



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **July 26, 2023** which reads as follows:*

“G.R. No. 251461 (XXX251461,¹ Petitioner v. PEOPLE OF THE PHILIPPINES, Respondent). — A kiss with a hug is just that...or is it not? The intent of the doer is manifested through his or her overt act, construed in context with the factual milieu when it was done. Thus, in determining whether lewd acts were committed, the overt acts must be scrutinized with the surrounding circumstances.

This resolves the Petition for Review on *Certiorari*² under Rule 45 of the Rules of Court, challenging the Decision³ dated March 1, 2019 and Resolution⁴ dated January 17, 2020 of the Court of Appeals (CA) in CA-G.R. CR No. 40912, affirming the conviction of XXX251461 for two counts of

¹ Initials were used to identify the accused-appellant pursuant to the Supreme Court Amended Administrative Circular No. 83-2015 dated September 5, 2017, entitled “Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders using Fictitious Names/Personal Circumstances.”

² *Rollo*, pp. 11–26.

³ Penned by Associate Justice Ramon A. Cruz, with the concurrence of Associate Justices Ramon M. Bato, Jr. and Ronaldo Roberto B. Martin; *id.* at 30–45, Eight Division, Court of Appeals, Manila.

⁴ Penned by Associate Justice Ramon A. Cruz, with the concurrence of Associate Justices Ramon M. Bato, Jr. and Ronaldo Roberto B. Martin; *id.* at 47–48.

violation of Section 5(b)⁵ of Republic Act (RA) No. 7610.⁶

The facts are as follows:

Two Informations were filed against XXX251461, charging him as follows:

Criminal Case No. 5925

That on or about October 2015 in _____, province of Catanduanes, Philippines, and within the jurisdiction of this Honorable Court, the said accused[,] motivated by lust and lewd design, did then and there knowingly, willfully and feloniously hugged and kissed the lips of “[AAA251461]”, a twelve-year[-]old child, subjecting such child to sexual abuse by coercion and influence, to her damage and prejudice.

CONTRARY TO LAW.

Criminal Case No. 5926

That on or about March 22, 2016, in _____, province of Catanduanes, Philippines, and within the jurisdiction of this Honorable Court, the said accused motivated by lust and lewd design did then and there knowingly, willfully and feloniously, showed his penis while fondling it to “[AAA251461]”, a twelve-year old child, thereby subjecting such child to sexual abuse by coercion and influence, to her damage and prejudice.

CONTRARY TO LAW.⁷

XXX251461 pleaded not guilty to the charges upon arraignment on July 18, 2016.⁸ On pre-trial, the parties stipulated the following: (1) XXX251461’s identity; (2) that at the time of the incidents, XXX251461 and AAA251461’s⁹ family were living in one house; (3) that XXX251461 and

⁵ Section. 5. *Child Prostitution and Other Sexual Abuse*. — Children, whether male or female, who for money, profit, or any other consideration or due to the coercion or influence of any adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

The penalty of *reclusion temporal* in its medium period to *reclusion perpetua* shall be imposed upon the following:

(b) Those who commit the act of sexual intercourse or lascivious conduct with a child exploited in prostitution or subject to other sexual abuse; *Provided*, That when the victim is under twelve (12) years of age, the perpetrators shall be prosecuted under Article 335, paragraph 3, for rape and Article 336 of Act No. 3815, as amended, the Revised Penal Code, for rape or lascivious conduct, as the case may be; *Provided*, That the penalty for lascivious conduct when the victim is under twelve (12) years of age shall be *reclusion temporal* in its medium period[.]

⁶ AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, PROVIDING PENALTIES FOR ITS VIOLATION, AND FOR OTHER PURPOSES dated June 17, 1992.

⁷ *Id.* at 61–62.

⁸ *Id.* at 62.

⁹ The real name of the victim, his or her personal circumstances and other information which tend to establish or compromise her identity, as well as those of her immediate family, or household members, shall not be disclosed to protect her privacy, and fictitious initial shall, instead, be used, in accordance with *People v. Cabalquinto*, 533 Phil. 703 (2006) [Per J. Tinga, *En Banc*], and Amended Administrative Circular No. 83-2015 dated September 5, 2017.

