



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

LENIDA T. MAESTRADO,

G.R. No. 253629

*Petitioner,* Present:

- versus -

PEOPLE OF THE PHILIPPINES

*Respondent.*

GESMUNDO, C.J.,  
HERNANDO,  
ZALAMEDA,  
ROSARIO, and  
MARQUEZ, JJ.

Promulgated:

SEP 28 2022

X-----X

DECISION

ZALAMEDA, J.:

The Court will always uphold the policy of the State to promote human dignity, protect the people from any threat of violence and exploitation, and eliminate trafficking in persons.<sup>1</sup> Moreso when it involves children, the Court will exercise its mandate to defend and afford them special protection from any neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.<sup>2</sup>

The Case

This Petition<sup>3</sup> for Review on *Certiorari* dated 11 September 2020

<sup>1</sup> See RA 10364 or the "Expanded Anti-Trafficking in Persons Act of 2012," Section 2.

<sup>2</sup> See CONSTITUTION, Article XV, Section 3 (2).

<sup>3</sup> *Rollo*, pp. 10-30.

under Rule 45 seeks to reverse and set aside the Decision<sup>4</sup> dated 30 July 2020 of the Court of Appeals (CA) in CA-G.R. CR NO. 01674-MIN. The CA affirmed the Judgment dated 06 October 2017<sup>5</sup> of Branch 1, Regional Trial Court, ██████████<sup>6</sup> (RTC) in Criminal Case No. 20543, finding petitioner Lenida “Elenida” Maestrado y Tanso (petitioner) and Jenylin Vitor Alvarez (Alvarez) guilty beyond reasonable doubt of the crime of Attempted Trafficking in Persons, sentencing them to suffer the penalty of fifteen (15) years imprisonment and to pay a fine of ₱500,000.00 each.

### Antecedents

Petitioner, together with Stephanie Jean Locker (Locker), Rubelyn “Rubylyn” Stone (Stone), and Alvarez (collectively, accused), were charged with violation of Section 4-A, paragraphs (d) and (e) of Republic Act No. (RA) 9208<sup>7</sup> or the “Anti-Trafficking Persons Act of 2003,” as amended by RA 10364<sup>8</sup> or the “Expanded Anti-Trafficking in Persons Act of 2012.” The accusatory portion of the Information dated 08 March 2016 states:

That on or about between the period ██████████ ██████████, at ██████████, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, conspiring and confederating together and mutually helping with one another, did then and there willfully, unlawfully and knowingly simulate the birth, solicit and acquire the custody of ██████████ ██████████, a 7-month old victim, through any means from her low-income family, for the purpose of selling such child-victim, to the damage and prejudice of the victim and such other damages that maybe proven in Court.

CONTRARY TO LAW: (Sec. 4-A, par. (d) & (e) of RA 9208, as amended by RA 10364)[.]<sup>9</sup>

<sup>4</sup> Id. at 33-55. Penned by Associate Justice Lily V. Biton and concurred in by Associate Justices Oscar V. Badelles and Richard D. Mordeno.

<sup>5</sup> Id. at 61-75. Penned by Judge Eduardo S. Casals.

<sup>6</sup> The information is blotted pursuant to Amended Administrative Circular No. 83-15 dated 05 September 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.”

<sup>7</sup> Entitled: “AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS, AND FOR OTHER PURPOSES.” Approved: 26 May 2003.

<sup>8</sup> Entitled “AN ACT EXPANDING REPUBLIC ACT NO. 9208, ENTITLED “TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS, AND FOR OTHER PURPOSES.” Approved: 06 February 2013.

<sup>9</sup> Id. at 34; 61.

When arraigned, petitioner and Alvarez, with the assistance of their respective counsel, pleaded not guilty. Joint trial ensued where the prosecution and the defense presented their respective versions of the facts.<sup>10</sup> Locker and Stone remained at-large and the warrants for their arrest were left unserved.<sup>11</sup>

### Version of the Prosecution

The prosecution's evidence showed that in the morning of 24 September 2014, Locker, Stone, and Alvarez, went to the Office of the Local Civil Registrar (LCR) of [REDACTED] to inquire about the requirements for the registration of the birth of AAA.<sup>12</sup> Anita Q. Gadgode (Gadgode), an LCR clerk, gave Locker, Stone, and Alvarez blank *Impormasyon Para Sa Birth Certificate* form, asked them to fill out said form, and required them to submit a copy of the marriage certificate of AAA's parents.<sup>13</sup>

In the afternoon of 24 September 2014, Locker, Stone, and Alvarez came back to the LCR and submitted to Gadgode a copy of the License and Certificate for Marriage issued by the State of South Carolina, United States of America to Gerald Vincent Locker, Jr. and Stephanie Jean Bowzard Locker who were married on 21 April 2008 in Charleston South Carolina.<sup>14</sup> Said document states that both Gerald Vincent Locker, Jr. and Stephanie Jean Bowzard Locker are Caucasian.

