



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Baguio City

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **25 April 2022** which reads as follows:*

“G.R. No. 252251 (*People of the Philippines v. Roberto Feliciano y Pillas*). — This is an appeal¹ from the October 16, 2019 Decision² of the Court of Appeals (CA) in CA-G.R. CR-HC No. 11671, which found accused-appellant Roberto Feliciano y Pillas (accused-appellant) guilty beyond reasonable doubt for the crimes of Murder and Frustrated Murder.

The Facts:

Two Informations were filed against accused-appellant for Murder and Frustrated Murder, the accusatory portions of which alleged:

Crim. Case No. 14-47619
(Murder)

That, on or about the 10th day of January, 2014 in the Municipality of Cainta, Province of Rizal, Philippines, a place within the jurisdiction of this Honorable Court, the above-named accused, armed with a kitchen knife, a deadly weapon, with intent to kill, did then and there, willfully, unlawfully and feloniously attack, assault and fatally stab several times one FRIEDRICH LALIC y ROCKEY, thereby inflicting upon the latter multiple stab wounds on the trunk, which instantaneously caused his death, the said killing having been attended by the qualifying circumstances of treachery, evident premeditation and taking advantage of superior strength.

CONTRARY TO LAW.³ (Emphasis in the original)

Crim. Case No. 14-47620
(Frustrated Murder)

¹ *Rollo*, pp. 16-17.

² *CA rollo*, pp. 101-113. Penned by Associate Justice Ma. Luisa C. Quijano-Padilla and concurred in by Associate Justices Zenaida T. Galapate-Laguilles and Walter S. Ong.

³ *Records*, pp. 1-2.

That, on or about the 10th day of January, 2014 in the Municipality of Cainta, Province of Rizal, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, armed with a kitchen knife, a deadly weapon and with intent to kill, attended by the qualifying circumstances of treachery, evident premeditation, abuse of superior strength, did then and there, willfully, unlawfully and feloniously attack, assault and stab with the said knife one JAN ALDRICH LALIC y ROCKEY, thereby inflicting upon the latter a stab wound on the right side of his body, which ordinarily would have caused his death and thus performing all the acts of execution which would have produced the crime of Murder as a consequence; but which nevertheless, did not produce it by reason of cause/s independent of the will of the accused, that is, due to the timely and able medical assistance rendered to said victim JAN ALDRICH LALIC y ROCKEY, which prevented his death, to the latter's damage and prejudice.

CONTRARY TO LAW.⁴ (Emphasis in the original)

When arraigned on June 18, 2014, accused-appellant pleaded “not guilty” to the crimes charged.⁵ Preliminary conference, pre-trial, and trial ensued thereafter.

Version of the Prosecution

On January 10, 2014 at around 2:00 a.m., Jean Rockey Lalic (Jean), who was working in Doha, Qatar, was chatting online with accused-appellant, who was then living with Jean’s two sons, Friedrich and Jan Aldrich, at 31C Buenviaje Street, Cainta, Rizal. In the course of their conversation, Jean and accused-appellant had a heated argument. Jean wanted to break up with accused-appellant, but the latter told her that he will do something that would make her come home. After her conversation with accused-appellant, Jean tried to call Jan Aldrich. She also sent a message to Friedrich through Facebook, to which her son replied, “*Ma, bakit?*” Unfortunately, they were not able to directly communicate anymore.⁶

In the early morning of the same day, while Jan Aldrich was sleeping in his room, he heard his older brother Friedrich shouting “*Yan, kapitan mo si Kuya Robert.*” He went down and saw blood on the floor. Friedrich shouted “*tama na!*” while grappling for the knife held by accused-appellant. Jan Aldrich tried to hold on to the accused-appellant’s right shoulder and left side waist from the back. They continued grappling until Friedrich fell down due to the stab wounds inflicted by accused-appellant. Accused-appellant then turned towards Jan Aldrich and stabbed him at the right side of his chest. Thereafter, accused-appellant immediately boarded his motorcycle and left. The victims were eventually brought by their relatives to the hospital.⁷

⁴ Id. at 6-7.

