



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated October 19, 2022, which reads as follows:

“G.R. No. 254475 (*People of the Philippines v. Eduardo Montemayor, Sr. y Bengson @ “Boy,” Eduardo Montemayor y Domondon, Jr., Roman Montemayor y Domondon, Rolando Montemayor y Domondon, and Ricky Montemayor y Domondon*). — This is an appeal from the March 28, 2018 Decision¹ of the Court of Appeals (CA) in CA-G.R. CR-HC No. 08580 affirming with modifications the February 24, 2015 Decision² of the Regional Trial Court (RTC) of Alaminos City, Pangasinan, Branch 55 in Crim. Case No. 5168-A. The RTC Decision convicted accused-appellants of the crime of Murder and sentenced them to suffer the penalty of *reclusion perpetua* and ordered them to pay damages.

The Factual Antecedents

The facts, as lifted from the CA Decision and the records, are as follows:

An Information³ dated December 21, 2006 was filed against accused-appellants, charging them with the crime of Murder for killing Rolando Ramo (Ramo). The accusatory portion reads:

That on December 21, 2006 in the morning in Sitio Dampay, Alaminos City, Pangasinan, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, conspiring, confederating and helping each other armed with bladed/pointed weapons and clubs x x x with intent to kill, with abuse of superior strength and evident premeditation, did then and there, willfully, unlawfully, feloniously, unexpectedly and treacherously attack, stab [sic], hack, slash and club Rolando Ramo y Bergonia, inflicting

¹ *Rollo*, pp. 4-38. Penned by Associate Justice Rafael Antonio M. Santos and concurred in by Associate Justices Socorro B. Inting and Maria Elisa Sempio Diy.

² *Records*, pp. 280-295. Penned by Presiding Judge Elpidio N. Abella.

³ *Id.* at 1-5.

upon him many wounds and injuries, some of which are severe or mortal, directly causing his death shortly thereafter, to the damage and prejudice of his heirs.

Contrary to Article 248 of the Revised Penal Code.⁴

Version of the Prosecution

Eyewitnesses Rogelio Quilla (Quilla) and Ramon Rabi (Rabi) narrated the incident as follows:

On December 21, 2006, at around 6:00 a.m., Quilla saw Eduardo Montemayor, Sr., (Eduardo, Sr.), Eduardo Montemayor, Jr. (Eduardo, Jr.), and Rolando Montemayor (Rolando) holding a water pump, which they used to siphon to their own rice field the water from the rice field of one Teofilo Ruamero, which Ramo irrigates.⁵

After Ramo knew what the Montemayors did, he and his son went towards the pump engine, opened the fuel tank of the water pump and poured out the gasoline into the grass and burned the spilled gasoline. Subsequently, Ramo went to the farm of Eduardo, Sr. carrying a shovel.⁶ Quilla followed him, afraid that something might happen to him. However, upon seeing Ramo, accused-appellants, each carrying a deadly weapon, ran towards the former and attacked him.⁷ Ramo retreated but accused-appellant Roman Montemayor (Roman) stabbed him using a samurai⁸ twice. Thereafter, accused-appellants Ricky Montemayor (Ricky) and Eduardo, Jr. stabbed Ramo using their knives while Rolando struck his nape using a “potek” (bamboo pole). Finally, Eduardo, Sr. hacked Ramo’s back several times using a “panabas.” Rabi, who was about 15 meters away, shouted twice “*that is enough Manong Boy, you might kill him.*”⁹

After the stabbing, Quilla rushed to the scene intending to help Ramo. However, Eduardo, Sr. aimed his bolo at Quilla and threatened to kill him if he helped Ramo. This prompted Quilla to run away.¹⁰

Ramo was brought to Alaminos Doctors Hospital and was attended to by Dr. Ricky Figueroa (Dr. Figueroa). Dr. Figueroa testified that when he saw Ramo, he was weak, gasping for breath and had a very low blood pressure of 70/60.¹¹ According to him, they tried to do emergency procedures to save Ramo but after 15 minutes, Ramo was declared dead.¹² According to the

⁴ Id. at 1.

⁵ Id. at 281.

⁶ Id. at 282.

⁷ Id.

⁸ “Samurai” refers to the military nobility who wielded the sword, which is called a “katana.”

