



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **November 20, 2019**, which reads as follows:

“**G.R. No. 233882 (People of the Philippines v. Ramil Bacero y Bernal)**. - After a perusal of the records of the case, this Court resolves to dismiss the appeal for failure of accused-appellant Ramil Bacero y Bernal to sufficiently show that the Court of Appeals committed reversible error in upholding his conviction for the crime of Murder.

Nonetheless, the Court deems it proper to award temperate damages, since prevailing jurisprudence now fixes the amount of ₱50,000.00 as temperate damages in murder cases when no documentary evidence of burial or funeral expenses is presented in court.¹

WHEREFORE, the appeal is **DISMISSED**. The Decision dated March 28, 2017 of the Court of Appeals in CA-G.R. CR-HC No. 07087 is hereby **AFFIRMED with MODIFICATION** in that accused-appellant Ramil Bacero y Bernal is **ORDERED** to pay the heirs of the victim the following: (1) ₱75,000.00 as civil indemnity; (2) ₱75,000.00 as moral damages; (3) ₱75,000.00 as exemplary damages; (4) ₱50,000.00 as temperate damages; and (5) all the monetary awards shall earn an interest at the legal rate of six percent (6%) *per annum* from the date of finality of this judgment until fully paid.

SO ORDERED.” (Leonen, J., on official business; Gesmundo, J., designated as Acting Chairperson of the Third Division per Special Order No. 2737; Lazaro-Javier, J., designated as Additional Member of the Third Division per Special Order No. 2728, on official leave.)

Very truly yours,

Misael DC Batt
MISAELO DOMINGO C. BATTUNG III
Deputy Division Clerk of Court

gmr 11/17/20

¹ *People v. Jugueta*, 783 Phil. 806, 849 (2016).

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PUBLIC ATTORNEY'S OFFICE
DOJ Agencies Building
East Avenue cor. NIA Road
1104 Diliman, Quezon City

COURT OF APPEALS
CA G.R. CR HC No. 07087
1000 Manila

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

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

Mr. Ramil B. Bacero
c/o The Superintendent
New Bilibid Prison
BUREAU OF CORRECTIONS
1770 Muntinlupa City

The Presiding Judge
REGIONAL TRIAL COURT
Branch 72, Antipolo City
1870 Rizal
(Crim. Case No. 06-32192)

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