⁵ Id. at 51, 52.

⁶ CA *rollo*, p. 80. See Brief for the Appellee.

⁷ Id.

At the hospital, Friedrich was declared dead. The medico legal report⁸ showed that the cause of his death were multiple stab wounds to his trunk and extremities.⁹

On the other hand, Jan Aldrich had to be immediately operated because his stab wound in the upper quadrant area below his chest reached his lungs, liver, and intestines.¹⁰ Jan Aldrich stayed for about 12 to 13 days in the hospital, and was required by the doctor to rest for three months to recover.¹¹

Version of the Defense

Accused-appellant admitted to stabbing Friedrich and Jan Aldrich. He claimed that on January 10, 2014 at around 5:30 a.m., he went down to the living room to prepare for work, and saw Friedrich using a computer in the table. He called his attention and told him "*Linisin mo naman yang kalat mo dyan sa lamesa.*" Friedrich then stood up and replied "*Putang ina naman lagi na lang ako nakikita.*" He then punched Friedrich at his right temple who took a knife from the table, and they both struggled for about 20 minutes. Jan Aldrich came down, embraced, and tried to pacify him. He stabbed Jan Aldrich in order to get away from him. Accused-appellant claimed that he was confused at that time, and was surprised by the turn of events. After the incident, he proceeded to Jala-Jala, and voluntarily surrendered to Councilor Wally Dela Vega who accompanied him to the Jala-Jala Police Station. Thereafter, police officers from the Cainta Police Station detained and charged him with Murder and Frustrated Murder.¹²

Ruling of the Regional Trial Court

In a Decision¹³ dated April 30, 2018, the RTC found accused-appellant guilty as charged.¹⁴

The trial court appreciated the qualifying circumstance of treachery. Based on the injuries sustained by Friedrich in different parts of his trunk and extremities, he had absolutely no opportunity to defend himself. The number of stab wounds inflicted, and their location showed the intent of the accused-appellant to kill Friedrich.¹⁵

As regards Jan Aldrich, the location of his wound at the left side of his chest likewise showed the clear intent of accused-appellant to kill him. The intent to kill became more apparent when accused-appellant did not heed

⁸ Records, p. 43.

⁹ Id. at 45.

¹⁰ Id. at 261.

¹¹ CA rollo, p. 82. See Brief for the Appellee.

¹² Records, pp. 263-264.

¹³ Id. at 259-269. Penned by Presiding Judge Ma. Consejo Gengos-Ignalaga.

¹⁴ Id. at 265.

¹⁵ Id. at 266.

Friedrich's pleas for accused-appellant to stop. Jan Aldrich only survived the attack due to timely medical intervention.¹⁶

The RTC did not consider accused-appellant's voluntary surrender as a mitigating circumstance for lack of any evidence to prove the same.¹⁷

The dispositive portion of the Decision of the RTC provides as follows:

WHEREFORE, premises considered, judgment is hereby rendered finding accused ROBERTO FELICIANO y PILLAS guilty beyond reasonable doubt of the crime of MURDER in Criminal Case No. 14-47619 for the killing of Friedrich Lalic; and for FRUSTRATED MURDER in Criminal Case No. 14-47620 for the frustrated killing of Jan Aldrich Lalic. Accordingly, accused is sentenced to suffer the penalty of RECLUSION PERPETUA in Criminal Case No. 14-47619; and in Criminal Case 14-47620 to suffer the penalty of imprisonment of EIGHT YEARS OF PRISION MAYOR, as minimum, to 14 YEARS, EIGHT MONTHS AND ONE DAY OF RECLUSION TEMPORAL, as maximum.

Accused is ordered to pay by way of civil liability, as follows:

- 1) To the heirs of Friedrich Lalic, civil indemnity of P75,000.00; moral damages of P75,000.00; exemplary damages of P75,000.00; and temperate damages of P50,000.00; and
- 2) To Jan Aldrich Lalic, civil indemnity of P50,000.00; moral damages of P50,000.00; exemplary damages of P50,000.00; and temperate damages of P25,000.00.