AAA251461's family have been living in the same house for about three years; (4) that AAA251461 calls XXX251461 "lolo;" and (5) that XXX251461 is the granduncle of AAA251461, being the brother of AAA251461's maternal grandmother.¹⁰ Trial on the merits, thereafter, ensued.¹¹

The prosecution evidence established that AAA251461 was born on May 24, 2003; hence, she was 12 years old and five months during the incident in October 2015. AAA251461 testified that her *lolo* habitually sticks his tongue out and winks at her whether he was intoxicated with alcohol or not. Sometime in October 2015, she was in the *kubo*, cradling her younger brother when, all of a sudden, XXX251461 came from behind her and hugged her tight. Startled, AAA251461 turned her head to XXX251461, who took the chance to kiss AAA251461 on her lips. AAA251461 bit XXX251461's lips, prompting XXX251461 to leave. AAA251461 then rushed to her mother, BBB251461, with her brother. Upon being told of what happened, BBB251461 looked for XXX251461 but did not find him that day. The incident was then consigned to oblivion.¹²

Not long after the first incident, or in March 2016, two months before AAA251461 turned 13 years old, XXX251461 made lewd advances to AAA251461 again. Clothed with nothing but a towel around his waist, he sat in front of AAA251461 in the living room and fondled his penis while sticking his tongue out in AAA251461's plain view. AAA251461 was not able to move, but when she screamed for her mother, who was then in the bathroom, XXX251461 shushed her by putting his finger on his lips. As AAA251461's call for help was unheard, XXX251461 continued with his obscenity and gestured AAA251461 to go to his room. This time, AAA251461 ran to the bathroom and hurriedly told BBB251461 what XXX251461 did in their native language: "*Mama si Lolo [XXX251461] nagtukaw sa harap ko tapos tinanggal niya ang twalya na nakatapis sa habayan niya tapos pinailing niya sako ang pitoy niya tapos tigparahimas tapos tigparahiro niya ito pagkatapos inagda niya ako magpunta duman sa kwarto niya.*"¹³ XXX251461 then came after AAA251461, which prompted AAA251461 to hide behind BBB251461 crying. Enraged, BBB251461 confronted XXX251461, who denied the allegations and claimed that he was merely having an upset stomach. BBB251461 reacted and said, "*na igwa man makulog ang tulak na gapahiling man nin pitoy?*"¹⁴ XXX251461 did not respond and merely left for the *kubo*.¹⁵

AAA251461, with BBB251461 and her father who arrived from work, immediately reported both incidents to the barangay and to the Municipal Police Station.¹⁶

¹⁰ Grandfather in some part of the records.

¹¹ *Rollo*, p. 62.

¹² *Id.* at 62-63.

¹³ Translated: "Mama, Lolo _____ sat in front of me, removed the towel wrapped around his waist and showed his penis then he stroked and fondled it. Thereafter, he invited me to go to his room. *Id.* at 63.

¹⁴ Translated: "Is there [any]one with a stomachache who would show his penis?" *Id.* at 65.

¹⁵ *Id.* at 63-64.

¹⁶ *Id.* at 66.

XXX251461, the defense's sole witness, testified only with regard to the second incident. XXX251461 narrated that on the night of March 22, 2016, he had some alcoholic drinks and fell asleep with only a towel on inside his room. He was awakened by a stomachache, so he stepped out of his room and sat in the living room where he found AAA251461. He asked AAA251461 for a medicine and if she knew where BBB251461 was. AAA251461 responded that BBB251461 was in the kitchen and, thereafter, proceeded to the kitchen herself. XXX251461, on the other hand, got up to go to the *kubo*. On his way, he saw AAA251461 and BBB251461 discussing something. He approached them and asked for a medicine, but they just left. XXX251461 went on his way to the *kubo* and stayed there overnight. The next morning, AAA251461's father, with BBB251461, came to the *kubo* and punched him on the face, accusing of having done "some acts" to his daughter. When asked during his testimony why he think AAA251461 would accuse him of such serious offense, he averred that AAA251461 was merely influenced by her parents who had been looking for a reason to make him leave the house that his mother originally owned.¹⁷

After trial, the Regional Trial Court rendered a Judgment,¹⁸ convicting XXX251461 as follows:

WHEREFORE, this Court finds [XXX251461] GUILTY beyond reasonable doubt of two (2) counts of violation of Sec. 5(b) of [RA No.] 7610 and is, hereby, sentenced as follows:

1. To suffer for each charge the indeterminate imprisonment of ten (10) years, two (2) months and twenty-one (21) days of *prision mayor*, as minimum, to fourteen (14) years, eight (8) months, and one (1) day of *reclusion temporal*, as maximum, and
2. To pay the victim, AAA251461, for each charge, moral damages, exemplary damages, and fine in the amount of [PHP] 15,000.00 each, as well as [PHP] 20,000.00 as civil indemnity, which shall earn interest at the rate of six percent (6%) per annum from the date of finality of this judgment.

