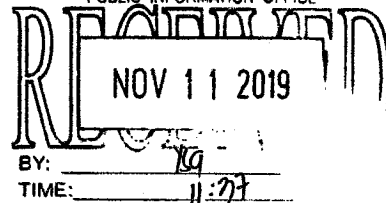




Republic of the Philippines
Supreme Court
Manila

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated **October 14, 2019** which reads as follows:

“G.R. No. 248284 (Cipriano Miranda, Vic Villamante and Napoleon Rovillos v. People of the Philippines)

Before this Court is a Petition for Review on *Certiorari*¹ filed by Napoleon Rovillos (Napoleon) questioning the Decision² dated January 21, 2019 and Resolution³ dated June 21, 2019 of the Court of Appeals (CA) in CA-G.R. CR No. 39531, which affirmed the ruling of the Regional Trial Court of San Jose City, Branch 38 (RTC) in Criminal Case No. C-30(91) finding Napoleon, Carlo Miranda, Cipriano Miranda (Cipriano), Vic Villamante (Vic) and Balat Valmonte guilty beyond reasonable doubt of the crime of Frustrated Murder.

In the present petition, the Public Attorney’s Office manifested that Cipriano and Vic expressed their lack of interest in pursuing the case,⁴ and their conviction stands.

After a perusal of the records of the case, this Court resolves to deny the petition of Napoleon for his failure to sufficiently show any reversible error in the assailed Decision of the CA. Nonetheless, the damages awarded by the CA is not in keeping with the recent jurisprudence. As provided for under *People v. Jugueta*,⁵ it states that, when the crime committed is Murder and the penalty imposed is *reclusion perpetua*, the monetary awards of damages for the crime of

- over – two (2) pages ...

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¹ Rollo, pp. 21-40.

² Penned by Associate Justice Perpetua T. Atal-Paño, with Associate Justices Ricardo R. Rosario and Nina G. Antonio-Valenzuela, concurring; id. at 46-70.

³ Id. at 72-74.

⁴ Id. at 21, 44.

⁵ 783 Phil. 806 (2016).

Frustrated Murder are ₱50,000.00 as civil indemnity, ₱50,000.00 as moral damages, and ₱50,000.00 as exemplary damages. Therefore, We modify the damages awarded to such amounts.

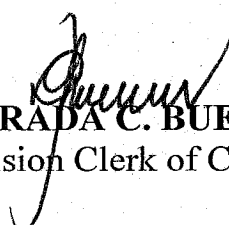
WHEREFORE, the petition is **DENIED**. The Decision dated January 21, 2019 and Resolution dated June 21, 2019 of the Court of Appeals in CA-G.R. CR No. 39531, finding Carlo Miranda and Napoleon Rovillos **GUILTY** beyond reasonable doubt of the crime of Frustrated Murder and are sentenced to suffer the penalty of imprisonment of 8 years and 1 day of *prision mayor*, as minimum, to 14 years, eight months and 1 day of *reclusion temporal*, as maximum, is hereby **AFFIRMED with MODIFICATION** in that Carlo Miranda, Cipriano Miranda, Vic Villamante and Napoleon Rovillos are **ORDERED** to pay, jointly and severally, to Arnaldo Sanz the following amounts:

- a) ₱50,000.00 as civil indemnity;
- b) ₱50,000.00 as moral damages;
- c) ₱50,000.00 as exemplary damages; and
- d) ₱86,676.35 as actual damages.

The damages awarded shall likewise earn the legal interest of six percent (6%) *per annum* counted from the date of finality of this judgment until fully paid.

SO ORDERED.” *Perlas-Bernabe, J., on official business; Gesmundo, J., designated as Acting Working Chairperson of the First Division per Special Order No. 2717; Zalameda, J., designated as Additional Member of the First Division per Special Order No. 2712.*

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court *gk nlu*

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The Solicitor General
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The Hon. Presiding Judge
Regional Trial Court, Branch 38
San Jose City, 3121 Nueva Ecija
(Crim. Case No. C-30[91])

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