All monetary awards for damages shall earn interest at the legal rate of 6% per annum from the finality of the decision until fully paid.

The subject knife (Exhibit L) is confiscated in favor of the government and ordered for destruction in accordance with the law.

The preventive imprisonment of the accused Roberto Feliciano shall be credited in his favor.

Accused is ordered to be immediately transferred to the New Bilibid Prison, Muntinlupa City for service of sentence.

SO ORDERED.¹⁸ (Emphasis in the original)

Accused-appellant elevated the case to the CA *via* a Notice of Appeal that was filed on June 13, 2018.¹⁹

¹⁶ Id.

¹⁷ Id.

¹⁸ Id. at 268-269.

¹⁹ Id. at 273.

Ruling of the Court of Appeals

In the October 16, 2019 Decision,²⁰ the CA partly granted the appeal by appreciating the mitigating circumstance of voluntary surrender in favor of accused-appellant, and modifying the penalty in Crim. Case No. 14-47620. The appellate court decreed, thus:

WHEREFORE, the appeal is partly **GRANTED**. The Decision promulgated on May 25, 2018 by the Regional Trial Court, Branch 100, Antipolo City, finding accused-appellant guilty beyond reasonable doubt of Murder and Frustrated Murder in *Crim. Case Nos. 14-47619 and 14-47620* respectively, is **AFFIRMED** but **modified** in that the penalty in *Crim. Case No. 14-47620* for Frustrated Murder is changed to ten (10) years and one (1) day of *prision mayor*, as minimum[,] to fourteen (14) years and eight (8) months of *reclusion temporal*[,] as maximum, in view of the mitigating circumstance of voluntary surrender. The rest of the disposition remains.

SO ORDERED.²¹

Hence this appeal.

The Court required the parties to submit their respective supplemental briefs if they so desire.²² Accused-appellant filed a Manifestation in Lieu of a Supplemental Brief²³ stating that he no longer wishes to file a supplemental brief as all the issues material to the case were already discussed in the Accused-appellant's Brief dated March 14, 2019.²⁴ The Office of the Solicitor General (OSG), representing the appellee, also filed a Manifestation (In Lieu of Supplemental Brief)²⁵ stating that appellee will no longer file a brief considering that an exhaustive discussion of their arguments has already been made in the Appellee's Brief dated June 27, 2019.²⁶

Issues

I

[WHETHER] THE TRIAL COURT GRAVELY ERRED IN CONVICTING THE ACCUSED-APPELLANT OF THE CRIMES CHARGED DESPITE THE PROSECUTION'S FAILURE TO PROVE THE ELEMENT OF INTENT TO KILL.

II

[WHETHER] THE TRIAL COURT GRAVELY ERRED IN APPRECIATING TREACHERY AS QUALIFYING CIRCUMSTANCE DESPITE THE PROSECUTION'S FAILURE TO PROVE ITS ATTENDANCE.

²⁰ *CA rollo*, pp. 101-113.

²¹ *Id.* at 112-113.

²² *Rollo*, pp. 22-23.

²³ *Id.* at 26-28.

²⁴ *Id.* at 26.

²⁵ *Id.* At 31-35.

²⁶ *Id.* at 31-32.

III

[WHETHER] THE TRIAL COURT GRAVELY ERRED IN NOT APPRECIATING THE MITIGATING CIRCUMSTANCE OF VOLUNTARY SURRENDER.²⁷

Accused-appellant imputes error on the lower courts for their failure to recognize that the prosecution failed to establish, with moral certainty, his intent to kill Friedrich and Jan Aldrich.²⁸ It is of record that accused-appellant and Friedrich struggled for the possession of the knife. He merely stabbed the victims as a means of self-preservation.²⁹

The qualifying circumstance of treachery was not likewise established by the prosecution. There was no proof that accused-appellant made preparations to kill Friedrich and Jan Aldrich in such a manner as to ensure the execution of the crime, or to make it difficult or impossible for them to defend themselves.³⁰

Our Ruling

The appeal is partly meritorious.

