPC if: *(i) the victim is under eighteen (18) years of age; and (ii) the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common-law spouse of the parent of the victim.*²²

In sooth, in convicting the accused of either *statutory rape or qualified rape*, the victim’s age is a primordial consideration which must be both alleged in the Information and sufficiently proven by the prosecution during trial.

In the case at bench, while AAA’s age was properly alleged in the Information,²³ there is a dearth of hard evidence on record which satisfies the quantum of proof necessary to convict appellant of statutory rape or qualified rape.

In appreciating age, either as an element of the crime or as a qualifying circumstance, the Court hews to the guidelines it had earlier set in the case of *People v. Pruna*,²⁴ viz.:

In order to remove any confusion that may be engendered by the foregoing cases, we hereby set the following guidelines in appreciating age, either as an element of the crime or as a qualifying circumstance.

- 1. The best evidence to prove the age of the offended party is an original or certified true copy of the certificate of live birth of such party.

²¹ Id.
²² Id.
²³ Records, p. 1.
²⁴ 439 Phil. 440 (2002).

2. In the absence of a certificate of live birth, similar authentic documents such as baptismal certificate and school records which show the date of birth of the victim would suffice to prove age.
3. If the certificate of live birth or authentic document is shown to have been lost or destroyed or otherwise unavailable, the testimony, if clear and credible, of the victim's mother or a member of the family either by affinity or consanguinity who is qualified to testify on matters respecting pedigree such as the exact age or date of birth of the offended party pursuant to Section 40, Rule 130 of the Rules on Evidence shall be sufficient under the following circumstances:
 - a. If the victim is alleged to be below 3 years of age and what is sought to be proved is that she is less than 7 years old;
 - b. If the victim is alleged to be below 7 years of age and what is sought to be proved is that she is less than 12 years old;
 - c. If the victim is alleged to be below 12 years of age and what is sought to be proved is that she is less than 18 years old.
4. In the absence of a certificate of live birth, authentic document, or the testimony of the victim's mother or relatives concerning the victim's age, the complainant's testimony will suffice provided that it is expressly and clearly admitted by the accused.
5. It is the prosecution that has the burden of proving the age of the offended party. **The failure of the accused to object to the testimonial evidence regarding age shall not be taken against him.**
6. The trial court should always make a categorical finding as to the age of the victim.²⁵

Here, not a nary of documentary evidence as mentioned in the first and second guidelines was adduced by the prosecution to prove the age of AAA.

In the same vein, the prosecution cannot rely on the sole basis of BBB's testimony in proving AAA's age. While BBB declared that AAA was eight years old at the time of the incident, simply professing the same does not satisfy the guideline as it categorically provides that testimony of the victim's mother may be admitted *only after the "certificate of live birth or authentic document is shown to have been lost or destroyed or otherwise unavailable."*

In *XXX v. People*,²⁶ citing *People v. Hilarion*,²⁷ the Court did not appreciate the mother's testimony as to her daughter's age because she failed to prove how the birth certificate or other authentic documents were lost, destroyed, or were otherwise unavailable—

²⁵ Id. at 470 and 471.

²⁶ G.R. No. 243151, 2 September 2019.

²⁷ 722 Phil. 52 (2013).

In the present case, the records are completely devoid of evidence that the certificates recognized by law have been lost or destroyed or were otherwise unavailable. The mother simply testified without prior proof of the unavailability of the recognized primary evidence. Thus, proof of the victim's age cannot be recognized, following the rule that all doubts should be interpreted in favor of the accused.²⁸

Finally, this Court refuses to pander to the finding of the CA that appellant admitted to having knowledge of AAA's age during the time of the incident. We reverberate the portion of the *CA Decision* apropos the issue at hand:

Further, by impugning the victim's age, [accused-appellant] *inadvertently admitted* in his testimony that the victim was an eight-year old child, thus:

DIRECT EXAMINATION:

Q [Atty. Asuncion]: Good Morning, Mr. Witness. Are you the same Allan Manda, the accused in the instant case?

A [accused-appellant]: Yes, sir.

Q Do you know [AAA], **an eight (8) year old child**?

A **Yes, sir.** (Emphasis ours)

x x x x

Q Her sibling. How old is the sibling of [AAA], Mr. Witness?

A Six (6), Sir.

It is clear from [accused-appellant's] own testimony that he was very much aware of the victim's age, and even the age of her younger sibling. Consequently, when he confirmed that he knew the victim, who was described as an eight (8) year-old girl, he effectively admitted that he knew her to be of that age.