⁹ Records, p. 283.

¹⁰ Id.

¹¹ Id. at 284.

¹² Id.

Certificate of Death which Dr. Figueroa issued, Ramo's immediate cause of death was cardio respiratory arrest secondary to penetrating stabs. The Certificate of Death indicates the following findings:

=Hacking wound, 3-4cm post auricular area (L), Hacking wound 3-4cm (L) ear lobe, Stab wound (R) anterior shoulder 2-3cm, incised wound 10cm lateral aspect P/3 arm (R), Stab wound 3-4cm (R) anterior chest T/3 level penetrating chest cavity, incised wound 8-9cm T4 level penetrating chest cavity, stab wound 2-3cm (R) subcostal MCL penetrating abdomen.

=Hacking wound 8-9cm lateral aspect P/3 arm left, post. Aspect transecting triceps muscles, incised wound 2-3cm (L) shoulder, stab wound 1-2cm P/3 arm (L) shoulder, stab wound 1-2cm P/3 are (L) post. Lateral aspect, incised wound 10cm D/3 (L) arm lateral aspect. =incised wound 5-6cm lat. aspect (L) elbow, incised wound 2-cm p/3 (L) Fore arm post. Aspect incises wound 18-20cm scapular area (horizontal from (L) medial scapular to axilla), Hacking wound (10-12cm horizontal level T12-L1 mid scapular area, incised wound 13-15cm (L) intrascapular area, stab wound superficial 2-3cm level 6 TH ICS (L) mid scapular.

REMARKS: Patient died.¹³

In total, Ramo suffered 18 wounds.¹⁴

Version of the Defense

Among the accused-appellants, Eduardo, Sr. and Roman admitted inflicting wounds on Ramo, albeit in self-defense.¹⁵

According to them, in the morning of December 21, 2006, Eduardo, Sr., Rolando, and Eduardo, Jr. went to their farm. After Eduardo, Sr. sent his two sons to buy gasoline, he heard Ramo shouting "*okinnam pinuurak diay makinan*" (vulva of your mother, I burned your engine).¹⁶ Therafter, Ramo attacked Eduardo, Sr. with the shovel he was carrying, causing the former to fall.¹⁷ Ramo attempted to attack Eduardo, Sr. again, but Roman came and grabbed the hands of Ramo, telling him to stop. However, Ramo's refusal to stop attacking prompted Roman to stab him.¹⁸ Upon seeing that Roman hacked Ramo, Eduardo, Sr. stood up and also hacked Ramo several times.¹⁹

Meanwhile, the other accused-appellants, Eduardo, Jr., Rolando, and Ricky, denied the accusations against them. For his part, Eduardo, Jr. asserted that at the time of the incident, he was asked by his father (Eduardo, Sr.) to

¹³ Id.

¹⁴ *Rollo*, p. 23.

¹⁵ Records, p. 285.

¹⁶ Id.

¹⁷ Id.

¹⁸ Id.

¹⁹ Id. at 285-286.

buy gasoline at the town proper.²⁰ On the other hand, Rolando claimed that he was at home baby-sitting his child and watching over his pregnant wife.²¹ Lastly, Ricky admitted that he only learned of the incident later when he heard a commotion coming from the field. When he went to see what was happening, he saw his brother Roman pulling their father, and that his brothers, Rolando and Eduardo, Jr., were also on their way to see their father.²²

Ruling of the Regional Trial Court

In a Decision²³ dated February 24, 2015, the RTC found the accused-appellants guilty of Murder. The dispositive portion reads:

WHEREFORE, premises considered, this Court finds the accused **EDUARDO MONTEMAYOR y BENGSON SR., EDUARDO MONTEMAYOR y DOMONDON, JR., ROMAN MONTEMAYOR y DOMONDON, ROLANDO MONTEMAYOR y DOMONDON and RICKY MONTEMAYOR y DOMONDON GUILTY** beyond reasonable doubt of the crime of murder defined and penalized [under] Article 248 of the Revised Penal Code and hereby sentences them to suffer the penalty of reclusion perpetua. In addition, accused Eduardo Montemayor y Bengson Sr., Eduardo Montemayor y Domondon Jr., Roman Montemayor y Domondon, Rolando Montemayor y Domondon and Ricky Montemayor y Domondon are ordered to pay jointly and severally the following amount to the heirs of Rolando Ramo:

1. Civil Indemnity of Php 75,000.00;
2. Moral Damages of Php 50,000.00;
3. Exemplary Damages of Php 30,000.00;
4. Actual Damages of Php 20,725.84;
5. Attorney's fees of Php 25,000.00.