Findings of fact of trial courts are given great weight; exception.

Generally, findings of fact of the trial courts are accorded great weight. The exception is when it appears on record that the trial court may have overlooked, misapprehended, or misapplied some significant fact or circumstance which if considered, would have altered the result,³¹ as in the instant case.

Accused-appellant is guilty only of Homicide and Frustrated Homicide.

While the Court affirms the finding of guilt of accused-appellant, a careful examination of the records reveals that the prosecution failed to establish the presence of treachery as a qualifying circumstance. As such, the accused-appellant may only be convicted for the crime of Homicide and Frustrated Homicide, instead of Murder and Frustrated Murder.

Article 248 of the Revised Penal Code (RPC) defines and penalizes Murder as follows:

²⁷ CA rollo, p. 33.

²⁸ Id. At 41.

²⁹ Id. at 43.

³⁰ Id. at 44-45.

³¹ See *People v. Gayon*, G.R. No. 230221, April 10, 2019.

ARTICLE 248. Murder. - Any person who, not falling within the provisions of Article 246 shall kill another, shall be guilty of murder and shall be punished by *reclusion perpetua*, to death if committed with any of the following attendant circumstances:

1. With treachery, taking advantage of superior strength, with the aid of armed men, or employing means to weaken the defense or of means or persons to insure or afford impunity.

2. In consideration of a price, reward or promise.

3. By means of inundation, fire, poison, explosion, shipwreck, stranding of a vessel, derailment or assault upon a railroad fall of an airship, by means of motor vehicles, or with the use of any other means involving great waste and ruin.

4. On occasion of any of the calamities enumerated in the preceding paragraph, or of an earthquake, eruption of a volcano, destructive cyclone, epidemic, or other public calamity.

5. With evident premeditation.

6. With cruelty, by deliberately and inhumanly augmenting the suffering of the victim, or outraging or scoffing at his person or corpse.

Thus, the elements of Murder are: (1) that a person was killed; (2) that the accused killed the victim; (3) that the killing was attended by any of the qualifying circumstances mentioned in Article 248 of the RPC; and (4) that the killing is not parricide or infanticide.³²

The first two elements are undisputed, hence, there is no need to elaborate and dwell on them. The last element is also beyond question because it has already been established that accused-appellant is merely the live-in partner of the victims' mother, which removed the killing from the ambit of parricide or infanticide. These having been settled, the only controversy is the existence of the qualifying circumstance of treachery that elevated the killing to the crime of Murder.

Treachery as a qualifying circumstance must be consciously and deliberately sought to ensure the safety of the accused from the defensive acts of the victim.³³

In this case, records reveal that Friedrich, who was 22 years old when the incident happened,³⁴ and accused-appellant grappled for the knife. This is clear from the testimony of Jan Aldrich:

Q: Do you remember, Mr. Witness, where were you on January 10, 2014 in the morning?

³² See *People v. Manansala*, G.R. No. 233104, September 2, 2020.

³³ See *Cirera v. People*, 739 Phil. 25, 44-45 (2014).

³⁴ Records, pp. 43, 47. Annexes D and C. See Medico Legal Report No. A-14-022-RIZ, Certificate of Death.

- A: I was in the bedroom, sleeping.
- Q: While you were sleeping, was there any unusual incident that happened on that date?
- A: Yes, sir, I heard the scream of my brother.
- Q: From the scream of your brother, can you tell from your room, where was your brother screaming?
- A: Downstairs.
- Q: When you say downstairs, does that mean inside your house or outside your house?
- A: Inside our house.
- Q: After you heard the scream of your brother, what did you do, if any?
- A: I ran downstairs towards kuya.
- Q: What did you [see] after you went down from the stairs?
- A: I saw a lot of blood on the ground. I saw kuya “nakikipag-agawan kay Kuya Robert.”
- Q: When you say “nakikipag-agawan” what do you mean by that?
- A: Nakatalikod sila sa akin. They were holding a knife. They were going outside of the house.³⁵

