



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **28 February 2022** which reads as follows:*

“G.R. No. 252209 (*People of the Philippines v. XXX*¹). —On appeal before us is the October 11, 2019 Decision² of the Court Appeals (CA) in CA-G.R. CR-HC No. 11566 which affirmed the April 11, 2018 Decision³ of the Regional Trial Court (RTC), Branch 81, [REDACTED]⁴ convicting accused-appellant XXX (accused-appellant) of Rape under Article 266-A paragraph 1 of the Revised Penal Code (RPC),⁵ in relation to Republic Act No. (RA) 7610,⁶ in Criminal Case No. 2767.

The Facts:

Accused-appellant was charged with Rape⁷ under paragraph 1 (d) of Article 266-A of the RPC in an Information dated February 23, 2007 which reads, thus:

That on or about November 2006, or sometime prior or subsequent thereto, in [REDACTED], Philippines, and within the jurisdiction of this Honorable Court, the said accused, through threat, force and intimidation, did then and there willfully, unlawfully and feloniously had

¹ Initials were used to identify the accused-appellant pursuant to Supreme Court Amended Administrative Circular No. 83-2015 dated September 5, 2017 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.

² CA *rollo*, pp. 134-151. Penned by Associate Justice Celia C. Librea-Leagogo and concurred in by Associate Justices Ramon A. Cruz and Gabriel T. Robeniol.

³ Id. at 58-64. Penned by Executive Judge Ramiro R. Geronimo.

⁴ Geographical location is blotted out pursuant to Supreme Court Amended Circular No. 83-2015.

⁵ As amended by Republic Act No. 8353, The Anti Rape Law of 1997, approved on September 30, 1997.

⁶ Entitled “SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT.” Approved on June 17, 1992.

⁷ The RTC’s designation of the offense is “Rape”; records, p. 58.

carnal knowledge of his own daughter AAA,⁸ 6 years of age, without her consent and against her will.

That this crime of rape was committed with the qualifying and aggravating circumstance that the victim is under 7 years of age and the offender, the accused herein, is the parent of the said victim, AAA.

Contrary to law.⁹

During his arraignment, accused-appellant entered a plea of not guilty. At the preliminary conference which was subsequently adopted by the parties as part of the pre-trial conference, accused-appellant admitted his identity as the accused in the case and father of the victim, AAA.¹⁰

Trial began with the prosecution presenting the testimonies of: (1) AAA; (2) BBB – AAA's mother; and (3) CCC – AAA's uncle, and BBB's brother. During trial, the prosecution dispensed with the testimony of Dr. Marita Monterola, the Medico Legal Officer who issued the Medico Legal Certificate, after the parties stipulated on its due execution and existence.¹¹

Version of the Prosecution:

The prosecution witnesses testified that AAA's rape began to unravel when CCC, upon his sister's, BBB's, request, took AAA under his wing to live with him and his wife in [REDACTED]. Because AAA smelled, CCC's wife gave AAA a bath and traced that the foul smell came from the latter's vagina. Soon and after a little prodding, AAA confided to her aunt, CCC's wife, that she had been sexually abused by her father, accused-appellant.¹²

Upon learning of AAA's revelation from his wife, CCC brought her to a gynecologist who examined AAA and immediately referred them to a medico legal officer.¹³ The gynecologist urged CCC to report the incident to police authorities where the rape occurred. Before proceeding to [REDACTED], CCC asked BBB, who was then working as a house help in Quezon City, for instructions on how to proceed with AAA's predicament and the doctor's recommendation to report the rape to the police. After BBB gave the go-signal, CCC and AAA

⁸ "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 Republic Act No. 7610, An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation, and for Other Purposes; Republic Act No. 9262, An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and for Other Purposes; and Section 40 of A.M. No. 04-10-11-SC, known as the Rule on Violence against Women and their Children, effective November 15, 2004." (*People v. Dumadag*, 667 Phil. 664, 669 [2011]).

⁹ Records, p. 1.

¹⁰ CA *rollo*, p. 136.

¹¹ Id. at 137.

¹² Id. at 136-137.

