



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **09 December 2020** which reads as follows:*

“G.R. No. 246320 (People of the Philippines v. Armando Iligan a.k.a. Jan-Jan Santiago and Eman Santiago y Ponso, Loloy Iligan a.k.a. “Gary Cido y Sandilan,” Jomar Sandilan a.k.a. “Egium,” and Salvador “Badong” Sandilan).

We review in this appeal the Decision¹ dated November 29, 2018 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 01217-MIN, which affirmed the Decision² dated July 31, 2013 of the Regional Trial Court (RTC), Branch 7, Bayugan City, Agusan del Sur, finding Armando Iligan a.k.a. Jan-Jan Santiago and Eman Santiago y Ponso, Loloy Iligan a.k.a. Gary Cido y Sandilan, Jomar Sandilan a.k.a. Egium, and Salvador “Badong” Sandilan guilty of Robbery with Homicide and sentencing them to suffer the penalty of *reclusion perpetua*.

ANTECEDENTS

Armando Iligan (Armando), Randy Iligan (Randy), Loloy Iligan (Loloy), Jomar Sandilan (Jomar), and Salvador Sandilan (Salvador) were charged with the crime of Robbery with Homicide under Article 294, paragraph 1 of the Revised Penal Code (RPC) in the following Information:

That or on about 2:30 o'clock in the afternoon of November 27, 2008 at Km. 10, Barangay Calaitan, Bayugan, Agusan del Sur, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, with intent to gain and without the consent of the owner thereof, conspiring, confederating with and helping one another, did then and there, willfully, unlawfully, and feloniously by means of force, violence and intimidation and with the use of an

¹ *Rollo*, pp. 4-12; penned by Associate Justice Edgardo A. Camello, with the concurrence of Associate Justices Ruben Reynaldo G. Roxas and Evalyn M. Arellano-Morales.

² *CA rollo*, pp. 125-140; penned by Executive Judge Hector B. Salise.

unlicensed firearms [*sic*] of unknown caliber, a bolo and sharp bladed weapons, did then and there, willfully, unlawfully, and feloniously take, steal and cart away the bag with a content of cash money worth Php1,000.00, Nokia 1200 worth Php1,400.00 owned by Rosalina B. Dayana[n] but said victim was able to run away from the crime scene after the accused got the bag from her, and the bag of another victim owned by Aldrin P. Tadifa[,] collector of People[*]s Bank of Caraga, Inc.[,] having a cash money collection worth P2,000.00 and in occasion thereof[,] accused with intent to kill, conspiring, confederating with and helping one another, did then and there, willfully, unlawfully and feloniously, attack, assault, sho[o]t, hack, and stab the victim ALDRIN P. TADIFA with the use of an unlicensed firearm of unknown caliber and a bolo hitting the latter at the different parts of his body causing the death shortly thereafter, to the damage and prejudice of the victim's heirs consisting of actual[,] moral and compensatory damages.

CONTRARY TO LAW.³

Arraigned, all accused⁴ pleaded not guilty;⁵ hence, trial ensued. The prosecution presented Rosalina Dayanan (Dayanan), Paulio Daluna (Daluna) and Barangay Captain Julius McFie (Brgy. Captain McFie). Dayanan's testimony established that on November 27, 2008, around 2:00 p.m., she and Aldrin Tadifa (Tadifa) were traveling to Bayugan in a motorcycle. While traversing at Kilometer 10, Barangay Calaitan, Bayugan, Dayanan heard a loud sound which she described as a "burst." Tadifa started to lose control of the motorcycle when Dayanan heard a second burst. Soon after, they fell down. As Dayanan helped Tadifa to stand, she heard another burst and saw blood on Tadifa's body. Two meters from them, Dayanan saw Salvador holding a gun. Immediately, they ran away but Tadifa tripped. While on the ground, Tadifa was hacked by Armando and Randy with their bolos and, afterward, took his bag. Meantime, Dayanan was chased by Loloy and Jomar. When they caught her, Jomar pointed a gun at her, took her bag and left.⁶ Daluna corroborated Dayanan's testimony. In open court, Daluna narrated that he was placing a culvert on the road near Kilometer 10 when he heard a gunshot. Daluna followed the sound and hid among the trees. From the treeline, he heard two more gunshots. He then saw Jomar chase Dayanan, point a gun at her and take her bag. Daluna also saw Salvador hacking Tadifa's body. The robbers took Tadifa's bag and left.⁷ Later, the incident was reported to Brgy. Captain McFie. When the barangay officials went to the crime scene, Tadifa was already dead.⁸

³ *Rollo*, pp. 5-6.