Locker, Stone, and Alvarez also submitted to Gadgode the *Impormasyon Para sa Birth Certificate* form which indicates that AAA was born on [REDACTED] to parents Gerald Vincent Locker, Jr. and Stephanie Jean Gaskins (mother's maiden name) who are American citizens. The form also states that Alvarez was the midwife who assisted in AAA's birth.<sup>15</sup>

Then, Gadgode prepared AAA's birth certificate containing the following information:

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<sup>10</sup> Id. at 35.

<sup>11</sup> Id. at 122.

<sup>12</sup> Initials were used to identify the victim (AAA) and her biological mother (BBB) pursuant to Amended Administrative Circular No. 83-15 dated 5 September 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."

<sup>13</sup> *Rollo*, pp. 35.

<sup>14</sup> Id. at 35.

<sup>15</sup> Id.

Date of birth: [REDACTED]  
Place of Birth: [REDACTED]  
Mother's maiden name: Stephanie Jean Gaskins  
Mother's citizenship: American  
Father's name: Gerald Vincent Locker Jr.  
Father's citizenship: American  
Date of marriage of parents: April 21, 2008  
Place of marriage of parents: Charleston, South Carolina, United States of America  
Attendant: Midwife

Certification of attendant at birth:

I hereby certify that I attended the birth of the child who was born alive at 05:55 PM on the date of birth specified above.

Signature: [sgd]  
Name in print: Jenylin V. Alvarez  
Title or Position: Midwife  
Address: [REDACTED]  
Date: September 24, 2014

Certification of Informant:

I hereby certify that all information supplied are true and correct to my own knowledge and belief.

Signature: [sgd]  
Name in print: Stephanie Jean Locker  
Relationship to the child: Mother  
Address: PSC 561 PO Box 941 FPO AP 96310, USA  
Date: September 24, 2014<sup>16</sup>

After Gadgode prepared AAA's birth certificate, she showed the same to Locker and asked the latter to check whether all the entries were correct. Locker said there was no error in the entries. Gadgode then asked Locker to sign AAA's birth certificate to which Locker acceded. Gadgode also asked Alvarez to sign the birth certificate since the latter's name was indicated as the midwife or attendant at birth. Alvarez signed AAA's birth certificate in the presence of Gadgode, Locker, and Stone.<sup>17</sup>

After the required fees were paid, Gadgode submitted AAA's birth certificate to Consolada D. Mangmang, the Municipal Civil Registrar of

<sup>16</sup> Id. at 36, 100-101.

<sup>17</sup> Id. at 36-37, 101.



██████████, who signed it. Thereafter, AAA's birth certificate was issued to Locker.<sup>18</sup>

At about 1 p.m. on 24 March 2015, Senior Police Officer (SPO) 4 Imelda G. Salubre (SPO4 Salubre) and several other police officers from the 13th Regional Crime Investigation and Detection Unit led by Police Chief Inspector Inganio M. Gamba III (PC/INSP Gamba) went to ██████████ Rural Health Unit (RHU) Birthing Clinic to investigate the details surrounding the birth of AAA, who was purportedly born there on ██████████. The police conducted the investigation pursuant to information received from the United States Navy and Criminal Investigation Service (NCIS) indicating that AAA's birth certificate appeared to be spurious, since the birth mother and father indicated in the child's birth certificate were both Caucasian while the child appears to be of Filipino descent.<sup>19</sup>

The police officers examined the documents at the ██████████ RHU and discovered that Locker did not give birth to AAA on ██████████ at the ██████████ RHU Birthing Clinic, contrary to the information indicated in AAA's birth certificate. Further investigation revealed that AAA's biological mother is a certain BBB.<sup>20</sup>

The police officers spoke to Alvarez and asked whether she was the midwife who attended AAA's birth. Alvarez did not directly answer but she admitted that Locker merely approached her and asked for assistance in registering AAA's birth to which she agreed. Alvarez informed the police that AAA was in the custody of petitioner, the stepmother of Stone, who in turn was Locker's friend. She said that petitioner was in ██████████  
██████████.<sup>21</sup>

The police officers proceeded to petitioner's residence in ██████████. However, when they arrived, they found out that petitioner already transferred her residence to ██████████. Thus, the police officers proceeded to petitioner's new residence.<sup>22</sup> When they got there, they found AAA in petitioner's custody at her new residence in ██████████. Petitioner claimed that Locker left AAA in her custody because Locker could not bring the child outside of the country since the child's documents were still being processed.<sup>23</sup>

<sup>18</sup> Id. at 37, 101.