¹³ Id. at 137.

returned to ██████████ to start the process of filing a case against accused-appellant.¹⁴

AAA's birth certificate presented to the trial court lists her birthdate and identifies accused-appellant as her father.¹⁵ BBB's testimony likewise corroborated the victim's age at the time of the rape and accused-appellant's identity as her common-law spouse and the father of all her five children. BBB testified that she had been working in Metro Manila from 2005 to 2007 as a house helper and had to leave all her children, including AAA, with accused-appellant. BBB and accused-appellant are not married but all five of their children bore their father's, accused-appellant's, surname.¹⁶

AAA testified that accused-appellant raped her sometime in 2006, inside their room as they all slept on the floor, when she was six years old.¹⁷ She recounted that they all shared a room and as she slept, accused-appellant undressed her, laid on top of her, and threatened to kill her. Accused-appellant then removed his shorts and inserted his penis into her vagina. AAA cried and attempted to squirm out of accused-appellant's penetration. However, accused-appellant covered her mouth to muffle her cries and pinned his body to hers. AAA felt something warm, which she thought was blood, ooze out of accused-appellant's penis. Thereafter satiated, accused-appellant slept.¹⁸

The Medico Legal Certificate presented by the prosecution indicates "PPE – Multiple healed laceration vaginal opening."¹⁹

Version of the Defense:

For his defense, only accused-appellant testified denying the charge. He countered that the charge was trumped-up by his common-law wife, BBB, and her brother, CCC, who was insistent on taking two of his children ostensibly for their schooling.²⁰ Accused-appellant further narrated that his work as a construction worker took him out of their house from 5:00 a.m. to 4:00 p.m.²¹ According to accused-appellant, at night, all his children slept inside the room while he slept outside. Accused-appellant asserted that by October 2006, AAA was already living with another family member of BBB.²²

In addition, accused-appellant claimed that CCC's initial unsuccessful attempt to gain custody of his two daughters impelled CCC to insinuate to BBB that accused-appellant raped his daughters. BBB readily believed her brother

¹⁴ Id.

¹⁵ Records p. 61.

¹⁶ Id.

¹⁷ Id. at 60.

¹⁸ Id. at 60.

¹⁹ Records p. 61.

²⁰ Id. at 62.

²¹ CA *rollo*, p. 138.

²² Id.

and, in turn, coached their daughters to stay that their father ravaged them. On the whole, accused-appellant was certain that his children loved him as evidenced by their visits to him while in jail.²³ In fact, he inquired from AAA why she told such a story when she visited him in jail. She replied that her uncle, CCC, instructed her do so.²⁴

Ruling of the Regional Trial Court:

In its April 11, 2018 Decision,²⁵ the RTC found accused-appellant guilty of raping AAA:

WHEREFORE, there being proof beyond reasonable doubt that accused XXX committed the crime of Rape under Art. 266(-)B of the Revised Penal Code, the Court hereby sentences him to:

1. Suffer the penalty of *Reclusion Perpetua* without eligibility of parole;
2. To pay his victim, AAA, the amount of Seventy-Five Thousand Pesos (Php 75,000.00) as civil indemnity;
3. To pay the same victim the amount of Seventy Five Thousand Pesos (Php 75,000.00) as moral damages; (and)
4. To pay the same victim the amount of Thirty Thousand Pesos (Php30,000.00) as exemplary damages;

plus legal interest on all damages awarded at the rate of six percent (6%) per annum from the date of finality of this decision.

SO ORDERED.²⁶

The RTC ruled that the prosecution established beyond reasonable doubt accused-appellant's culpability. The trial court did not give credence to accused-appellant's bare denial, unsubstantiated by any evidence. It took into account the age of AAA and her capacity, or lack thereof, to concoct a convoluted story that accused-appellant raped her, as against the incredible story of accused-appellant that CCC influenced his sister, BBB, to coach AAA to accuse the latter of rape. In all, the trial court found that AAA's positive testimony of having been raped by her father, which was consistent with the medical findings, deserved more weight and full credence over accused-appellant's bare denial.²⁷

Accused-appellant thereafter filed a notice of appeal²⁸ to the CA.

²³ Id.

²⁴ Id. at 138-139.

²⁵ Records, pp. 141-147.

²⁶ Id. at 146-147.

²⁷ Id. at 145-146.

²⁸ CA *rollo*, p. 13.