⁴ With the exception of accused Randy Higan who remains at large.

⁵ *Rollo*, p. 6.

⁶ *CA rollo*, pp. 160-161.

⁷ *Id.* at 109-110.

⁸ *Id.* at 110-111.

The defense denied the accusation. **Armando** testified that he was at his house on November 27, 2008.⁹ Both **Loloy** and **Jomar** claimed that they were in Manila. Loloy left for Manila in 2001,¹⁰ while Jomar was working there from 2006 until his arrest in 2009.¹¹ For his part, **Salvador** testified that on 2:00 p.m. of November 27, 2008, he was at the house of one Eleuterio Sandaya. After his visit, Salvador went home and arrived at his house at 4:00 p.m.¹² **Randy** remains at large.

On July 31, 2013,¹³ the RTC found the accused guilty of Robbery with Homicide. The court gave credence to the testimonies of the prosecution witnesses. As an eyewitness and a victim, Dayanan positively identified the five (5) accused as the perpetrators of the crime. She pointed to Salvador as the one who shot Tadifa, and to Armando and Randy as the persons who hacked him. Dayanan also identified Jomar as the person who chased her and forcibly took her belongings, while Loloy stood nearby, to wit:

WHEREFORE, finding accused Armando Iligan a.k.a. Jan-Jan Santiago and Eman Santiago [y] Ponso, Loloy Iligan a.k.a. Gary Cido y Sandilan, Jomar Sandilan alias Egium, and Salvador "Badong" Sandilan guilty beyond reasonable doubt of the crime of Robbery with Homicide, the Court sentences each of them the extreme penalty of Reclusion Perpetua.

They are ordered to pay the heirs of the victim, upon stipulation, the following[,] to wit:

1. [P]150,000.00 – civil damages;
2. [P]200,000.00 – moral damages[; and]
3. [P]242,723.33 – expenses of the bank (Court Order dated September 1, 2012[.]])

They shall serve their sentence at Davao Penal Colony, Panabo City. Their period of detention shall be credited in the service of their sentence.

Let an alias Warrant issue for the arrest of Randy Iligan who remains at large up to this time.

In CHAMBERS, this July 31, 2013, at Bayugan City, Agusan del Sur, Philippines.¹⁴

Aggrieved, the accused (*now appellants*) appealed before the CA contending that there were inconsistencies between the affidavit and the testimony of Dayanan that established her inability to recall the incident accurately. Dayanan testified that she saw Salvador shoot Tadifa, that

⁹ *Id.* at 113.

¹⁰ *Id.* at 112.

¹¹ *Id.* at 112-113.

¹² *Id.* at 111-112.

¹³ *Id.* at 125-140.

¹⁴ *Id.* at 140.

Tadifa was able to run but later fell down, and that she saw Armando and Randy hacking him. However, these details, particularly the names of the appellants, were not disclosed in her affidavit. Likewise, Daluna's testimony was incredible in itself because he was unable to describe the crime, as well as specify the participation of each of the appellants. Contrary to Dayanan's claim that Armando and Randy hacked Tadifa, Daluna testified that it was Salvador who stabbed the victim.¹⁵ In contrast, the Office of the Solicitor General countered that the testimonies of the prosecution witnesses consistently pointed to the appellants as the perpetrators of the crime. The alleged discrepancies between the affidavits and testimonies of the witnesses do not discredit them because affidavits are often incomplete reproductions of what the declarants had in mind.¹⁶

On November 29, 2018,¹⁷ the CA upheld the RTC's factual findings and evaluation of the credibility of the prosecution witnesses, thus:

FOR THESE REASONS, the assailed Decision is AFFIRMED. In addition to the penalty imposed by the Regional Trial Court, Branch 7, Baguayan City, Armando Iligan a.k.a. Jan-Jan Santiago and Eman Santiago y Ponso, Loloy Iligan a.k.a. Gary Cido y Sandilan, Jomar Sandilan alias Egium, and Salvador "Badong" Sandilan are not eligible for parole.