<sup>19</sup> Id. at 37, 101-102.

<sup>20</sup> Id. at 37, 102.

<sup>21</sup> Id. at 37-38, 102.

<sup>22</sup> Id. at 38, 102.

<sup>23</sup> Id. at 38, 103.



The police took AAA and turned over her custody to Maria Bernardita N. Quinajo, the Municipal Social Worker of [REDACTED].<sup>24</sup> The police thereafter filed complaints for violation of RA 9208, as amended by RA 10364, against petitioner, Alvarez, Locker and Stone. As for petitioner, she was charged for acting in conspiracy with the other accused by taking custody over AAA in Locker's absence and failing to inform the Department of Social Welfare and Development (DSWD) or any other government agency that she had custody of AAA despite the fact that she was not the child's mother.<sup>25</sup>

### Version of the Defense

Petitioner denied the charge against her. She testified that she took care of AAA while waiting for Locker to get the child back. As to the circumstances on how AAA was left by Locker, petitioner explained that she was simply washing clothes at that time when she heard the engine of a vehicle. When petitioner went outside the apartment, she found out that Locker was no longer there, leaving AAA inside the room.<sup>26</sup>

Prior to the date when Locker left AAA, petitioner testified that Locker, accompanied by her stepdaughter, Stone, arrived from Japan and stayed in her apartment. At that time, AAA was not with them. It was only at around the first week of September 2014 that petitioner first saw AAA. When petitioner asked whose child AAA was, Locker and Stone simply shrugged their shoulders.<sup>27</sup>

Petitioner elaborated that during the time Locker and Stone was at their apartment, it was Locker who took care of AAA. When Locker and Stone suddenly left, it was only at that time when petitioner was constrained to take care of AAA. Petitioner was also unable to contact either Locker or Stone because she did not have their respective numbers. Petitioner believed that Locker and Stone left for Japan.<sup>28</sup>

### Ruling of the RTC

After trial, the RTC rendered its Judgment dated 06 October 2017 finding petitioner and Alvarez guilty beyond reasonable doubt of the crime

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<sup>24</sup> Id.

<sup>25</sup> Id. at 38-39.

<sup>26</sup> Id. at 39.

<sup>27</sup> Id.

<sup>28</sup> Id. at 39-40.

of Attempted Trafficking in Persons:

Wherefore, after carefully weighing the evidence at hand, accused Jenylin Vitor Alvarez and Lenida (Elenida) Maestrado y Tanzo are hereby found guilty beyond reasonable doubt of the crime of Attempted Trafficking in Persons. Accordingly, both accused are sentenced to Fifteen (15) years imprisonment and to pay a fine of Five Hundred Thousand Pesos (P500,000.00) each.

Both accused shall serve their respective sentences at Davao Prison Penal Farms, Dujale, Davao del Norte.

In the service of their sentence, both accused shall be credited with the full time benefit of their preventive imprisonment if they abide by the same disciplinary rules imposed upon convicted prisoners.

SO ORDERED.<sup>29</sup>

Aggrieved, petitioner and Alvarez separately filed their Notice of Appeal, which were given due course by the RTC in an Order dated 28 November 2017.<sup>30</sup>

### Ruling of the CA

The CA, in its Decision dated 30 July 2020,<sup>31</sup> denied the appeals and affirmed the Judgment dated 06 October 2017 of the RTC:

WHEREFORE, the instant appeals are hereby DENIED. The assailed Judgment dated 06 October 2017 rendered by the Regional Trial Court, [REDACTED], in Criminal Case No. 20543 is hereby AFFIRMED.<sup>32</sup>

The CA held that all elements for Attempted Trafficking in Persons under RA 9208, as amended by RA 10364, are present. First, there is no doubt that AAA is a child. Second, the prosecution witness SPO4 Salubre positively identified petitioner in open court as the person in custody of AAA when the police authorities found her.<sup>33</sup> As to petitioner's argument that she only maintained custody over AAA because she was waiting for Locker to return for her child, the CA found this to be unbelievable.