Therefore, We find no reason to deviate from the finding of the trial court that the victim was only eight (8) years old at the time of the incident, especially considering that the trial court even had the opportunity to see the physique and appearance of the victim when she testified in open court.²⁹

Responding in the affirmative when asked if appellant knew "**AAA, an 8-year-old child**" is certainly **not** the express and clear admission of the victim's age as contemplated by law. What is definite, at most, is that appellant knew AAA regardless of her exact age. Needless to state, the query sought to elicit appellant's knowledge of the identity of AAA rather than her age. At this juncture, the Court echoes the hornbook rule as emphasized in the afore-quoted guidelines that it is the prosecution that has the burden of proving the age of the offended party.

²⁸ Id. at 58.

²⁹ *Rollo*, p. 7-8. Italics provided.

Irrefragably, it is not amiss to state that AAA's age was not convincingly proved and established by the prosecution; the minority of the victim cannot be appreciated. Whence, appellant can only be convicted of Simple Rape, not Statutory Rape.

The next query leaps to the eye — *Is appellant guilty of the crime of Simple Rape?*

In rape cases, the credibility of the victim is almost always the single most important issue. If the testimony of the victim passes the test of credibility, which means it is credible, natural, convincing and consistent with human nature and the normal course of things, the accused may be convicted solely on that basis.³⁰

It is primal that when the decision hinges on the credibility of witnesses and their respective testimonies, the trial court's observations and conclusions deserve great respect and are accorded finality, unless the records show facts or circumstances of material weight and substance that the lower court overlooked, misunderstood or misappreciated, and which, if properly considered, would alter the result of the case. This is so because trial courts are in the best position to ascertain and measure the sincerity and spontaneity of witnesses through their actual observation of the witnesses' manner of testifying, their demeanor and behavior in court. Trial judges enjoy the advantage of observing the witness' deportment and manner of testifying, her "furtive glance, blush of conscious shame, hesitation, flippant or sneering tone, calmness, sigh, or the scant or full realization of an oath" — all of which, are useful aids for an accurate determination of a witness' honesty and sincerity. Trial judges, therefore, can better determine if such witnesses are telling the truth, being in the ideal position to weigh conflicting testimonies. The rule finds an even more stringent application where the said findings are sustained by the CA.³¹

Here, both the courts *a quo* found that AAA's testimony bore the earmarks of truth, sincerity and candidness, and withstood attempts of the defense to discredit it. She narrated in the painstaking and well-nigh degrading public trial her unfortunate and painful ordeal in a simple yet logical and convincing manner³²—

Q Did he (referring to the [accused-appellant]) do something to you?

A Yes, sir.

x x x x

Q And what did he do to you?

A He inserted his scrotum inside my vagina, sir.

³⁰ *People v. Descartin, Jr. y Mercader*, 810 Phil. 881, 887 (2017).

³¹ *Id.* at 887 and 888.

³² See *People v. AAA*, G.R. No. 247007, 18 March 2021.

Q When you said "*itlog*", what do you mean by that?

A His private organ, sir.

x x x x

Q So you told this court earlier "*pinasok niya ang itlog niya sa ari ko.*"
So can you explain now which was inserted in your private organ?

A The penis, sir.

Q Can you still recall when did this happen?

A Yes, sir.

Q When?

A On June 27, 2013, sir.

Q What time?

A 4:00 in the afternoon, sir.

Q x x x Where were you before this happened?

A I was at our house, sir.

Q How about Papa Allan?

A Also at our house, sir.

x x x x

Q In which part of the house were you?

A At our room, sir.

Q Before this happened?

A I was at my room, sir.

Q How about Papa Allan?

A That time, he was at the bathroom.

Q And then, what happened after that?

A Papa Allan removed his shorts and his brief, sir.

Q No. You tell a story like it is a movie. He was in the C.R. and then what happened?

A He approached me, sir.

Q And what did he tell you?

A He ordered me, sir, to remove my panty.

Q And where was that when he told you to remove your panty? In what place of the house?

A At the room sir.

Q By the way, what were you wearing at that time? Were you wearing a blouse?

A A blouse, sir.

Q Were you wearing shorts or *palda*?

A Skirt, sir.

Q And you were wearing your panty then?

A Yes, sir.

**Q And when he told you to remove your panty, what did you do?
When he ordered you, did you follow him?**

A I followed him, sir.

Q Why?

A Because he was threatening me that he will kill us all.

Q What were the very words which Papa Allan told you?

**A That if ever I will be confessing to my mother, he will kill us both ,
sir.**

Q So how did you feel when you heard that? *Natakot ka ba?*

A Yes, sir.

