



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **October 10, 2022** which reads as follows:*

“G.R. No. 246946 (PEOPLE OF THE PHILIPPINES, *plaintiff-appellee* v. EDUARDO PELAGIA y ALPAS, *accused-appellant*.) — The Court of Appeals elevated the records of this case to this Court pursuant to its November 27, 2018 Resolution,¹ which gave due course to the Notice of Appeal filed by accused-appellant Eduardo Pelagia.

In a Resolution,² this Court noted the records of this case forwarded by the Court of Appeals and informed the parties that they may file their supplemental briefs. Both parties manifested that they were no longer filing supplemental briefs.³

After an evaluation of the records of this case, this Court resolves to dismiss the appeal of accused-appellant for his failure to sufficiently show reversible error in the assailed Decision⁴ of the Court of Appeals warranting the exercise of this Court’s appellate jurisdiction.

WHEREFORE, this Court **AFFIRMS** the September 25, 2018 Decision of the Court of Appeals in CA-G.R. CR-HC No. 09614.

Accused-appellant Eduardo Pelagia y Alpas is found **GUILTY** of murder punished under Article 248 of the Revised Penal Code and is sentenced to suffer the penalty of *reclusion perpetua*. He is ordered to **PAY** the heirs of Agencio Saragoza y Mabuloc the sum of ₱75,000.00 as moral damages, ₱75,000.00 as exemplary damages, and ₱50,000.00 as temperate damages.

¹ *Rollo*, p. 22

² *Id.* at 24–25.

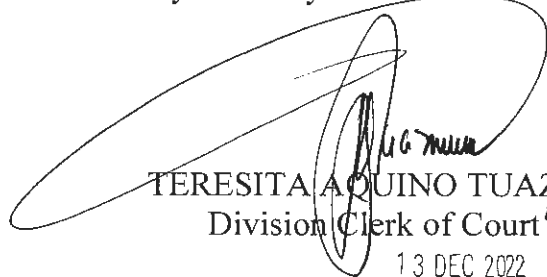
³ *Id.* 28–30, 32–34.

⁴ *Rollo*, pp. 3–18. The September 25, 2018 Decision in CA-G.R. CR-H.C. No. 09614 was penned by Associate Justice Priscilla J. Baltazar-Padilla (a former member of this Court) and concurred in by Associate Justices Victoria Isabel A. Paredes and Marie Christine Azcarraga-Jacob of the Special Fourteenth Division, Court of Appeals, Manila.

All monetary awards for damages shall earn the legal interest rate of six percent (6%) per annum from the date of the finality of this Resolution until full payment.⁵

SO ORDERED.”

By authority of the Court:


 TERESITA AQUINO TUAZON
 Division Clerk of Court ^{mm} 13/13
 13 DEC 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

EDUARDO PELAGIA y ALPAS (reg)
 Accused-Appellant
 c/o The Director
 Bureau of Corrections
 1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
 Regional Trial Court, Branch 77
 1850 San Mateo, Rizal
 (Crim. Case No. 8891)

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-HC No. 09614

Please notify the Court of any change in your address.
 GR246946. 10/10/2022(277)URES

⁵ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].