



Republic of the Philippines
Supreme Court
Manila

SPECIAL THIRD DIVISION

NOTICE

Sirs/Mesdames

Please take notice that the Court, Third Division, issued a Resolution dated February 6, 2023, which reads as follows:

“G.R. No. 236831 (*People of the Philippines, plaintiff-appellee v. Rolando Villanueva alias “Cojim,” Rolando Lumacad alias Lingig, and Bebot Formanes y Aludo, accused; Rolando Lumacad alias “Lingig,” accused-appellant*) - Acting on accused-appellant’s motion for reconsideration of the Resolution dated August 4, 2021 which dismissed the appeal, the Court resolves to **DENY** the motion with **FINALITY**, no substantial argument having been adduced to warrant the reconsideration sought.

However, in accordance with A.M. No. 15-08-02-SC, or the *Guidelines for the Proper Use of the Phrase “Without Eligibility for Parole” in Indivisible Penalties*, the phrase “without eligibility for parole” shall be deleted from the *fallo* of the Resolution dated August 4, 2021, the death penalty not being warranted in this case.

WHEREFORE, the Motion for Reconsideration is **DENIED** with **FINALITY**, no substantial argument having been adduced to warrant the reconsideration sought. The Resolution dated August 4, 2021 is **AFFIRMED**, with **MODIFICATION** that the phrase “without eligibility for parole” in its *fallo* is hereby deleted, which shall now be read as follows:

WHEREFORE, the instant appeal is **DISMISSED**. The Decision dated July 31, 2017 of the Court of Appeals in CA-G.R. CR-HC No. 02306 is **AFFIRMED with MODIFICATION**. Accused-appellant Rolando Lumacad alias “Lingig” is found **GUILTY** beyond reasonable doubt for the crime of Murder and is sentenced to suffer the penalty of *reclusion perpetua*. Accused-appellant is **ORDERED** to pay the heirs of the victim: (1) ₱75,000.00 as civil indemnity; (2) ₱75,000.00 as moral damages; (3) ₱75,000.00 as exemplary damages; and (4) ₱50,000.00 as actual damages.

All the monetary awards shall earn interest at the legal rate of six percent (6%) *per annum* from the date of finality of this judgment until fully paid.

SO ORDERED.


No further pleadings or motions shall be entertained in this case. Let entry of final judgment be issued immediately.

SO ORDERED.” (*Kho, Jr., J., designated additional member vice Carandang, J. (ret.) pursuant to Sec. 8, Rule 2 of the IRSC, as amended*).

By authority of the Court:

MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court

By:


RUMAR D. PASION
Deputy Division Clerk of Court

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The Presiding Judge
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(B-11-02-23)

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