Interest at the rate of six percent (6%) per annum shall be imposed on all the damages awarded, to earn from the date of the finality of this judgment until fully paid.

SO ORDERED.²⁴

In convicting the accused-appellants, the RTC held that self-defense was not established, there being no unlawful aggression on the part of the victim. Further, the RTC gave great weight to the testimonies of Rabi and Quilla, and held that their unbiased account of the incident and their positive identification of the accused-appellants and their participation in the crime are more plausible than the latter's alibi.²⁵

²⁰ *Rollo*, p. 35.

²¹ *Id.*

²² *Id.*

²³ *Records*, pp. 280-295.

²⁴ *Id.* at 295.

²⁵ *Id.* at 288-294.



Aggrieved, the accused-appellants elevated the case to the CA in a Notice of Appeal²⁶ dated June 16, 2015.

Ruling of the Court of Appeals

In its March 28, 2018 Decision,²⁷ the CA denied accused-appellants' appeal.

In ruling so, the CA agreed with the conclusion of the RTC as to the credibility and truthfulness of Rabi's and Quilla's testimonies, which are corroborated by the post-mortem examinations done on Ramo's body.²⁸

Moreover, the CA belied the accused-appellants' claim of self-defense, and held that "the sheer gravity and number of the wounds sustained by victim Ramo all the more shows that accused-appellants' intention was to kill, rather than to merely defend themselves."²⁹

The CA affirmed the RTC Decision, but modified the damages awarded. The dispositive portion reads:

WHEREFORE, the appeal is hereby **DENIED**. The assailed *Decision* dated 24 February 2015 of the Regional Trial Court, Branch 55, Alaminos City, Pangasinan is hereby **AFFIRMED**, with the following **MODIFICATIONS**:

- (1) Civil Indemnity is increased from Php 75,000.00 to Php 100,000.00;
- (2) Moral damages is increased from Php 50,000.00 to Php 100,000.00;
- (3) Exemplary damages is increased from Php 30,000.00 to Php 100,000.00; and
- (4) In lieu of actual damages of Php 20,725.84, temperate damages in the amount of Php 50,000.00 is awarded.

All monetary awards are subject to legal interest at the rate of six percent (6%) *per annum* from the time of finality of this decision until fully paid.

SO ORDERED.³⁰

²⁶ Id. at 296.

²⁷ *Rollo*, pp. 4-38.

²⁸ Id. at 23-24.

²⁹ Id. at 34.

³⁰ Id. at 37.

Undeterred, the accused-appellants elevated the case to this Court by filing a Notice of Appeal³¹ dated April 20, 2018.

Issue

The sole issue to be resolved is whether accused-appellants are guilty beyond reasonable doubt of the crime of Murder.

In their brief,³² accused-appellants attack the testimonies of Rabi and Quilla, claiming that they are incredible and biased, and are marred with inconsistencies. Further, the accused-appellants maintain that the killing was done in self-defense.

Our Ruling

The appeal utterly lacks merit.

The RTC correctly convicted the accused-appellants of Murder

In an attempt to exculpate themselves, the accused-appellants attack the credibility of the testimonies of the eyewitnesses. With regard to Rabi's testimony, the accused-appellants assert that he could not have seen the incident, due to his admission that he has poor vision. The accused-appellants alleged:

13. When Rabi was later asked to go over his Sinumpaang Salaysay dated December 21, 2006, he answered that he cannot identify the said document because his vision is poor, *viz*:

Q: Mr. Witness I have here with me sinumpaang salaysay dated December 21, 2006 please go over this and tell the Court if [sic] what is the relation of this sinumpaang salaysay you made last December 21, 2006?

A: I can (sic) not identify this document, my vision is poor.

x x x x

15. It is undeniable from the foregoing that the testimony of Ramon Rabi is not worthy of belief. How can a person with poor vision, who cannot even identify a document in front of him, relate accurately the incident he allegedly witnessed at a distance of one hundred (100) meters? x x x³³

³¹ Id. at 39-40.