Ruling of the Court of Appeals:

In its October 11, 2019 Decision,²⁹ the CA denied accused-appellant's appeal and affirmed with modification the RTC's ruling by increasing the awards of civil indemnity, moral and exemplary damages to ₱100,000.00 each. The CA upheld the RTC's findings on AAA's credibility, ruling that her account of the sexual abuse at the hands of accused-appellant was straightforward and candid, and consistent with the medico legal report. To the CA, AAA's positive testimony, coupled with the medical findings, sufficiently met the burden of proof beyond reasonable doubt that accused-appellant was guilty of the charge against him. As the RTC did, the CA likewise considered denial as an inherently weak defense which must be coupled with strong evidence of non-culpability to merit credibility. Thus, the CA upheld accused-appellant's conviction, to wit:

WHEREFORE, premises considered, the appeal is **DENIED**. The Decision dated 11 April 2018 of the Regional Trial Court of [REDACTED], Branch 81 in Criminal Case No. 2767, finding accused-appellant XXX guilty beyond reasonable of qualified rape and sentencing him to suffer the penalty of *reclusion perpetua*, without eligibility for parole, and imposing interest at the rate of 6% *per annum* on all damages from finality of decision until full payment, is **AFFIRMED with MODIFICATION** in that the award of civil indemnity, and moral and exemplary damages to be paid by accused-appellant to the victim AAA is increased to Php100,000.00 each.

SO ORDERED.³⁰

Forthwith, accused-appellant filed a notice of appeal,³¹ elevating his plaint to the Court.

Issue

The sole issue for Our resolution is whether accused-appellant is guilty of Qualified Rape under Article 266-A paragraph 1(d) in relation to Article 266-B of the RPC.

Accused-appellant maintains his innocence and makes a general denial of the charge against him. He assails the credibility of AAA and insists that, contrary to AAA's testimony, he never raped any of his daughters. He points out inconsistencies in the testimonies of the prosecution witnesses regarding BBB's initial consent to leave their children in his sole custody while she worked in [REDACTED], as well as the sleeping arrangement of his children which would certainly have awakened them had he raped AAA. He further avers that AAA was coached by her mother (BBB) who was unduly influenced by her brother (CCC) to charge him (accused-appellant) of Rape.

²⁹ Id. at 134-151.

³⁰ Id. at 146.

³¹ *Rollo*, pp. 21-22.

For good measure, accused-appellant also questions the qualifications of Dr. Monterola whose expertise and competency were purportedly not properly established by the prosecution.

Our Ruling

Accused-appellant's appeal lacks merit.

We completely subscribe to the factual findings of the lower courts which indubitably found accused-appellant's commission of the felony.

First. All the elements of Qualified Rape under Article 266-A, paragraph 1(d), in relation to Article 266-B, of the RPC, which are: (a) the offender had carnal knowledge of a woman; (b) who is under 12 years of age; and (3) 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,³² were duly established by the prosecution and uniformly sustained by the lower courts.

Circumstances qualifying the crime of Rape are enumerated in Article 266-B of the RPC, *viz.*:

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

x x x

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; (Emphasis supplied)

In this case, both AAA's minority (only 6 years old at the time of the rape), and her filial relationship with accused-appellant who is her father, are supported by the documentary evidence, *i.e.*, AAA's birth certificate stating her date of birth and the name of her father. In fact, the relationship is an admitted fact by the accused-appellant.³³

Second. The gravamen of the offense is carnal knowledge of a woman under any of the circumstances listed in Art. 266-A paragraph 1, to wit:

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

³² See *People v. XXX*, G.R. No. 218277, November 9, 2020.

³³ See *CA rollo*, p. 136.

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 is otherwise unconscious;

c. By means of fraudulent machination or grave abuse of authority;

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.
(Emphasis supplied)

As found by the RTC and the CA, AAA's testimony, even on cross-examination and after some clarificatory questions from the trial court, was direct and categorical:³⁴ she was raped by her father. Her minority does not detract from the veracity of her testimony and her narration of her suffering at the hands of her own father, to wit:

Q You mentioned a while ago that you were inside the room together with your siblings, what were you doing at that time when you were inside the room?

A We were playing, ma'am.

Q Where is your father during the time that you were playing?

A Drinking, ma'am.

Q What happened after you were playing?

A We sleep ma'am.