SO ORDERED.¹⁸

Hence, this appeal. Appellants maintain that the prosecution witnesses' inconsistent and contradictory testimonies cast serious doubts on their credibility.¹⁹

RULING

The appeal lacks merit.

Appellants' contention that the testimonies of the prosecution witnesses are inconsistent and contradictory with each other are issues of credibility confined with the trial court. It is settled that the factual findings of the trial court, its assessment of the credibility of witnesses and the probative weight of their testimonies, and the conclusions based on these factual findings are to be given the highest respect. We will not recalibrate and re-examine evidence that had been analysed and ruled upon by the RTC and affirmed by the CA,²⁰ unless there exists substantial

¹⁵ *Id.* at 107-123.

¹⁶ *Id.* at 157-171.

¹⁷ *Supra* note 1.

¹⁸ *Rollo*, p. 12.

¹⁹ CA *rollo*, p. 107. Appellants alleged that "the court *a quo* gravely erred in convicting accused-appellant[s] despite the failure of the prosecution to prove [their] guilt beyond reasonable doubt."

²⁰ *People v. Jugueta*, 783 Phil. 806, 816 (2016), citing *People v. Mamaruncus*, 680 Phil. 192, 211 (2012).

reason to justify the reversal of the trial court’s assessment, such as when the trial court overlooked or disregarded significant facts and circumstances.²¹

Here, the prosecution witnesses Dayanan and Daluna testified in a straightforward and credible manner. They consistently pointed to the appellants as the perpetrators of the crime, to wit:

Testimony of Dayanan

Q Now, while you were traveling to Bayugan, while you were at the vicinity of Km. 10, Calaitan, Bayugan, Agusan del Sur, what you have (sic) heard, if any?

A I heard a burst.

COURT:

What do you mean by burst?

WITNESS:

I thought it was a tire burst.

x x x x

Q What happened to the motorcycle when you heard the burst?

A We fell down, sir.

x x x x

Q When Aldrin fell down, what did you say to Aldrin?

A I stood up and helped him up because I was surprised why he did not stand up.

Q When you helped Aldrin Tadifa in getting up, what part of his body were you holding?

A His left arm, sir. I helped him holding his left arm and then I heard another burst.

x x x x

Q Why (sic) you were helping Aldrin in getting up, what did you see with your hands when your hands were used in pulling up Aldrin?

A I saw blood, sir.

²¹ *Daayata v. People*, 807 Phil. 102, 112 (2017), citing *People v. Esteban*, 735 Phil. 663, 671 (2014); *People v. Esugon*, 761 Phil. 300, 311 (2015), citing *People v. Barcelá*, 734 Phil. 332, 343 (2014).

Q Now, when you said there was third (sic) shot, who shot Aldrin?

A Badong.

Q What is the complete name of Badong, are you referring to the accused Salvador Sandilan?

A Yes, sir.

Q How many meters were you when Salvador Sandilan shot Aldrin Tadifa, x x x?

A Two (2) meters, more or less.

Q Kindly step down from the witness stand and get near to the prisoners' row and please point to the Court who is Salvador Sandilan who shot the victim?

A (The witness is pointing to a man who answered the name of Salvador Sandilan.)

Q When Salvador Sandilan shot Aldrin Tadifa, where were the other accused at this very moment?

A Two (2) persons approached Aldrin within the crime scene.

Q You said two (2) accused approached, who were the two (2) accused approached (sic) Aldrin?

A Mr. Armando Iligan.

Q The other one?

A And Randy Iligan who standing near them.

x x x x

Q When Salvador Sandilan went to Aldrin[,] what firearms, if any, he was (sic) holding or bringing?

A Homemade shotgun and a bolo.

Q What about Armando Iligan, what arm, if any, he was (sic) bringing in approaching Aldrin Tadifa?

A A bolo, sir.

Q What did he do to Aldrin Tadifa?

A They hacked him, sir.

x x x x

Q What object or item taken (sic) by the two from Aldrin Tadifa?

x x x x

A Pack bag, sir.

x x x x

Q Now, when Aldrin was shot and he said to you, "Dagan, Te or Run, Te", what did you do?