SO ORDERED.¹⁹

On appeal to the CA, XXX251461 questioned his conviction, arguing that neither mere hugging from behind and kissing on the lips nor fondling of penis do not fall within the definition of lascivious conduct under the Implementing Rules and Regulations²⁰ (IRR) of RA No. 7610.²¹ Also, XXX251461 pointed out that AAA251461 was not exploited in prostitution as no money, profit, or consideration was involved in the lascivious conduct, nor was AAA251461 coerced or intimidated for her to be considered subjected

¹⁷ *Id.* at 66-67.

¹⁸ Penned by Presiding Judge Lelu P. Contreras; *id.* at 61- 70.

¹⁹ *Id.* at 70.

²⁰ RULES AND REGULATIONS ON THE REPORTING AND INVESTIGATION OF CHILD ABUSE CASES, dated October 1993.

²¹ *Rollo*, p. 37.

to sexual abuse.²² The CA was not impressed and, as such, dismissed the appeal:

WHEREFORE, in view of the foregoing, the appeal is **DISMISSED** for lack of merit. The Judgment dated November 17, 2017 rendered by the RTC of Virac, Catanduanes, Branch 43, in Criminal Case Nos. 5925 and 5926 are **AFFIRMED**.

SO ORDERED.²³

The motion for reconsideration of the CA ruling was likewise denied for lack of merit. Hence, this Petition.

XXX251461 insists that the definition of lascivious conduct under the IRR of RA No. 7610 does not include the specific acts of kissing and hugging and showing and fondling his penis. With regard to kissing and hugging, even when supported by his frequent winking and sticking out of tongue at AAA251461, the prosecution was not able to establish that those acts were done with intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire since these acts “can easily be interpreted as an expression of [one’s] humor.”²⁴ He also iterated that, in any case, AAA251461 cannot be considered a child exploited in prostitution or subjected to other sexual abuse as no money, profit, or any consideration was involved in this case, nor was there proof that AAA251461 was coerced or intimidated to engage in any lascivious conduct, for Section 5(b) of RA No. 7610 to apply.²⁵

The Petition has no merit.

The offense punishable under Section 5(b) of RA No. 7610 is defined as follows:

SECTION. 5. *Child Prostitution and Other Sexual Abuse.* — Children, whether male or female, who for money, profit, or any other consideration or due to the coercion or influence of any adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

The penalty of *reclusion temporal in its medium period to reclusion perpetua* shall be imposed upon the following:

x x x x

- (b) Those who commit the act of sexual intercourse or **lascivious conduct with a child** exploited in prostitution or **subject to other sexual abuse**; *Provided*, That when the victim is under twelve (12) years of age, the perpetrators shall be prosecuted under Article 335, paragraph 3, for rape and Article 336 of Act No. 3815, as amended, the Revised

²² *Id.*

²³ *Id.* at 44.

²⁴ *Id.* at 20.

²⁵ *Id.* at 21–22.

Penal Code, for rape or lascivious conduct, as the case may be: *Provided*, That the penalty for lascivious conduct when the victim is under twelve (12) years of age shall be *reclusion temporal* in its medium period[.] (Emphasis supplied)

Prosecution for sexual abuse under this provision requires the concurrence of the following elements, thus: (1) the accused commits an act of sexual intercourse or lascivious conduct; (2) the act is performed with a child exploited in prostitution or subjected to other sexual abuse; and (3) the child is below 18 years old.²⁶ That AAA251461 was 12 years old at the time of the incidents, being born on May 24, 2003, was proved by her birth certificate on record.²⁷ Thus, XXX251461's arguments for acquittal focus on the first and second elements.