³² CA *rollo*, pp. 28-48.

³³ Id at 36-37.

Meanwhile as to Quilla, the accused-appellants claim that contrary to his testimony, he had no personal knowledge of the incident as evidenced by his *Sinumpaang Salaysay*, thus:

16. As to the testimony of prosecution witness Rogelio Quilla, he stated in his *Sinumpaang Salaysay* dated December 21, 2006, that he discovered that Ramo, was stabbed, hacked, and clubbed by accused-appellants Montemayors causing the demise of Rolando Ramo, to wit:

T: Bakit ka nandito ngayon at nagbibigay ng kusang salaysay sa Himiplan ng Pulisya ng lungsod ng Alaminos?

S: Mangyari po, ay gusto kong magbigay linaw sa naganap na kaguluhan kung saan **napag-alaman ko nalang** na pinagsasaksak, pinagtataga, at pinagpapalo na sanhi ng pagkamatay ni Rolando Ramo nila Boy Montemayor alias Pir-ak at ang apat niyang mga anak na sina Jr, Andong Ricky at Roman, sir na pawing taga doon din sa aming lugar. x x x

17. It is clear from his *Sinumpaang Salaysay* that he did not have personal knowledge of the incident, whereas in his testimony, he narrated in details how the accused-appellants took turns in stabbing, hacking, and clubbing Ramo that led to his death. X x x

18. Based on the sworn statement of Quilla, his words were culled as if he does not have personal knowledge as to what really transpired on the fateful day of December 21, 2006 x x x.³⁴

Accused-appellants are mistaken.

As correctly held by the CA, accused-appellants took the statements out of context, thus:

After a careful reading of the relevant portion of Rabi's testimony, it appears accused-appellants are merely taking [the] statement out of context. The pertinent portion of Rabi's direct testimony reads:

ATTY. ONIA:

Q. What happened at the police station?

A. They took our statement.

Q. About what?

A. Death of Rolando Ramo.

Q. Was your statement reduced into writing?

A. Yes, sir.

xxx

³⁴ Id. at 37-38.

Q. Mr. Witness you mean that written statement, if shown to you can you identify the same?

A. Yes, sir.

Q. Mr. Witness, I have here with me sinumpaang salaysay dated December 21, 2006 please go over this and tell the Court if [sic] what is the relation of this sinumpaang salaysay you made last December 21, 2006?

A. I can not identify this document, my vision is poor.

Q. On the second page of this sinumpaang salaysay is a signature above the typewritten name Ramon Rabi, please go over this document and tell the Court whose signature is this?

A. I can see this is my signature.

Q. Do you affirm the contents of this sinumpaang salaysay?

A. Yes, sir.

Q. Mr. Witness, in connection with this case did you sign any affidavit?

A. Yes, sir.

Q. If that affidavit is shown to you will you be able to recognize it?

A. I can identify if there was.

Q. Forming part of the record is this Affidavit consisting of three pages, dated March 14, 2007, there is a signature above the typewritten name Ramon Rabi, will you go over and tell this Court whose signature is this?

A. This is my signature Ma'am.

xxx

Q. Do you affirm the contents of the affidavit Mr. Witness?

A. Yes, sir.

In Rabi's testimony, his reply of "my vision is poor" appears to be in the context of being unable to identify the document while it was still being held by Atty. Onia. However, Rabi was able to identify the document and his signature therein when the document was handed to him by Atty. Onia.³⁵

Likewise, the CA correctly held that the inconsistency in Quilla's testimony is too trivial to merit concern, thus:

Jurisprudence has consistently held that minor inconsistencies which do not pertain to the very acts of the crime charged deserve scant consideration and cannot diminish the probative value of the testimony of the prosecution's witnesses. As held in *People v. Dadao*, citing *Avelino v. People*,

Given the natural frailties of the human mind and its capacity to assimilate all material details of a given incident, slight inconsistencies and variances in the declarations of a witness

³⁵ *Rollo*, pp. 26-27.

hardly weaken their probative value. **It is well-settled that immaterial and insignificant details do not discredit a testimony on the very material and significant point bearing on the very act of accused-appellants. As long as the testimonies of the witnesses corroborate one another on material points, minor inconsistencies therein cannot destroy their credibility. Inconsistencies on minor details do not undermine the integrity of prosecution witness.**³⁶

To add, it may well be pointed out that there are known slight variances in the lexicon of various dialects which do not necessarily change the meaning of the thought being conveyed. Further, diction greatly varies from person to person; thus, unless clearly shown to be otherwise, the phrase “napag-alaman ko na lang” when spoken by a person from Pangasinan, does not necessarily convey the thought that the person had no personal knowledge of the subject, as would normally be spoken and understood by another person from a different place.