As a last-ditch effort to evade criminal liability, petitioner denied that

<sup>29</sup> Id. at 41.

<sup>30</sup> Id. at 42.

<sup>31</sup> Id. at 33-55.

<sup>32</sup> Id. at 54.

<sup>33</sup> Id. at 50-52.



her custody over AAA was for the purpose of simulating her birth and her acts of soliciting and acquiring AAA's custody was for the purpose of selling her.<sup>34</sup> The CA said that petitioner's denial were unpersuasive and cannot prevail over the positive, straightforward and categorical testimonies of the prosecution witnesses proving petitioner's culpability.<sup>35</sup>

Thus, this present petition.

### Issue

The issue is whether or not the CA erred in affirming petitioner's conviction for Attempted Trafficking in Persons.

### Ruling of the Court

The petition has no merit.

We have repeatedly held that the Supreme Court is not a trier of facts. In a petition for review on *certiorari*, only questions of law may be raised.<sup>36</sup> Section 1, Rule 45 categorically states that a petition for review on *certiorari* shall raise only questions of law, which must be distinctly set forth. A question of law arises when there is doubt as to what the law is on a certain state of facts, while there is a question of fact when the doubt arises as to the truth or falsity of the alleged facts. For a question to be one of law, the same must not involve an examination of the probative value of the evidence presented by the litigants or any of them. The resolution of the issue must rest solely on what the law provides on the given set of circumstances. Once it is clear that the issue invites a review of the evidence presented, the question posed is one of fact.<sup>37</sup>

In this case, petitioner essentially raises the issue of whether the prosecution has proven her guilt beyond reasonable doubt.<sup>38</sup> However, the issue of finding of guilt beyond reasonable doubt requires courts to evaluate the evidence presented in relation to the elements of the crime charged. Thus, this is a question of fact.<sup>39</sup>

We emphasize that the CA adopted the factual findings of the RTC. It is a settled rule that findings of fact of the RTC, when affirmed by the CA,

<sup>34</sup> Id. at 53.

<sup>35</sup> Id.

<sup>36</sup> *People v. Olpindo y Reyes*, G.R. No. 252861, 15 February 2022.

<sup>37</sup> *Magdiwang Realty Corp. vs. Manila Banking Corp.*, 694 Phil. 392, 404 (2012).

<sup>38</sup> *Rollo*, p. 42.

<sup>39</sup> *Ruego v. People*, G.R. No. 226745, 03 May 2021.



are accorded great respect and even finality by this Court and are deemed final and conclusive when supported by the evidence on record.<sup>40</sup> Without any showing that the trial and the appellate courts overlooked certain facts and circumstances that could substantially affect the outcome, their rulings must be upheld.<sup>41</sup> Thus, We rely on the RTC and the CA's common findings of fact in affirming the conviction. We also note that Petitioners here raised the same arguments that were already passed upon and correctly resolved by CA.<sup>42</sup>

Section 4-A of RA 9208, as amended by RA 10364, defines Attempted Trafficking in Persons:<sup>43</sup>

SEC. 4-A. *Attempted Trafficking in Persons.* — Where there are acts to initiate the commission of a trafficking offense but the offender failed to or did not execute all the elements of the crime, by accident or by reason of some cause other than voluntary desistance, such overt acts shall be deemed as an attempt to commit an act of trafficking in persons. As such, an attempt to commit any of the offenses enumerated in Section 4 of this Act shall constitute attempted trafficking in persons.

The provision further provides that in cases where the victim is a child, the following acts shall also be deemed Attempted Trafficking in Persons:

- (a) Facilitating the travel of a child who travels alone to a foreign country or territory without valid reason therefor and without the required clearance or permit from the Department of Social Welfare and Development, or a written permit or justification from the child's parent or legal guardian;
- (b) Executing, for a consideration, an affidavit of consent or a written consent for adoption;
- (c) Recruiting a woman to bear a child for the purpose of selling the child;
- (d) Simulating a birth for the purpose of selling the child; and
- (e) Soliciting a child and acquiring the custody thereof through any means from among hospitals, clinics, nurseries, daycare centers, refugee or evacuation centers, and low-income families, for the purpose of selling the child.<sup>44</sup>

Here, petitioner and the other accused were charged of conspiring, confederating, and mutually helping one another in committing the crime of Attempted Trafficking in Persons under Section 4-A, paragraphs (d) and (e) of RA 9208, as amended by RA 10364.<sup>45</sup>

<sup>40</sup> *People v. Gerola y Amar*, 813 Phil. 1055, 1063-1064 (2017).