Q Where did you sleep?

A In the floor of our room.

Q You slept (sic) in the floor, how about your older sister ate?

A She slept beside me.

Q How about the younger sister?

A Also in that room, ma'am.

Q Where in particular?

A At the side near our post.

Q How about your kuya?

A In our bed.

Q How about your other kuya?

A Also there, ma'am.

Q While you were sleeping did something happen?

A Yes, ma'am.

³⁴ See CA *rollo*, pp. 142 and 144; records pp. 62-63.

Q What was that?

A I was undressed by my father.

Q By the way, were you sleeping at that time when he undressed you?

A Yes, ma'am.

Q How about your siblings?

A They were sleeping and we were sleeping a little bit farther from one another.

Q So when your father undressed you, what particular apparel that you were wearing? [sic]

A My short.

Q How did you know that it was your father who undressed you?

A Because he came from his drinking spree.

Q Did he utter something to you when he undressed you?

A Yes, ma'am.

Q Can you tell us?

A If I will tell these things he will kill me.

Q So when your father undressed your short what did he do after he undressed your short?

A He also took off his short.

Q After he took off your short and after he undressed your short what did he do [unreadable]?

A He inserted his penis.

Q Where did he insert his penis?

A In my vagina.

Q What did you do when he inserted his penis into your vagina?

A I cried.

Q Did you say something to your father?

A No, ma'am.

Q Why was that?

A Because he covered my mouth.

Q After he inserted his penis to your vagina what did he do?

A None, ma'am.

COURT:

Prosecutor excuse me.

Q What was your position and the position of your father when he inserted his penis into your vagina?

A We were lying down, Your Honor.

Q Now while you were lying down and he inserted his penis into your vagina what did you do?

A I was crying, Your Honor.

Q Did you fight back?

A Yes, Your Honor.

Q How did you do it?

A I was moving, Your Honor so that he could not penetrate his penis to my vagina.

Q Did you kick your father?

A The feet of my father is pinning down my feet.

Q You box your father?

A No, Your Honor.

Q Was your father holding your two hands?

A Yes, Your Honor.

Q Could you demonstrate to the Court how your father held your hands?

A (Witness is showing her two hands together and explaining to the Court that her father was holding her two hands).

Q Were your two hands tied by any kind of rope or any kind of tying material?

A No only holding.

COURT:

Okay, proceed.

PROS. BUFFE continuing:

Q While the penis of your father was inside your vagina did you feel anything?

A Yes, ma'am.

Q What is that?

A Painful ma'am.

Q Did [he] do anything to you while putting his penis into your vagina?

A No, ma'am.

Q Did he kiss you?

A No, ma'am.

Q Did something come out from the penis of your father?

A Yes, ma'am.

Q Can you tell us what was that?

A I think it was blood.

- Q How did you know that it was blood?
A Because it's warm.
- Q After something came out from your father what happened?
A No more, ma'am.
- Q How many times did your father [do] that kind of thing to you?
A Only once.
- Q So you mentioned a while ago that you felt pain, did you tell your father that?
A Yes, ma'am.
- Q What did he answer?
A He did not say anything, ma'am.
- Q Can you remember how [sic] for how long did he do that to you?
A No, ma'am.
- Q After he put his penis into your vagina, what did he do?
A No more ma'am.
- Q Were you still able to sleep after the incident?
A Yes, ma'am.
- Q Where did your father go after he put his penis into your vagina?
A He slept.
- Q Where did he sleep?
A There also.

ATTY. GUIANG ON CROSS EXAMINATION:

- Q Who undressed you?
A Papa.
- Q Could you still recall where did that incident happen?
A Yes sir in the house, sir.
- Q Are [sic] you alone at that time?
A No, sir.
- Q Who were with you?
A My brothers and sisters, sir.
- x x x x
- Q You said that you were at the house at that time what were your siblings doing then at that time?
A They were sleeping, sir.

Q Could you tell us what was happening then?

A My father was undressing me.

ATTY. GUIANG:

Your Honor please, since the witness is a child just to narrate everything [sic].

COURT:

Okay.

A He undressed me and then he put his hand on my mouth; he held my two hands and Papa also took off his clothes.

ATTY. GUIANG continuing:

Q Just tell everything to and fro?