Notably, Jan Aldrich did not witness how the incident started. When he went downstairs, accused-appellant and Friedrich were already in the middle of the fight, and struggling for possession of the knife. Jan Aldrich did not even know how the fight started. Moreover, accused-appellant was aware that Jan Aldrich was just within shouting distance as he was able to rush downstairs when he heard Friedrich call for help. The foregoing circumstances certainly belie the allegation that accused-appellant consciously and deliberately made preparations to attack and kill the victims without risk to himself. The Court also finds no evidence to support the CA’s findings that accused-appellant deliberately chose the time of day to execute the crime.³⁶ Neither were the nature, number, and locations of the wounds of Friedrich conclusively show that they were consciously and deliberately inflicted to make it impossible for the victim to retaliate or defend himself.

Indeed, the unexpectedness of the attack does not always equate to treachery.³⁷ It should not be based on the sole fact that the victim was unable to defend himself. It is imperative to establish the deliberate adoption by the accused-appellant of such mode of attack which resulted to the killing without risk to himself.³⁸

Also, settled is the rule that qualifying circumstances must be proved with the same quantum of evidence as the crime itself, that is, beyond reasonable

³⁵ TSN, May 4, 2016, p. 4.

³⁶ CA *rollo*, p. 110.

³⁷ Records, pp. 43, 47. Annexes D and C. See Medico Legal Report No. A-14-022-RIZ, Certificate of Death.

³⁸ See *People v. Abina*, 830 Phil. 352, 361 (2018).

doubt.³⁹ Thus, to be convicted of Murder and Frustrated Murder, the prosecution must not only establish that accused-appellant killed Friedrich and tried to kill Jan Aldrich; it must also prove, beyond reasonable doubt, that the killing was attended by treachery.⁴⁰ The prosecution failed to do so; thus, the accused-appellant may only be convicted for Homicide and Frustrated Homicide, defined and penalized under Article 249 of the RPC which provides:

ARTICLE 249. Homicide. - Any person who, not falling within the provisions of Article 246, shall kill another, without the attendance of any of the circumstances enumerated in the next preceding article, shall be deemed guilty of homicide and be punished by *reclusion temporal*.

Homicide has the following elements: (a) a person was killed; (b) the accused killed the victim without any justifying circumstance; (c) the accused had the intention to kill, which is presumed; and (d) the killing was not attended by any of the qualifying circumstances of Murder, or by that of Parricide or Infanticide.⁴¹

On the other hand, the elements of Frustrated Homicide as can be gleaned from the provision of Article 249, in relation to Article 6,⁴² of the RPC are as follows: (1) the accused intended to kill the victim, as manifested by the use of a deadly weapon in the assault; (2) the victim sustained a fatal or mortal wound but did not die because of timely medical assistance; and (3) none of the qualifying circumstances for Murder under Article 248 of the RPC, as amended, is present.⁴³

Thus, considering the prosecution's failure to sufficiently establish the element of a qualifying circumstance required under Article 248 of the RPC, accused-appellant was guilty only of Homicide for the killing of Friedrich, and Frustrated Homicide for inflicting a mortal wound on Jan Aldrich.

Self-defense claim is unsubstantiated.

Accused-appellant's claim of self-defense is unavailing.

³⁹ See *People v. Gayon*, supra note 31.

⁴⁰ Id.

⁴¹ See *Anisco v. People*, G.R. No. 242263, November 18, 2020.

⁴² Article 6. *Consummated, frustrated, and attempted felonies.* - Consummated felonies as well as those which are frustrated and attempted, are punishable.

A felony is consummated when all the elements necessary for its execution and accomplishment are present; and it is frustrated when the offender performs all the acts of execution which would produce the felony as a consequence but which, nevertheless, do not produce it by reason of causes independent of the will of the perpetrator.

There is an attempt when the offender commences the commission of a felony directly by overt acts, and does not perform all the acts of execution which should produce the felony by reason of some cause or accident other than this own spontaneous desistance.

⁴³ See *People v. Aquino*, 829 Phil. 477, 488 (2018).