In any case, there is not even the slightest contradictory proof rebutting Quilla’s eyewitness account, and to conclude that he had no personal knowledge of the incident solely based on a single phrase is simply unwarranted.

Moreover, We find that the qualifying circumstance of abuse of superior strength attended the killing. Five able-bodied armed malefactors attacked the singular victim, inflicting upon the latter 18 severe wounds. Clearly, Murder was committed.

Self-defense was not established

As to their claim of self-defense, accused-appellants essentially assert that Ramo exhibited unlawful aggression by going to the Montemayor’s farm armed with a shovel, which prompted them to defend themselves.

The Court is not convinced.

In *People v. Pereira*,³⁷ it was explained:

We have consistently ruled that self-defense is an affirmative allegation and offers exculpation from liability for crimes only if satisfactorily proved. It requires (a) unlawful aggression on the part of the victim; (b) reasonable necessity of the means employed by the accused to repel it; and (c) lack of sufficient provocation on his part. By invoking self-defense, the burden is placed on the accused to prove its elements clearly and convincingly. While all three elements must concur, self-defense relies first and foremost on proof of unlawful aggression on the part of the victim.

³⁶ Id. at 28-29.

³⁷ G.R. No. 220749, January 20, 2021.

If no unlawful aggression is proved, no self-defense may be successfully pleaded.³⁸ (Emphasis supplied)

Ramo's act of going to accused-appellants' farm with a shovel hardly constitutes unlawful aggression. In *People v. Nugas*,³⁹ the Court held:

The test for the presence of unlawful aggression under the circumstances is whether the aggression from the victim put in real peril the life or personal safety of the person defending himself; the peril must not be an imagined or imaginary threat x x x.⁴⁰

On this point, We quote with approval the findings of the CA:

In this case, the Court affirms the trial court's ruling on the absence of unlawful aggression from the victim Ramo. First of all, it was established by testimonial evidence from both prosecution and accused that victim Ramo angrily approached Eduardo Sr. wielding just a shovel. x x x The trial court ruled that victim Ramo's act of wielding a shovel did not put in peril the life and safety of Eduardo Sr. and Roman, and concluded that it is not in the nature of unlawful aggression, as required by law x x x.⁴¹

In addition, the Court observes that Ramo was already 43 years old at the time of the incident.⁴² In other words, he was way beyond his physical prime. And while Eduardo, Sr. was already 63⁴³ years old at the time, he was surrounded by his four children who were several years younger: Roman was 33,⁴⁴ Eduardo, Jr. was 42,⁴⁵ Rolando was 36,⁴⁶ and Ricky was 32.⁴⁷ Normally, a younger male person is physically stronger. Thus, it is beyond argument that Ramo did not pose a real threat to the accused-appellants who not only were greater in number, but likewise younger and consequently, physically stronger.

As to the second requisite of self-defense, it must not be forgotten that Ramo sustained a total of 18 wounds which directly caused his immediate death. By no stretch of imagination can this be considered as a product of self-defense as it is neither "reasonable" nor employed to simply "repel" an attack. If anything, it was but a glaring demonstration of blind rage and murderous intent.

³⁸ Id. Citation omitted.

³⁹ 677 Phil. 168 (2011).

⁴⁰ Id. at 179. Citations omitted.

⁴¹ *Rollo*, pp. 32-33

⁴² Records, p. 7.

⁴³ TSN, June 26, 2012, p. 2.

⁴⁴ TSN, January 31, 2012, p. 2.

⁴⁵ TSN, September 18, 2012, p. 3.

⁴⁶ TSN, December 11, 2012, p. 3.

⁴⁷ TSN, April 16, 2013, p. 4.

