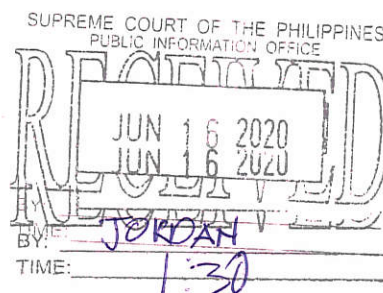




Republic of the Philippines
Supreme Court
Manila



THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated February 10, 2020, which reads as follows:

“**G.R. No. 249589** (*Fernando Albo y Lopez, Petitioner, v. People of the Philippines, Respondent*) – After a careful review of the records of the case, the Court resolves to **DENY** the petition for failure of the petitioner to sufficiently show that the Court of Appeals (CA) committed any reversible error in its 11 June 2019 Decision and 25 September 2019 Resolution in CA-G.R. CR No. 41270 to warrant the exercise of the Court’s appellate jurisdiction.

Nevertheless, the awards of damages imposed against the petitioner should be **MODIFIED** in keeping with the current jurisprudence.¹ Petitioner is liable to pay AAA² the following amounts: P50,000.00 as civil indemnity, P50,000.00 as moral damages, and P50,000.00 as exemplary damages.

WHEREFORE, the Decision dated 11 June 2019 and Resolution dated 25 September 2019 of the Court of Appeals in CA-G.R. CR No. 41270 are hereby **AFFIRMED WITH MODIFICATIONS**. Petitioner Fernando Albo y Lopez is guilty beyond reasonable doubt of the crime of Acts of Lasciviousness under Article 336 of the Revised Penal Code, in relation to Section 5(b), Article III of Republic Act No. 7610. He is sentenced to suffer the indeterminate penalty of twelve (12) years and one (1) day of *reclusion temporal* minimum, as minimum, to fifteen (15) years, six (6) months, and twenty-one (21) days of *reclusion temporal* in its medium period, as maximum. Further, petitioner is liable to pay AAA the following amounts: P50,000.00 as civil indemnity, P50,000.00 as moral damages, P50,000.00 as exemplary damages, and P15,000.00 as fine. Likewise, all the amounts awarded shall be subject to six percent (6%) interest *per annum* from the date of finality of this Resolution until fully paid.

¹ *People v. Tulagan*, G.R. No. 227363, 12 March 2019.

² Pursuant to *People v. Cabalquinto* (G.R. No. 167693, 19 September 2006) and SC Amended Administrative Circular No. 83-2015 dated 05 September 2017, personal circumstances which tend to establish or compromise the identity of the victim are withheld.

SO ORDERED." (Carandang, J., *on special leave.*)

Very truly yours,

Misael DC Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court *SEP 10 2020*

Atty. Andrei Marion B. Blancia
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COURT OF APPEALS
CA G.R. CR No. 41270
1000 Manila

OFFICE OF THE SOLICITOR GENERAL
134 Amorsolo Street
1229 Legaspi Village, Makati City

The Presiding Judge
REGIONAL TRIAL COURT
Branch 62, Gumaca 4307 Quezon
(Criminal Case No. 13352-G)

CSSupt. Gerardo F. Padilla
Superintendent
New Bilibid Prison
BUREAU OF CORRECTIONS
1770 Muntinlupa City

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G.R. No. 249589

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