A I was not able to run immediately because I was shaking and shocked.

Q Now, you were (*sic*) able to finally left (*sic*) or run?

A I was able to left (*sic*) from the place but I could not say that I was running because I was trembling, I was shocked.

Q In what direction were you leaving the place when you were trembling?

A To the upper portion of the road, sir.

Q Who among the accused who [*sic*] followed you, if any?

A Mr. Jomar Sandilan.

x x x x

[Q] Madam Witness, is Jomar Sandilan inside the courtroom?

[A] Yes, sir.

Q Step down from the witness stand and point to him if you can manage emotionally and physically?

INTERPRETER:

(The witness is pointing to a man who answered the name of Jomar Sandilan.)

Q When Jomar Sandilan followed you, who was the other accused following also Jomar Sandilan?

A Loloy Iligan.

Q When Joniar Sandilan was following you, what firearm, if any, did he possess or hold?

A He pointed to me a short firearm.

Q What did he say upon aiming the short firearm to you?

A I plead from (*sic*) my life when he was aiming the gun at me.

Q What was his answer of (*sic*) your pleading?

A He got my bag from my shoulder and he said "I will get bag only."

Q What other object, if there was any, taken (sic) from you?

A Aside from the bag[,] he also grabbed or snatched the cellphone hanging on my neck.

Q When Jomar Sandilan was snatching or getting your bag and snatching your cellphone, where was Loloy Sandilan at that time?

A He was standing near.²²

Testimony of Paulio Daluna

q While you were working on the culvert at that particular place, what have you heard, if any?

a I heard a gunshot, sir.

q When you heard a gunshot, what did you do?

a I verified it, sir.

x x x x

q When you said you verified the gun shot, what did you do in verifying the same?

a I went nearer to the place where the gun burst originated.

q When you went there and you said you hide, (sic) what particular part of the road were you hiding?

a I hide (sic) myself on a tree located at the side of the road.

q Now, when you were hiding, did you hear another shots, (sic) if any? Or while you were verifying, did you hear the other shots?

a There were 2 another (sic) gun shots, sir.

q While you were hiding beside the road, who were the persons you have (sic) seen?

a The Sandilans and Iligan.

q Are you referring to Randy Iligan?

a Randy, Joinar and Armando.

q Are you referring to Jomar Sandilan?

²² CA rollo, pp. 133-137.

- a Yes, sir.
- q When you said Iligan, are you referring to Loloy or both of them Loloy or Armando?
- a Yes, sir.
- q Now, when you saw Randy Iligan, what firearm, if any, did Randy Iligan was bringing? (*sic*)
- a A shot gun, sir.
- q Now, aside from these persons you have mentioned, who are other (*sic*) persons you have seen in that area?
- a The two victims, sir, Tadifa and his back rider.
- q Are you referring to Rosalina Dayanan, the woman?
- a Yes, sir.
- q Now, when you saw Rosalina Dayanan, what was she doing at that time?
- a Rosalina was running away.
- x x x x
- q I am showing to you an Affidavit, kindly go over whether this is the one you have executed?
- a This is the one, sir.
- q You said here that Jomar Sandilan was the one who chased Dayanan. Is that right?
- a That's the one stated in the affidavit, sir.
- q x x x So, it is not clear that Jomar Sandilan was the one who chased Rosalina Dayanan?
- a Yes, sir.
- q What did Jomar Sandilan do towards Rosalina Dayanan?
- a He pointed a gun to the woman.
- q After pointing his gun to Rosalina, what did he do?
- a He got the woman's cellphone and bag.
- q Now, after Jomar Sandilan got the cellphone and bag, what did the woman do?
- a She run (*sic*) away, sir.

x x x x

q You said that you saw the other man, the victim Aldrin Tadifa, what was his position at that time when you saw him?

a He was lying in (*sic*) the ground, sir.

q When you saw Aldrin Tadifa lying on the ground, what did Salvador Sandilan do, if any, towards Aldrin Tadifa?

a He hacked Aldrin, sir.

q What instrument used (*sic*) by Salvador “Badong” Sandilan in hacking Aldrin Tadifa?

a A bolo, sir.

q How many times did Salvador “Badong” Sandilan hack this Aldrin Tadifa?