Self-defense is appreciated as a justifying circumstance only if the following requisites were present, namely: (1) the victim committed unlawful aggression amounting to actual or imminent threat to the life and limb of the person acting in self-defense; (2) there was reasonable necessity of the means employed to prevent or repel the unlawful aggression; and (3) there was lack of sufficient provocation on the part of the person claiming self-defense, or, at least, any provocation executed by the person claiming self-defense was not the proximate and immediate cause of the victim's aggression.⁴⁴

As correctly observed by the appellate court, the indispensable requisite of unlawful aggression was not established. By accused-appellant's own admission, when Friedrich was about to attack him with the knife, the latter lost his footing and fell.⁴⁵ He took advantage of the situation to wrest the knife from Friedrich and stab him with it. Undeniably, when accused-appellant was able to disarm Friedrich, the aggression is no longer present. The multiple stab wound he later inflicted on the victims were no longer necessary as there is no more unlawful aggression to repel.

Accused-appellant is entitled to the mitigating circumstance of voluntary surrender.

The appellate court properly appreciated voluntary surrender as a mitigating circumstance. The surrender, to be deemed voluntary, must be spontaneous in which the accused voluntarily submits himself or herself to the authorities, with an acknowledgment of his or her guilt, and with the intent to save them from trouble and expense of effecting his/her capture.⁴⁶

Senior Police Officer 2 Randy Ventura's (SPO2 Ventura) account corroborated accused-appellant's testimony that when he fled the scene of the crime on his motorcycle, he immediately proceeded to Councilor Wally Dela Vega of Jala-Jala, Rizal, who then accompanied him to the police station to surrender.⁴⁷ The following is an excerpt of SPO2 Ventura's testimony on the matter:

ATTY. CASTILLO

x x x x

Q: After knowing that Roberto Feliciano fled in the motorcycle, what did you do next?

A: We went back to our office to prepare the report and other documents.

⁴⁴ See *Sombilon v. People*, 818 Phil 695, 709 (2017).

⁴⁵ TSN, December 12, 2017, pp. 4-5.

⁴⁶ See *People v. Natindim*, G.R. No. 201867, November 4, 2020.

⁴⁷ TSN, December 12, 2017, p. 9.

- Q: After making those reports, what happened next?
A: While we were in the office, we were told by SPO1 Edgar Awaaw, the desk officer, informed us that the suspect i[s] in Jala-Jala, Rizal who voluntarily surrendered to Councilor Dela Vega.
- Q: Upon receipt of the information, Mr. Witness, what did you do next?
A: We informed our Chief, Chief Abrenica, that the suspect is (sic) voluntarily surrendered in Jala Jala Police Station.
- Q: What did you do after informing your Chief about the surrender of Roberto Feliciano?
A: We were immediately instructed by our Chief to proceed to Jala[-]Jala and fetch accused Roberto Feliciano.⁴⁸

The spontaneous act of accused-appellant manifests voluntariness of intent to give himself up to the authorities.

Appropriate Penalties and Damages.

In view of the Court's findings, the penalties and damages imposed upon accused-appellant is herein modified.

The penalty for Homicide is *reclusion temporal*, while the penalty prescribed for Frustrated Homicide is *prision mayor*. Taking into consideration the Indeterminate Sentence Law,⁴⁹ and the mitigating circumstance of voluntary surrender, the imposable penalty for Homicide is eight (8) years of *prision mayor*, as minimum, to 14 years and eight (8) months of *reclusion temporal*, as maximum. Meanwhile, the imposable penalty for Frustrated Homicide is two (2) years and four (4) months of *prision correccional*, as minimum, to eight (8) years of *prision mayor*, as maximum.

The Court also deems it proper to modify the amount of damages to conform with *People v. Jugueta*.⁵⁰ In Crim. Case No. 14-47619 (Homicide), accused-appellant is ordered to pay civil indemnity *ex delicto* in the amount of ₱50,000.00, and moral damages in the amount of ₱50,000.00. The heirs of Friedrich are also entitled to temperate damages in the amount of ₱50,000.00, in lieu of actual damages. In Criminal Case No. 14-47620 (Frustrated Homicide), Jan Aldrich is entitled to civil indemnity *ex delicto* in the amount of ₱30,000.00, moral damages in the amount of ₱30,000.00, and temperate damages in the amount of ₱25,000.00 in the absence of any documentary evidence showing actual medical expenses.

