



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **September 28, 2022** which reads as follows:*

“G.R. No. 251015 (PEOPLE OF THE PHILIPPINES, *plaintiff-appellee* v. ALLAN ACCAD y ORTIZ, *accused-appellant*). — On January 22, 2020,¹ the Court of Appeals elevated the records of this case to this Court in compliance with its February 27, 2019 Resolution,² which gave due course to the Notice of Appeal³ filed by accused-appellant Allan Accad y Ortiz.

In its February 24, 2020 Resolution,⁴ this Court noted the records forwarded by the Court of Appeals and informed the parties that they may file supplemental briefs, if they so desire, within 30 days from notice.

On August 27, 2020, the Public Attorney’s Office, on behalf of accused-appellant, filed a Manifestation⁵ adopting its Appellant’s Brief before the Court of Appeals. A similar Manifestation⁶ was filed by the Office of the Solicitor General on behalf of plaintiff-appellee on September 14, 2020.

After an evaluation of the case records, this Court resolves to affirm the conviction of accused-appellant and dismiss the appeal, there being no reversible error in the assailed Decision⁷ that would warrant the exercise of this Court’s appellate jurisdiction. However, the civil indemnity, moral, and exemplary damages awarded by the trial court are modified to ₱100,000.00 each, in accordance to *People v. Jugueta*.⁸

¹ *Rollo*, p. 1.

² *Id.* at 14.

³ *Id.* at 11.

⁴ *Id.* at 16–17.

⁵ *Id.* at 21–22.

⁶ *Id.* at 26–27.

⁷ *Id.* at 3–10. The December 12, 2018 Decision in CA-G.R. CR-HC No. 09942 was penned by Associate Justice Danton Q. Bueser with the concurrence of Associate Justices Mariflor P. Punzalan Castillo and Rafael Antonio M. Santos of the Sixth Division of the Court of Appeals, Manila.

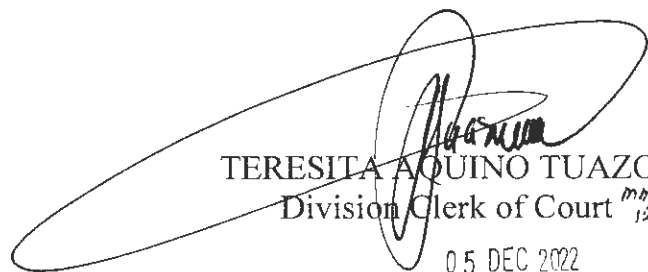
⁸ 783 Phil. 806 (2016) [Per J. Peralta, En Banc].

FOR THESE REASONS, the December 12, 2018 Decision of the Court of Appeals in CA-G.R. CR-HC No. 09942 is **AFFIRMED with MODIFICATIONS**:

- (1) In Criminal Case No. 14-9443-SPL, accused-appellant Allan Accad y Ortiz is found **GUILTY** beyond reasonable doubt of the crime of statutory rape defined and penalized under Article 266-A and Article 266-B of the Revised Penal Code. He is hereby sentenced to suffer one term of *reclusion perpetua* without eligibility for parole under Republic Act No. 9346. He is **ORDERED** to **PAY** AAA⁹ the following amounts: (a) ₱100,000.00 as civil indemnity; (b) ₱100,000.00 as moral damages; and (c) ₱100,000.00 as exemplary damages.
- (2) Accused-appellant Allan Accad y Ortiz is also **ORDERED** to **PAY** interest at the rate of 6% per annum from the time of finality of this Resolution until fully paid, to be imposed on the civil indemnity, moral damages, and exemplary damages.¹⁰

SO ORDERED.” (Lopez, M., J., *on official business*)

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court ^{mn} 12/15
05 DEC 2022

⁹ In line with Amended Administrative Circular No. 83-2015, as mandated by Republic Act No. 9262, the names of offended parties, along with all other personal circumstances that may tend to establish their identities, are made confidential to protect their privacy and dignity.

¹⁰ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].

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***ALLAN ACCAD y ORTIZ (reg)**

Accused-Appellant
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 31
San Pablo City
(Crim. Case No. 14-9443-SPL)

JUDGMENT DIVISION (x)

Supreme Court, Manila

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Supreme Court, Manila

COURT OF APPEALS (x)

Ma. Orosa Street
Ermita, 1000 Manila
CA-G.R. CR-HC No. 09942

**with copy of CA Decision dated December 12, 2018*

Please notify the Court of any change in your address.

GR251015. 09/28/2022A(162)URES(m) *11/5*