<sup>41</sup> *People v. Jao y Calonia*, 810 Phil. 1028, 1037-1038 (2017).

<sup>42</sup> *Rollo*, pp. 18, 42, and 82.

<sup>43</sup> *See Candy v. People*, G.R. Nos. 223042 & 223769, 06 October 2021.

<sup>44</sup> Republic Act No. 9208, as amended by Republic Act No. 10634, Sec. 4-A.

<sup>45</sup> *Rollo*, pp. 34-35; 62-63.

To secure a conviction for Attempted Trafficking in Persons under Section 4-A, paragraph (d), the prosecution must establish the following elements:

- (i) the victim is a child; and
- (ii) the simulation of birth was for the purpose of selling the child.<sup>46</sup>

Child, under Section 3 (b) of RA 10364 “[r]efers to a person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.”<sup>47</sup>

As for Attempted Trafficking in Persons under Section 4-A, paragraph (e), the prosecution must prove the following elements:

- (i) the victim is a child; and
- (ii) the child is solicited and custody over him/her is acquired through any means from among hospitals, clinics, nurseries, daycare centers, refugee or evacuation centers, and low-income families for the purpose of selling the child.<sup>48</sup>

Here, all the elements of Attempted Child Trafficking in Persons under Section 4-A, paragraphs (d) and (e), were established.

For Section 4-A, paragraph (d) on simulation of birth for the purpose of selling the child, first, it was proven that AAA was under 18 years old when the alleged crime case committed. Her Certificate of Live Birth shows that she was born on 10 September 2014.<sup>49</sup> Moreover, AAA’s photograph, which was presented before the RTC and attached in the record of the case, manifestly shows that AAA is indeed a minor.<sup>50</sup>

Second, the prosecution witness Gadgode of the LCR categorically narrated Locker, Stone, and Alvarez’s concerted act of registering and simulating AAA’s birth with Locker as her mother and Alvarez as the midwife.<sup>51</sup> As the RTC and CA found, Alvarez, Locker, and Stone went in the morning of 24 September 2014 to the LCR of [REDACTED] to inquire on the requirements for the registration of birth. Then on the afternoon of the same day, the three of them returned to register AAA’s birth. Gadgode was able to positively identify that it was Locker who introduced

<sup>46</sup> Republic Act No. 9208, as amended by Republic Act No. 10634, Sec. 4-A (d).

<sup>47</sup> Id. at Sec. 3 (b).

<sup>48</sup> Id. at Sec. 4-A (e).

<sup>49</sup> *Rollo*, p. 44.

<sup>50</sup> Id.

<sup>51</sup> Id. at 44-49.

herself as the biological mother of AAA and applied for the registration of birth with Stone and Alvarez accompanying her. According to Gadgode, Alvarez voluntarily signed the Certificate of Live Birth indicating that she was the midwife when Locker gave birth to AAA on [REDACTED] at the [REDACTED] RHU Birthing Clinic. However, this fact was belied by the documents at the [REDACTED] RHU showing that Locker did not give birth to AAA on [REDACTED] at the [REDACTED] RHU Birthing Clinic.<sup>52</sup>

Notably, SPO4 Salubre testified that the police authorities found that the birth certificate is spurious because the alleged birth mother, Locker, and her husband were Caucasians but AAA is of Filipino descent. AAA's photograph corroborates SPO4 Salubre's testimony. Thus, petitioner's co-accused, Alvarez, who admitted she has seen both AAA and Locker several times, cannot claim in good faith that AAA is Locker's child.<sup>53</sup>

As to the presence of the elements for violation of Section 4-A, paragraph (e) on acquiring custody of a child for the purpose of selling him/her, first, it was established above that AAA is a child. Second, the prosecution witness SPO4 Salubre positively identified petitioner in open court as the person in custody of AAA when the police authorities rescued her her and that she was part of a collective effort to allow Locker to bring AAA, the baby she bought from BBB, to the United States of America.<sup>54</sup>

Petitioner admitted that AAA was in her custody and she took care of the latter for about 5½ months already even if she knows that AAA could not have been the daughter of Locker because the baby does not look Caucasian.<sup>55</sup> She even admitted that while Locker and Stone were talking, the two mentioned that the mother of AAA is from [REDACTED]. Despite knowledge of these facts, petitioner did not report to the authorities or any government agency that she is in custody of a child who was left by a foreigner who is not related to AAA. Instead, she maintained custody of AAA, who is not related to her, and who was left with her under suspicious circumstances.<sup>56</sup>

Moreover, as to the purpose of the simulation of birth and custody over AAA, Alvarez repeatedly admitted that the criminal acts were done by Stone, Locker, petitioner and BBB, AAA's biological mother.<sup>57</sup> Alvarez, while denying participation of the payment of consideration, declared that the enumerated persons conspired in one way or another to bring AAA to the

<sup>52</sup> Id. at 35, 44-49, 72.