All monetary awards shall earn interest at the rate of six percent (6%) per *annum* from the date of finality of this Resolution until fully paid.

⁴⁸ TSN, October 10, 2017, p. 4.

⁴⁹ Entitled "AN ACT TO PROVIDE FOR AN INDETERMINATE SENTENCE AND PAROLE FOR ALL PERSONS CONVICTED OF CERTAIN CRIMES BY THE COURT OF THE PHILIPPINE ISLANDS; TO CREATE A BOARD OF INDETERMINATE SENTENCE AND TO PROVIDE FUNDS THEREFOR; AND FOR OTHER PURPOSES. ACT NO. 4103." Approved: June 19, 1965.

⁵⁰ 783 Phil. 806 (2016).

WHEREFORE, the appeal is hereby **GRANTED IN PART**. The October 16, 2019 Decision of the Court of Appeals in CA – G.R. CR-HC No. 11671 is hereby **MODIFIED** as follows:

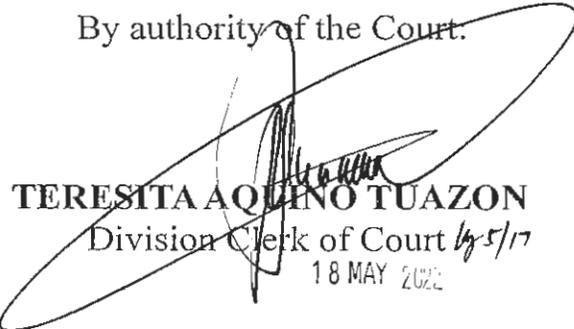
(1) In Criminal Case No. 14-47619, accused-appellant Roberto Feliciano y Pillas is **GUILTY** beyond reasonable doubt of Homicide, and is hereby sentenced to suffer the indeterminate penalty of imprisonment of eight (8) years and one (1) day of *prision mayor*, as minimum, to fourteen (14) years and eight (8) months of *reclusion temporal*, as maximum. Roberto Feliciano y Pillas is also **ORDERED TO PAY** the heirs of Friedrich Lalic y Rockey ₱50,000.00 civil indemnity *ex delicto*, ₱50,000.00 moral damages, and ₱50,000.00 as temperate expenses; and

(2) In Criminal Case No. 14-47620, Roberto Feliciano y Pillas is **GUILTY** beyond reasonable doubt of Frustrated Homicide, and is hereby sentenced to suffer an indeterminate penalty of imprisonment of two (2) years and four (4) months of *prision correccional*, as minimum, to eight (8) years of *prision mayor*, as maximum. Roberto Feliciano y Pillas is also **ORDERED TO PAY** Jan Aldrich Lalic y Rockey ₱30,000.00 civil indemnity *ex delicto*, ₱30,000.00 moral damages, and ₱25,000.00 as temperate damages.

Roberto Feliciano y Pillas is further **ORDERED TO PAY** interest at the rate of six percent (6%) per *annum* on the monetary awards from the time of finality of this Resolution until full payment.

SO ORDERED.” (Perlas-Bernabe, *S.A.J.*, on official leave; Hernando, *J.*, Acting Chairperson per Special Order No. 2887 dated April 8, 2022)

By authority of the Court.


TERESITA AQUINO TUAZON
Division Clerk of Court *by 5/17*
18 MAY 2022

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*ROBERTO FELICIANO y PILLAS (reg)
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c/o The Director
Bureau of Corrections
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 100
Antipolo City
(Crim. Case Nos. 14-47619 & 14-47620)

THE DIRECTOR (reg)
Bureau of Corrections
1770 Muntinlupa City

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GR252251. 04/25/2022(171)URES

JS/17