Q And because of that, you removed your panty?

A Yes, sir.

x x x x

Q What about Allan, what did he do to himself? Did he undress himself?

A Yes, sir.

x x x x

Q And then, after he removed his shorts, what did he do next?

A He immediately inserted his scrotum inside my vagina.

**Q You were already asked earlier the difference between *itlog* and *titi*.
So what was inserted in your private organ?**

A Penis, sir.³³

x x x x

**Q Now, when he inserted his penis in your private organ, how did you
feel?**

A It was painful, sir.

Q Was he on top of you?

A Yes, sir.

x x x x

Q Matagal ba o mabilis lang?

A For quite a long time, sir.³⁴

Ineluctably, AAA’s testimony sufficiently established that appellant inserted his penis into AAA’s vagina and succeeded in having carnal knowledge of her. This is buttressed by the Initial Medico-legal Report³⁵ dated 28 June 2013 or merely a day after the incident, which shows a finding of “deep laceration at 6 o’clock position of the posterior fourchette,” with the conclusion: “Anogenital evaluation shows clear recent evidence of blunt

³³ Emphases supplied.

³⁴ TSN, 5 August 2014, pp. 5-10.

³⁵ Records, p. 64.

penetrating trauma to the hymen.”

Clutching at straws, appellant harps on the alleged inconsistencies in the testimonies of AAA and BBB. According to him, AAA testified that when BBB saw them from the window, he was not naked but was in the act of inserting his penis into her vagina. Contrastingly, BBB attested that when she peeped through the window, she saw appellant naked but did not catch him inserting his penis into the AAA’s vagina. However, the matter of whether or not appellant was naked at the time BBB peeped through the window does not alter the cold hard fact that his commission of the crime was sufficiently proven.

The supposed inconsistencies in both the testimonies of AAA and BBB are not enough to sway this Court to depart from the findings of the courts *a quo* forasmuch as human memory is fickle and prone to the stresses of emotions, accuracy in a testimonial account has never been used as a standard in testing the credibility of a witness.³⁶

Amidst the firm bedrock of the evidence laid by the prosecution, appellant’s bare denial and alibi pale in comparison. In a last-ditch and forlorn attempt to exculpate himself, he steadfastly asserts that the charge of rape against him was a result of BBB’s extreme jealousy over his having affairs with different women – *this goes against the grain of human experience*. No member of a rape victim’s family, most especially her mother, would dare encourage the victim to publicly expose the dishonor to the family unless the crime was in fact committed. It is unnatural for a mother to use her daughter as an engine of malice, especially if it will subject her child to embarrassment and lifelong stigma.³⁷

A final cadence. Anent the imposable penalty, Article 266-B, in relation to Article 266-A of the RPC, is explicit:

Article 266-A. *Rape: When and How Committed.* — Rape is committed. —

1. By a man who shall have carnal knowledge of a woman under any of the following circumstances:
 - a) Through force, threat, or intimidation;
 - b) When the offended party is deprived of reason or otherwise unconscious;
 - c) By means of fraudulent machination or grave abuse of authority; and
 - d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.

X X X X

³⁶ *People v. Fetalco y Sablay*, G.R. No. 241249, 28 July 2020.

³⁷ See *People v. Alcazar y Miranda*, 645 Phil. 181, 196 (2010).

Article 266-B. *Penalties*. — Rape under paragraph 1 of the next preceding article shall be punished by *reclusion perpetua*.

X X X X

Invariably, this Court sustains the imposed penalty of *reclusion perpetua*.

Lastly, in obeisance to *People v. Jugueta*,³⁸ this Court likewise upholds the award of damages each in the amount of ₱75,000.00 by way of civil indemnity, moral damages, and exemplary damages.

WHEREFORE, the instant *Appeal* is hereby **DISMISSED**. The *Decision* dated 29 March 2019 of the Court of Appeals in CA-G.R. CR-H.C. No. 10370 is **AFFIRMED** with **MODIFICATION** in that accused-appellant Allan Manda y Payaga a.k.a. Papa Allan, a.k.a. Allan Manin y Payaga is found guilty beyond reasonable doubt of the crime of Simple Rape.

SO ORDERED.”

By authority of the Court:

Mis D C Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court
9/22/22

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The Presiding Judge
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Branch 98, 1870 Antipolo City
(Crim. Case No. 2013-46934)

Mr. Allan Manda y Payaga
c/o The Director
BUREAU OF CORRECTIONS
New Bilibid Prisons
1770 Muntinlupa City

³⁸ 783 Phil. 806, 849 (2016).

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/s/


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