a Many times, sir, it cannot be counted.

q Aside from hacking, what did Salvador “Badong” Sandilan do to Aldrin Tadifa?

a He got Aldrin’s bag.

q After Salvador Sandilan got Aldrin’s bag, what did this person do next?

a They then walked away, sir.²³

The details raised by the appellants to create doubt on the prosecution witnesses’ testimonies include Dayanan’s failure to provide the names of the appellants in her affidavit, and Daluna’s testimony as to who hacked Tadifa. These matters, however, refer to minor facts which has nothing to do with the elements of the crime as charged. They are inconsequential to the guilt of the accused, nor detract from the credibility of the prosecution witnesses. Discrepancies pertaining to minor details and collateral matters – not to the central fact of the crime – do not affect the veracity or detract from the essential credibility of the witnesses’ declarations.²⁴ In this case, Dayanan specifically testified that she was “*familiar with their faces*”²⁵ because of her close proximity with the appellants at the time of the incident.²⁶ Indeed, the accuracy of her recollection is without doubt. Well-settled is the rule that the most natural

²³ *Id.* at 127-131.

²⁴ *People v. Corpuz*, 714 Phil. 337, 345 (2013).

²⁵ *CA rollo*, p. 137.

²⁶ *Id.* at 134, 137. During the shooting, Dayanan was two (2) meters away from Salvador, Armando and Randy. Soon after, Dayanan was caught by Jomar, while Loloy stood five (5) meters away from them.

reaction of a witness to a crime is to strive to look at the appearance of the perpetrator and to observe the manner in which the offense is perpetrated.²⁷ On the other hand, because Daluna was hidden in the treeline, his observations were limited to Jomar chasing Dayanan and Salvador hacking Tadifa.²⁸ Nevertheless, Daluna positively identified Jomar and Salvador as two of the assailants. The Court has consistently held that a truth-telling witness is not always expected to give an error-free testimony, considering the lapse of time and the treachery of human memory. Inaccuracies may, in fact, suggest that the witnesses are telling the truth and their testimonies have not been rehearsed.²⁹

Against the prosecution evidence, the appellants proffered nothing but denial and alibis – Armando testified that he was at home;³⁰ Salvador claimed he was visiting a neighbor;³¹ and Loloy and Jomar maintained that they were in Manila.³² The defenses of denial and alibi are inherently weak and unreliable due to the ease by which they may be fabricated or concocted. If not substantiated by clear and convincing evidence, these defenses are considered self-serving and are bereft of weight in courts of law,³³ as in this case. Thus, in light of their positive identification by the prosecution witnesses, the appellants' denial and alibi must fail.

All told, appellants Armando Iligan a.k.a Jan-Jan Santiago and Eman Santiago y Ponso, Loloy Iligan a.k.a. Gary Cido y Sandilan, Jomar Sandilan a.k.a. Egium, and Salvador “Badong” Sandilan are guilty of Robbery with Homicide. Under Article 294, paragraph 1 of the RPC, the CA and the RTC correctly imposed the penalty of *reclusion perpetua*. However, the phrase “*not eligible for parole*” in the dispositive portion of the CA’s Decision must be clarified. In A.M. No. 15-08-02-SC,³⁴ this Court set the guidelines for the use of the phrase “*without eligibility for parole*” to remove any confusion, to wit:

1. In cases where the death penalty is not warranted, there is no need to use the phrase “without eligibility for parole” to qualify the penalty of *reclusion perpetua*; it is understood that convicted persons penalized with an indivisible penalty are not eligible for parole; and
2. When circumstances are present warranting the imposition of the death penalty, but this penalty is not imposed because of Republic Act (R.A.) No. 9346, the qualification of “without eligibility for parole” shall be used to qualify *reclusion perpetua* in order to emphasize that the accused should have been sentenced to suffer the death penalty had it not been for R.A. No. 9346.

²⁷ *People v. Esoy*, 631 Phil. 547, 555 (2010).

²⁸ *CA rollo*, pp. 127-131.

²⁹ *People v. Garcia*, 409 Phil. 152, 163 (2001), citing *People v. Ebrada*, 357 Phil. 345, 358 (1998).

³⁰ *CA rollo*, p. 113.

³¹ *Id.* at 111-112.