Lastly, on the third requisite, We hold that there was sufficient provocation on the part of the accused-appellants. In *Navarro v. Court of Appeals*,⁴⁸ the Court elucidated on the concept of provocation:

Provocation is defined to be any unjust or improper conduct or act of the offended party, capable of exciting, inciting, or irritating anyone. The provocation must be sufficient and should immediately precede the act. To be sufficient, it must be adequate to excite a person to commit the wrong, which must accordingly be proportionate in gravity. And it must immediately precede the act so much so that there is no interval between the provocation by the offended party and the commission of the crime by the accused.⁴⁹

In the present case, the accused-appellants were the ones who started the unfortunate chain of events which led to Ramo's cruel death. To recap, on the day of the incident, Eduardo, Sr. drained the water from the farm Ramo was irrigating and diverted the same to his own farm. This is an undisputed fact. In the Court's view, this constitutes sufficient provocation on the part of the accused-appellants as it is an "improper conduct capable of exciting, inciting, or irritating," as it did, the victim Ramo.

In other words, Ramo's act of marching towards the accused-appellants' farm, which they claim as unlawful aggression, was in reality neither irrational nor unlawful; rather, it was a natural human response, prompted by a prior wrong committed against him by the accused-appellants.

Lastly, as to the defense of alibi proffered by Eduardo, Jr., Rolando, and Ricky, We echo with approval the findings of the RTC and the CA:

As to the defenses of denial and alibi resorted to by accused-appellants Eduardo, Jr., Rolando, and Ricky, the Court likewise affirms the trial court's ruling discounting the same. For the defense of *alibi*, the same cannot prosper since said accused-appellants failed to show the physical impossibility of their access to the victim at the time and place of the crime. As established by their very own testimonies, they admitted that they were able to go to the scene of the crime, and they similarly alleged that they were prevented by their father Eduardo Sr. from approaching, since the latter did not want his three other sons to be implicated in the incident.

Physical impossibility refers to the distance between the place where the appellant was when the crime transpired and the place where it was committed, as well as the facility of access between the two places. Where there is the least chance for the accused to be present at the crime scene, the defense of alibi must fail. In this case, it is established in the record that the place where the incident occurred is in the same locality (Sitio Dampay, Poblacion, Alaminos City, Pangasinan) where all accused-appellants reside

⁴⁸ 372 Phil. 21 (1999).

⁴⁹ Id. at 36. Citations omitted.

in. Hence, there was no physical impossibility for the three to be present at the crime scene, as in fact, they were able to go thereat.⁵⁰

It is a well-settled principle that –

x x x the twin defenses of denial and alibi are inherently weak, and easily crumble against the positive identification made by a reliable eye witness.⁵¹

In fine, the Court affirms the conviction of the accused-appellants for Murder and the penalty imposed upon them. However, there is a need to modify the awards to conform to prevailing jurisprudence.⁵² As modified, the awards of civil indemnity, moral damages, and exemplary damages are reduced to ₱75,000.00 each.

WHEREFORE, the appeal is **DISMISSED** for lack of merit. The March 28, 2018 Decision of the Court of Appeals in CA-G.R. CR-HC No. 08580 is **AFFIRMED** with **MODIFICATION**. Accused-appellants Eduardo Montemayor, Sr. y Bengson @ “Boy”, Eduardo Montemayor y Domondon, Jr., Roman Montemayor y Domondon, Rolando Montemayor y Domondon, and Ricky Montemayor y Domondon, are found **GUILTY** of Murder and are each sentenced to suffer the penalty of *reclusion perpetua*. They are **ORDERED** to jointly pay the heirs of Rolando Ramo y Bergonia civil indemnity, moral damages, and exemplary damages amounting to ₱75,000.00 each, and ₱50,000.00 as temperate damages. These monetary awards shall earn interest at the rate of six percent (6%) per *annum* from date of finality of this Resolution until full payment.

SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court

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2022

⁵⁰ *Rollo*, p. 35.

⁵¹ *People v. Abierra*, 833 Phil. 276, 297 (2018).

⁵² *People v. Jugueta*, 783 Phil. 806, 848 (2016).

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Court of Appeals (x)
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(CA-G.R. CR-HC No. 08580)

The Hon. Presiding Judge
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(Crim. Case No. 5168-A)

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