XXX251461's acts constitute lascivious conduct

XXX251461 clings tightly to the definition of lascivious conduct under Section 2(h) of RA No. 7610's IRR in arguing that the first element was not established in both charges. The provision states:

SECTION. 2. *Definition of Terms.* — As used in these Rules, unless the context requires otherwise —

x x x x

- h) "Lascivious conduct" means the **intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks, or the introduction of any object into the genitalia, anus or mouth,** of any person, whether of the same or opposite sex, **with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person, bestiality, masturbation, lascivious exhibition of the genitals or pubic area of a person[.]** (Emphasis supplied)

In Criminal Case No. 5925, XXX251461 accentuates that he "*merely* hugged [AAA251461] from behind then kissed her on the lips"²⁸ and there was no allegation or proof that he touched AAA251461's genitalia, anus, groin, breast, inner thigh, or buttocks or introduced any object into her genitalia, anus, or mouth. XXX251461 contends that his actions fell short of the definition of lascivious conduct under the law.

The Court does not agree.

We cannot scrutinize an act or conduct alleged to be lascivious with horse blinders. The intentional touching of AAA251461's posterior, including her buttocks, cannot be denied when XXX251461 admittedly hugged her from

²⁶ *Quimvel v. People*, 808 Phil. 889, 942 (2017) [Per J. Velasco, Jr., *En Banc*].

²⁷ Exhibit "C" of the prosecution evidence; *see rollo*, p. 107.

²⁸ *Id.* at 19.

behind to the point that he was able to kiss her on the lips. XXX251461 body or a part of it definitely touched AAA251461's buttocks. The law did not qualify the word "touching" to be accomplished only by using one's hand, contrary to what XXX251461 postulated. As well, XXX251461's lips came into contact with or were "introduced" to AAA251461's mouth when he forcibly kissed her.

In another attempt to downplay his actions, XXX251461 argues that it was not established that the hug and kiss, even when coupled with his previous actions of frequently sticking his tongue out and winking at AAA251461, were intended to abuse, humiliate, harass, degrade, or even arouse or gratify a person sexually. For XXX251461, a hug and a kiss can easily be interpreted as innocuous acts, as winking and sticking of tongue out is an expression of humor.

The Court is likewise not impressed.

True, certain physical aspects of sexual abuse such as touching, kissing, or hugging may be interpreted in some ways other than with reference to sensuality or indecency. What constitutes lasciviousness or lewdness must thus be determined from the circumstances surrounding each case. In *Barona v. People*,²⁹ we explained:

Lewd is defined as obscene, lustful, indecent or lecherous. It signifies that form of immorality which has relation to moral impurity or that which is carried on in wanton manner. It includes acts of making physical contact with the body of another person for the purpose of obtaining sexual gratification other than, or without intention of sexual intercourse. What constitutes lewdness is determined from the circumstances surrounding each case. In *Amployo v. People*, the Court expounded on the definition of the word "lewd," to wit:

The term "lewd" is commonly defined as something indecent or obscene; it is characterized by or intended to excite crude sexual desire. **That an accused is entertaining a lewd or unchaste design is necessarily a mental process[,] the existence of which can be inferred by overt acts carrying out such intention, i.e., by conduct that can only be interpreted as lewd or lascivious. The presence or absence of lewd designs is inferred from the nature of the acts themselves and the environmental circumstances. What is or what is not lewd conduct, by its very nature, cannot be pigeonholed into a precise definition.**³⁰
(Emphasis supplied and citations omitted)

The intent of the doer is manifested through his or her overt act, construed in context with the factual milieu when it was done. Thus, in determining whether lewd acts were committed, the overt acts must be scrutinized with the surrounding circumstances. Here, the dismal picture

²⁹ G.R. No. 249131, December 6, 2021 [Per J. Carandang, Third Division].

³⁰ *Id.*

demonstrated by the prosecution evidence — an adult man brusquely hugging a 12-year-old girl from behind and forcibly kissing her on her lips with no one else around except AAA251461's baby brother, preceded by the frequent sticking of tongue out and winking at the offended girl — is most certainly a manifestation of an unchaste or impure intention. XXX251461 committed a lascivious conduct when he insidiously invaded the minor's personal space and violated her person by the unwanted acts which can readily be perceived as malicious in the situation.³¹ This was confirmed by AAA251461's reaction to XXX251461 untoward actions, *viz.*:

Q: What was your reaction when the accused hugged you?

A: I was shocked.

x x x x

Q: What happened when you turned your head towards him?

A: He suddenly kissed me on my lips.