A And then he inserted his penis and no more.³⁵

The guilt of accused-appellant holds fast against his vaguely drawn theory as to the impetus for the accusation—that CCC wanted to gain custody of two of his daughters to live with him and his spouse. CCC's desire for his nieces to get an education negates accused-appellant's assertion that CCC influenced and coached BBB and AAA to charge accused-appellant with the rape of his daughter.

The dust has long settled on the rule that Rape may be proven by the sole and uncorroborated testimony of the offended party, provided that her testimony is clear, positive and probable.³⁶ As against AAA's clear and straightforward testimony, accused-appellant's hollow testimony consisting of a bare denial does not stand.

Jurisprudence has circumscribed guidelines in the affirmance of lower courts' findings of fact and credibility of witnesses:

First, the Court gives the highest respect to the RTC's evaluation of the testimony of the witnesses, considering its unique position in directly observing the demeanor of a witness on the stand. From its vantage point, the trial court is in the best position to determine the truthfulness of witnesses.

Second, absent any substantial reason which would justify the reversal of the RTC's assessments and conclusions, the reviewing court is generally bound by the lower court's findings, particularly when no significant facts and circumstances, affecting the outcome of the case, are shown to have been overlooked or disregarded.

³⁵ TSN, January 21, 2011, pp. 10-17.

³⁶ See *People v. Barberan*, 788 Phil. 103, 109 (2016).

And third, the rule is even more stringently applied if the CA concurred with the RTC.³⁷

Consequently, We are not wont to disturb the trial court's assessment of AAA's testimony, especially when affirmed by the appellate court.³⁸ Indeed, as we have ruled in *People v. Abellano*:³⁹

The trial court's evaluation of a witness' credibility is accorded the highest respect because it had the direct and singular opportunity to observe the facial expression, gesture, and tone of voice of a witness while testifying. The trial court has the strategic position to determine whether a witness is telling the truth and its findings thereon are accorded finality, unless there appears on record some fact or circumstance of weight which the lower court may have overlooked, misunderstood, or misappreciated and, if properly considered, would alter the results of the case.⁴⁰ (Citations omitted)

Third. AAA's positive testimony is consistent with the Medico Legal Certificate that she had "multiple healed laceration [in the] vaginal opening"—an indication that her sex organ had been wounded. On more than one occasion, We have ruled that "when the testimony of a rape victim is consistent with the medical findings, sufficient basis exists to warrant a conclusion that the essential requisite of carnal knowledge has thereby been established."⁴¹

Grasping at straws, accused-appellant assails the credibility and qualifications of Dr. Monterola whose expertise and competency were supposedly not properly established.

We emphasize that the foremost consideration in the prosecution of rape cases is the victim's testimony and not the findings of the medico-legal officer.⁴² A medical examination of the victim is not indispensable in a prosecution for rape; the victim's testimony alone, if credible, is sufficient to convict.⁴³ Here, accused-appellant's conviction is based primarily on AAA's credibility who testified in a clear, positive and straightforward manner that accused-appellant raped her. The medico-legal finding of healed multiple hymenal laceration is merely corroborative in character and not essential to conviction.⁴⁴

Recently, in *People v. Tuyor*,⁴⁵ We upheld the accordance of weight and credence to the medico-legal report even if the physician who examined and prepared it was not presented in court, thus:

³⁷ *People v. Tuyor*, G.R. No. 241780, October 12, 2020, citing *People v. Tanglao*, G.R. No. 219963, June 13, 2018.

³⁸ See *Gamaro v. People*, 806 Phil. 483, 501 (2017).

³⁹ 551 Phil. 826 (2007).

⁴⁰ *Id.* at 839.

⁴¹ See *Pendoy v. Court of Appeals*, G.R. No. 228223, June 10, 2019.

⁴² *People v. ZZZ*, G.R. No. 229862, June 19, 2019, citing *People v. Araojo*, 616 Phil. 275, 288 (2009).

⁴³ *Id.*

⁴⁴ See *People v. XXX*, G.R. No. 236562, September 22, 2020.

⁴⁵ *Supra* note 37.

After establishing that the medico-legal report shall be given weight and credence, Dr. Madrid's testimony that she is familiar with Dr. Baluyut's signature and her interpretations of Dr. Baluyut's medico-legal report, shall also be given weight and credence.