<sup>53</sup> Id. at 49.

<sup>54</sup> Id. at 50-51.

<sup>55</sup> Id. at 52.

<sup>56</sup> Id.

<sup>57</sup> Id. at 53.



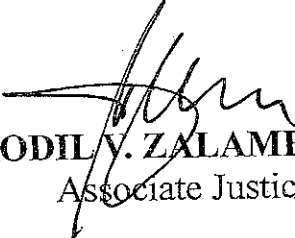
United States of America. Thus, the evidence on record and the testimonies of the witnesses reveal that the act of Alvarez and petitioner, together with Locker and Stone, were part of a collective effort to enable Locker to illegally bring AAA, the baby she bought from BBB, to the United States of America.<sup>58</sup>

As a final attempt to evade criminal liability, petitioner denied that her custody over AAA was for the purpose of simulating her birth and selling her.<sup>59</sup> We find the testimonies of the prosecution witnesses credible. Evidence to be believed must not only proceed from the mouth of a credible witness but it must be credible, such as the common experience and observation of mankind can approve as probable under the circumstances.<sup>60</sup> Petitioner offers her defense of denial without even attempting to corroborate it with supporting evidence. The defense of simple denial is weak, the same being easy to fabricate just like the defense of alibi.<sup>61</sup>

Given the foregoing, the Court finds no reason to deviate from the findings of the RTC, as affirmed by the CA, as there is no indication that it overlooked, misunderstood, or misapplied the surrounding facts and circumstances of the case. As such, petitioner's conviction for Attempted Trafficking in Persons under Section 4-A, paragraphs (d) and (e) of RA 9208, as amended by RA 10364 must be upheld.

**WHEREFORE**, the present petition for review on *certiorari* is **DENIED**. The Decision dated 30 July 2020 of the Court of Appeals in CA-G.R. CR No. 01674-MIN is **AFFIRMED**. Petitioner Lenida "Elenida" Maestrado y Tanso is **GUILTY** beyond reasonable doubt of the crime of Attempted Trafficking in Persons under Section 4-A, paragraphs (d) and (e) of Republic Act No. 9208 or the "Anti-Trafficking Persons Act of 2003," as amended by Republic Act No. 10364 or the "Expanded Anti-Trafficking in Persons Act of 2012." She is **SENTENCED** to suffer the penalty of 15 years imprisonment and to **PAY** a fine of PhP500,000.00.

**SO ORDERED."**

  
**RODIL V. ZALAMEDA**  
Associate Justice

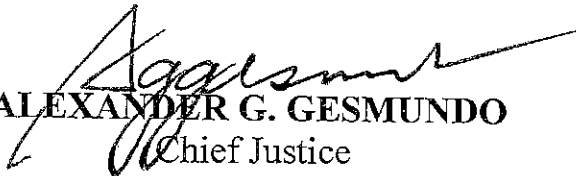
<sup>58</sup> Id. at 52.

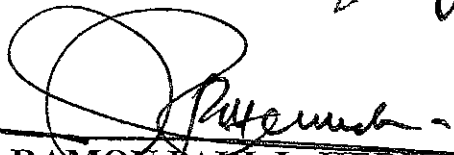
<sup>59</sup> Id. at 23-24.

<sup>60</sup> See *Idanan v. People*, 783 Phil. 429, 436 (2016).

<sup>61</sup> *People v. Daguno y Codog*, G.R. No. 235660, 04 March 2020.

**WE CONCUR:**

  
**ALEXANDER G. GESMUNDO**  
Chief Justice

  
**RAMON PAUL L. HERNANDO**  
Associate Justice

  
**RICARDO R. ROSARIO**  
Associate Justice

  
**JOSE MIDAS P. MARQUEZ**  
Associate Justice

**CERTIFICATION**

Pursuant to the Section 13, Article VIII of the Constitution, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

  
**ALEXANDER G. GESMUNDO**  
Chief Justice



