



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated August 17, 2022, which reads as follows:

“**G.R. No. 259165 (Ma. Annela C. Avellaneda-Rallama vs. People of the Philippines)**. — The Court resolves to **DENY** the Petition for Review on *Certiorari* for failure to sufficiently show any reversible error in the assailed judgment as to warrant the exercise of this Court’s discretionary appellate jurisdiction in this case pursuant to Section 6, Rule 45 of the Rules of Court, and for lack of merit in the appeal pursuant to Section 5, Rule 45 in relation to Section 5 (b), Rule 56 of the Rules of Court.

However, in accordance with the Court’s ruling in the case of *Nacar v. Gallery Frames, Inc.*,¹ the actual damages in the amount of ₱1,111,305.00 representing the face value of the 30 checks shall further incur interest. Upon perusal of the records at hand, the date of filing of the Information cannot be ascertained. Hence, the amount of ₱1,111,305.00 shall earn interest at the rate of 12% per *annum* reckoned from the filing of the Information, if filed before June 30, 2013, until June 30, 2013. From July 1, 2013, interest at the rate of 6% per *annum* is imposed until finality of this Resolution. However, if the Information is filed after June 30, 2013, then the amount of ₱1,111,305.00 shall earn interest at the rate of 6% per *annum* reckoned from the date of filing of the Information, until finality of this Resolution.

Finally, the total amount of the foregoing shall earn interest at the rate of 6% per *annum* from finality of this Resolution until full payment.


WHEREFORE, the Petition for Review on *Certiorari* is **DENIED**. The Decision dated December 15, 2020 and the Resolution dated February 28, 2022 of the Court of Appeals in CA-G.R. CR No. 41856 are hereby **AFFIRMED with MODIFICATION** as follows:

¹ 716 Phil. 267, 282-283 (2013).

1. Petitioner Ma. Annela C. Avellaneda-Rallama is hereby sentenced to suffer six (6) months imprisonment for each of the 30 counts of violations of Batas Pambansa Blg. 22;
2. Petitioner is also ordered to indemnify private respondent Flordeliza Sanga the amount of ₱1,111,305.00 representing the total face value of all the dishonored checks. The foregoing amount shall earn interest as follows:
 - a) Interest of 12% per *annum* is imposed reckoned from the filing of the Information, if filed before June 30, 2013, until June 30, 2013. From July 1, 2013, interest of 6% per *annum* is imposed until finality of the Resolution.
 - b) If the Information is filed after June 30, 2013, interest of 6% per *annum* is imposed reckoned from date of filing of the Information, until finality of this Resolution.
 - c) The total amount of the foregoing shall earn interest of 6% per *annum* from finality of this Resolution until full payment.

SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court *9/17/22*

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
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SEP 22 2022

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Court of Appeals (x)
Manila
(CA-G.R. CR No. 41856)

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The Hon. Presiding Judge
Regional Trial Court, Branch 57
Lucena City, 4301 Quezon
(Crim. Case No. 2015-03-A)

The Hon. Presiding Judge
Municipal Trial Court in Cities, Branch 2
Lucena City, 4301 Quezon
(Crim. Case Nos. 1298-05
to 1303-05, etc.)

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