The medico-legal report shall be given weight and credence, even if the physician who examined and prepared it, was not presented in court.

First, Dr. Baluyut's issuance of the medico-legal report falls under one of the exceptions to the hearsay rule.

Under Section 44, Rule 130 of the Rules on Evidence, "Entries in official records made in the performance of [her] duty [as] a public officer of the Philippines, x x x are prima facie evidence of the facts therein stated."

Dr. Baluyut, a government doctor, and who by actual practice and by virtue of her oath as civil service official, is competent to examine persons and issue medico-legal reports. There is a presumption of regularity in the performance of Dr. Baluyut's functions and duties when she issued the medico-legal reports. In the absence of evidence proving the contrary, Dr. Baluyut's finding that AAA had sexual intercourse with Tuyor, and was seven weeks pregnant when she was examined, are conclusive.⁴⁶

In this case, the testimony of Dr. Monterola was dispensed with by agreement of the prosecution and the defense after stipulating on the due execution and existence of the Medico-Legal Certificate. Clearly, the RTC, as affirmed by the CA, correctly took into account the medical findings contained in the certificate.

The contents of the Medico-Legal Certificate may be received in evidence and is a matter on which the Medico-Legal Officer who examined AAA can testify on. Section 52, Rule 130 of the Rules of Court, as recently amended, provides that: [t]he opinion of a witness on a matter requiring special knowledge, skill, experience, training, or **education**, which he or she is shown to possess, **may be received in evidence.**"⁴⁷

However, as aptly pointed out by Senior Associate Justice Estela M. Perlas-Bernabe during the deliberations of the case, the proper nomenclature of the crime is Qualified Statutory Rape considering that the victim was only six years old during the time she was sexually abused by her father.

Finally, We leave undisturbed the penalty imposed on accused-appellant by the RTC, and affirmed by the CA, of "*reclusion perpetua* without eligibility for parole" and the latter's increase of the award of damages to AAA in separate amounts of ₱100,000.00 as civil indemnity, moral damages and exemplary damages since the death penalty cannot be imposed on accused-appellant.⁴⁸ The

⁴⁶ Id.

⁴⁷ Formerly Section 49 of Rule 130 which did not include "education" in the determination.

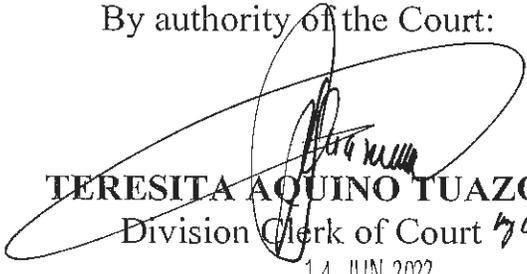
⁴⁸ See *People v. Jugueta*, 783 Phil. 806, 851 (2016).

imposition of six percent (6%) interest per *annum* on the monetary awards from finality of the judgment until full payment is likewise affirmed.⁴⁹

WHEREFORE, the appeal is **DISMISSED**. The October 11, 2019 Decision of the Court of Appeals in CA-G.R. CR-HC No. 11566 is **AFFIRMED WITH MODIFICATION** that accused-appellant XXX is found guilty of Qualified Statutory Rape. Accused-appellant is sentenced to suffer the penalty of *reclusion perpetua*, without eligibility for parole, and **ORDERED** to **PAY** private complainant AAA ₱100,000.00 as civil indemnity, ₱100,000.00 as moral damages, and ₱100,000.00 as exemplary damages. All damages awarded shall earn interest at the rate of six percent (6%) *per annum* from finality of this Resolution until full satisfaction thereof.

SO ORDERED."

By authority of the Court:


TERESITA AQUINO TUAZON
 Division Clerk of Court 7/6/14
 14 JUN 2022

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THE DIRECTOR (reg)
 Bureau of Corrections
 1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
 Regional Trial Court, Branch 81
 Romblon, Romblon
 (Crim. Case No. 2767)

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 Supreme Court, Manila

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*with copy of the CA Decision dated 11 October 2019
Please notify the Court of any change in your address.
 GR252209. 02/28/2022(125)URES(m)

⁴⁹ See *Nacar v. Gallery Frames*, 716 Phil. 267, 280-283 (2013).