



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **June 13, 2022** which reads as follows:*

“**G.R. No. 257701 (Larry De Ocampo y Panlaqui v. People of the Philippines)**. — This Court resolves a Petition for Review on *Certiorari*<sup>1</sup> assailing the Decision<sup>2</sup> dated December 15, 2020 and the Resolution<sup>3</sup> dated October 19, 2021 of the Court of Appeals (CA) in CA-G.R. CR No. 41136, which affirmed with modification the Judgment<sup>4</sup> dated April 28, 2017 of the Regional Trial Court of Santa Cruz, Laguna, Branch 28, (RTC) convicting petitioner Larry De Ocampo y Panlaqui of the crime of homicide.

After review of the records, the Court resolves to **DENY** the petition for failure to sufficiently show that the CA committed any reversible error as to warrant the exercise of the Court's appellate jurisdiction. As correctly ruled by the CA, all the elements of homicide under Article 249 of the Revised Penal Code were proven by the prosecution, warranting the affirmance of the Judgment of the RTC convicting petitioner.

Nevertheless, we modify the award of damages. In *People v. Jugueta*,<sup>5</sup> “other crimes that resulted in the death of a victim and the penalty consists of divisible penalties, like homicide”<sup>6</sup> where the crime was consummated, the award of moral damages is mandatory without need of allegation, and proof other than the death of the victim. Thus, in addition to the civil indemnity and temperate damages awarded by the CA, we grant the amount of ₱50,000.00

---

<sup>1</sup> *Rollo*, pp. 11-30.

<sup>2</sup> *Id.* at 36-47. Penned by Associate Justice Maria Elisa Sempio Dy with the concurrence of Associate Justices Mariflor P. Punzalan Castillo and Carlito B. Calpatura.

<sup>3</sup> *Id.* at 49-52.

<sup>4</sup> *Id.* at 70-75. Penned by Presiding Judge Iluminado M. Dela Peña.

<sup>5</sup> 783 Phil. 806 (2016).

<sup>6</sup> *Id.* at 846.

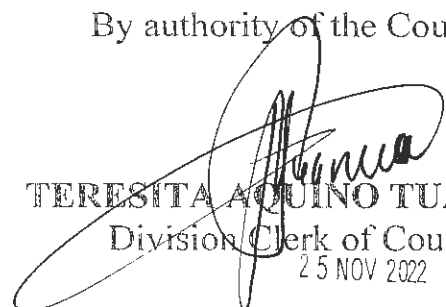
as moral damages to the heirs of the victim. Also, interest at the legal rate of 6% *per annum* is imposed on all the monetary awards for damages from date of finality of this Resolution until full payment.

**FOR THESE REASONS**, the petition is **DENIED**. The Decision of the Court of Appeals dated December 15, 2020 and the Resolution dated October 19, 2021 in CA-G.R. CR No. 41136, are **AFFIRMED** with **MODIFICATION**. Petitioner **LARRY DE OCAMPO y PANLAQUI** is found guilty of Homicide and is sentenced to suffer an indeterminate penalty of eight (8) years and one (1) day of *prision mayor*, as minimum, to fourteen (14) years, eight (8) months and one (1) day of *reclusion temporal*, as maximum. Also, petitioner is ordered to pay the heirs of the victim ₱50,000.00 as civil indemnity, ₱50,000.00 as moral damages, and ₱50,000.00 as temperate damages, which shall all earn interest at the rate of 6% *per annum* from the date of finality of this Resolution until fully paid, as well as costs of suit.

The Court further resolves to **GRANT** petitioner's motion for extension of thirty (30) days from the expiration of the reglementary period within which to file a petition for review on certiorari.

**SO ORDERED.**" (*Lazaro-Javier, J., on official leave.*)

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Division Clerk of Court <sup>mm</sup> 11/25  
25 NOV 2022

\*PUBLIC ATTORNEY'S OFFICE (reg)  
Special & Appealed Cases Service  
Department of Justice  
PAO-DOJ Agencies Building  
NIA Road corner East Avenue  
1104 Diliman, Quezon City

\*OFFICE OF THE SOLICITOR GENERAL (reg)  
134 Amorsolo Street  
1229 Legaspi Village  
Makati City

\*LARRY DE OCAMPO y PANLAQUI (reg)  
Petitioner  
c/o The Director  
Bureau of Corrections  
1770 Muntinlupa City

THE DIRECTOR (reg)  
Bureau of Corrections  
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 28  
Santa Cruz, Laguna  
(Crim. Case No. SC-9727)

JUDGMENT DIVISION (x)  
Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)  
LIBRARY SERVICES (x)  
[For uploading pursuant to A.M. No. 12-7-SC]

OFFICE OF THE CHIEF ATTORNEY (x)  
PHILIPPINE JUDICIAL ACADEMY (x)  
Supreme Court, Manila

COURT OF APPEALS (x)  
Ma. Orosa Street  
Ermita, 1000 Manila  
CA-G.R. CR No. 41136

\*with copy of CA Decision dated December 15, 2020  
**Please notify the Court of any change in your address.**  
GR257701. 06/13/2022(11)URES