Q: What was your reaction when the accused suddenly kissed your lips at that time?

A: I was surprised and I bit him.

Q: Where did you bit [*sic*] him?

A: On the lips.³²

To be sure, if the hug and kiss were mere expressions of playfulness or humor as XXX251461 espoused them to be, such violent reaction could not be had from the minor.

XXX251461's carnal intention is further exposed by the subsequent obscene behavior that XXX251461 exhibited towards AAA251461 as charged in Criminal Case No. 5926. The showing and fondling of XXX251461's penis in front of AAA251461 while sticking his tongue out is a lusty expression of sexual hedonism, especially so when accompanied by the demand for AAA251461 to go to his room for further physical intimacy. In *Barona*,³³ the Court considered the following acts of a church pastor as lascivious or lewd: sending inappropriate text messages to a female churchgoer such as "you're beautiful," "*miss na kita*," and "*mahal kita*," attempting to kiss her, asking her to go with him inside a prayer cell, asking her for a massage, coming into contact with her breasts by embracing her, and touching and pressing her thigh.³⁴ In *Villarante v. People*,³⁵ the Court ruled that the acts of kissing on the lips, embracing, and touching thighs "could not have signified any other intention but one having lewd or indecent design."³⁶ Similarly, XXX251461's actuations, examined with the surrounding circumstances, readily reveal his impure thoughts to molest or abuse

³¹ See *Magno v. People*, G.R. No. 258682, January 16, 2023 [Per J. Lopez, J.Y., Second Division].

³² *Rollo*, p. 39.

³³ *Supra* note 28.

³⁴ *Id.*

³⁵ *Villarante v. People*, G.R. No. 243266, January 17, 2023 [Notice, First Division].

³⁶ *Id.*

AAA251461.

The lascivious or lewd acts were performed with a child subjected to other sexual abuse

XXX251461 further posits that no conviction can be had under Section 5(b) of RA No. 7610 since there was no money, profit, or any other consideration involved in this case nor was AAA251461 coerced or intimidated to engage in the lascivious conduct. For XXX251461, his moral ascendancy as AAA251461's granduncle is not proof enough of coercion or intimidation.

This issue is not novel.

In the seminal case of *Quimvel v. People*,³⁷ citing *Caballo v. People*,³⁸ it was clarified that a child is deemed subjected to other sexual abuse when he or she was engaged in lascivious conduct under the coercion or influence of any adult, *i.e.*, "when there is some form of compulsion equivalent to intimidation which subdues the free exercise of the offended party's free will."³⁹ In the recent case of *Dela Cruz v. People*,⁴⁰ the Court particularly ruled that the moral influence or ascendancy of the accused as the minor victim's teacher, as well as the vast difference in age between the accused and the victim, is indicative of coercion and intimidation. Indubitably, AAA251461 was deprived of volition or placed in a position of duress when XXX251461 forcibly and abruptly hugged and kissed her and when he played with his penis in her plain view while inducing her to go to his room.

Hence, considering that XXX251461's acts constitute coercion or influence within the context of the law, through which AAA251461 was made to wallow in lascivious conduct, AAA251461 is deemed a child subject to other sexual abuse.⁴¹

In sum, finding all elements of Section 5(b) of RA No. 7610 to be present, the Court thus sustains the conviction. The Court is not swayed by XXX251461's unsupported defense of denial and alibi especially so because his minor victim resolutely clung onto her narration of facts and her positive identification of her grand uncle to be the perpetrator. The testimony of child-victims of sound mind has been consistently recognized as "more correct and truthful than that of older persons"⁴² and, as such, given full credence.⁴³ Besides, XXX251461's allegation that AAA251461 was merely influenced by her parents to bear false witness against him was unfounded, hence,

³⁷ *Supra* note 25.

³⁸ 710 Phil. 792 (2013) [Per J. Perlas-Bernabe, Second Division].

³⁹ *Id.*

⁴⁰ G.R. No. 245516 (Resolution), June 14, 2021, [Per J. J.Y. Lopez, Third Division].

⁴¹ *Quimvel v. People*, *supra* note 25.

⁴² *People v. Bisda*, 454 Phil. 194, 224 (2003) [Per Curiam, *En Banc*].

⁴³ *People v. Dizon*, 813 Phil. 438, 449 (2017) [Per J. Tijam, Third Division].

deserves scant consideration.⁴⁴

Proper penalty

The penalty imposed must, however, be modified to be in accord with the prescribed penalty under Section 5(b) of RA No. 7610, *i.e.*, *reclusion temporal* in its medium period to *reclusion perpetua*. Under the Indeterminate Sentence Law, the minimum term of the sentence shall be taken within the range of the penalty next lower in degree, *i.e.*, *prision mayor* medium to *reclusion temporal* minimum or **eight (8) years and one (1) day to fourteen (14) years and eight (8) months**. There being no aggravating nor mitigating circumstance, the maximum term of the sentence shall be taken from the medium period of the prescribed penalty or within **seventeen (17) years, four (4) months and one (1) day to twenty (20) years**. Hence, while the courts *a quo* correctly imposed **ten (10) years, two (2) months and twenty-one (21) days** as minimum, the imposed maximum term of fourteen (14) years, eight (8) months and one (1) day must be modified to **seventeen (17) years, four (4) months and one (1) day**.

Further, pursuant to prevailing jurisprudence,⁴⁵ the damages awarded are modified in that civil indemnity, moral damages, and exemplary damages are each increased to PHP 50,000.00. The fine of PHP 15,000.00 is sustained pursuant to Section 31(f)⁴⁶ of RA No. 7610. Interest imposed at the rate of 6% per annum from the date of finality of the judgment until full payment is likewise upheld.⁴⁷

FOR THESE REASONS, the Petition for Review on *Certiorari* is **DENIED**. The Decision dated March 1, 2019 and Resolution dated January 17, 2020 of the Court of Appeals in CA-G.R. CR No. 40912, affirming the Judgment dated November 17, 2017 of the Regional Trial Court of Virac, Catanduanes, Branch 43, in Criminal Case No. 5925 and Criminal Case No. 5926, are **AFFIRMED with MODIFICATIONS** in that XXX251461 is found **GUILTY** beyond reasonable doubt of two (2) counts of violation of Section 5(b) of Republic Act No. 7610 and is, hereby, sentenced as follows:

1. to suffer, *for each charge*, the indeterminate imprisonment of ten (10) years, two (2) months and twenty-one (21) days, as minimum, **to seventeen (17) years, four (4) months and one (1) day**, as maximum and to pay fine in the amount of PHP 15,000.00 in accordance with Section 31(f) of Republic Act No. 7610; and

⁴⁴ *See id.*

⁴⁵ *People v. Tulagan*, 849 Phil. 197 (2019) [Per J. Peralta, *En Banc*].

⁴⁶ Section. 31. *Common Penal Provisions*. —

x x x x

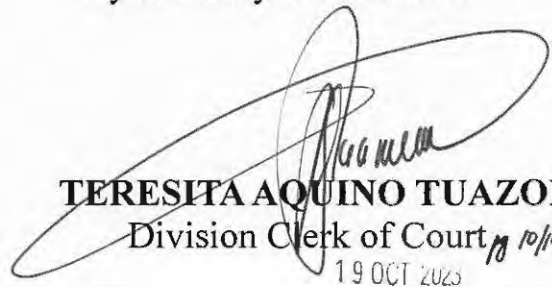
(f) A fine to be determined by the court shall be imposed and administered as a cash fund by the Department of Social Welfare and Development and disbursed for the rehabilitation of each child victim, or any immediate member of his family if the latter is the perpetrator of the offense.

⁴⁷ *People v. Tulagan*, *supra* note 44.

2. to pay the victim, AAA251461, **PHP 50,000.00 as civil indemnity, PHP 50,000.00 as moral damages, and PHP 50,000.00 as exemplary damages for each charge**, all of which shall earn interest at the rate of 6% per annum from the date of finality of this Resolution until full payment.

SO ORDERED.”

By authority of the Court:


TERESITA AQUINO TUAZON
 Division Clerk of Court *10/19*
 19 OCT 2023

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*XXX251461 (reg)
 Prison No. N218P-0750
 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 43
 4800 Virac, Catanduanes
 (Crim. Case Nos. 5925 & 5926)

JUDGMENT DIVISION (x)
 Supreme Court, Manila

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 Ma. Orosa Street
 Ermita, 1000 Manila
 CA-G.R. CR No. 40912

*with a copy of the CA Decision dated Marh 1, 2019
Please notify the Court of any change in your address.
 GR251461. 7/26/2023B(245)URES