³² *Id.* at 112-113.

³³ *People v. Pentecostes*, 820 Phil. 823, 843 (2017).

³⁴ GUIDELINES FOR THE PROPER USE OF THE PHRASE “WITHOUT ELIGIBILITY FOR PAROLE” IN INDIVISIBLE PENALTIES; dated July 19, 2016.

Hence, there is a need to qualify that the accused is “*not eligible for parole*” only in cases where the imposable penalty should have been death were it not for the enactment of RA No. 9346 or the Anti-Death Penalty Law.³⁵ Here, the appellants are guilty of robbery with homicide penalized with *reclusion perpetua* and there is no need to indicate that they were ineligible for parole. Appellants are *ipso facto* ineligible for parole because they were sentenced to suffer an indivisible penalty.

As to the award of damages, the RTC imposed, and the CA affirmed, ₱150,000.00 civil indemnity, ₱200,000.00 moral damages, and ₱242,723.33 actual expenses of the bank as stipulated during trial.³⁶ Article 2206 of the Civil Code provides the minimum amount for award of civil indemnity but does not provide for a ceiling. Thus, although the minimum amount cannot be changed, increasing the amount awarded as civil indemnity can be validly modified and increased when the present circumstance warrants it.³⁷ Corollarily, moral damages under Article 2220 of the Civil Code also does not fix the amount of damages that can be awarded. It is discretionary upon the court, depending on the mental anguish or suffering of the private offended party. The amount of moral damages can, in relation to civil indemnity, be adjusted so long as it does not exceed the award of civil indemnity.³⁸ Applying these precepts, we sustain the civil indemnity of ₱150,000.00, as stipulated by the parties, and modify the amount of moral damages from ₱200,000.00 to ₱150,000.00, so as not to exceed the civil indemnity. We likewise affirm the stipulated actual damages representing the expenses of the bank in the total amount of ₱242,723.33. In addition, we deem it proper to award ₱75,000.00 exemplary damages in accordance with prevailing jurisprudence.³⁹ In line with current policy, the legal rate of six percent (6%) *per annum* on all monetary awards for damages shall be imposed from the date of finality of this Resolution until fully paid.⁴⁰

Lastly, Section 11(a), Rule 122 of the Rules of Court states that an appeal taken by one or more of several accused shall not affect those who did not appeal, except insofar as the judgment of the appellate court is favorable and applicable to the latter. Considering that the reduction of moral damages is beneficial to the accused, this should apply to Armando who did not appeal. However, the award of exemplary damages cannot be extended to Armando since it is not favorable to him. The additional

³⁵ AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES; signed on June 24, 2006.

³⁶ *Rollo*, p. 8.

³⁷ *People v. Jugueta*, *supra* note 20. In *Jugueta*, we held that when the circumstances call for the imposition of *reclusion perpetua* only, there being no ordinary aggravating circumstance, the victim is entitled to ₱75,000.00 civil indemnity, ₱75,000.00 moral damages, ₱75,000.00 exemplary damages.

³⁸ *Id.* at 826, citing *Corpuz v. People*, 734 Phil. 353 (2014).

³⁹ *Id.*

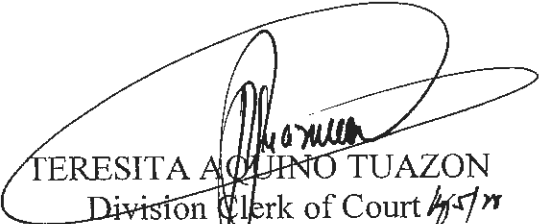
⁴⁰ *People v. Ronquillo*, 818 Phil. 641, 654 (2017), citing *People v. Dion*, 668 Phil. 333 (2011).

award of exemplary damages should only be enforced upon the appellants.⁴¹

FOR THESE REASONS, the appeal is **DISMISSED**. The Decision of the Court of Appeals dated November 29, 2018 in CA-G.R. CR-HC No. 01217-MIN is **AFFIRMED with MODIFICATION** in that the accused Armando Iligan a.k.a Jan-Jan Santiago and Eman Santiago y Ponso, Loloy Iligan a.k.a. Gary Cido y Sandilan, Jomar Sandilan a.k.a. Egium, and Salvador “Badong” Sandilan are **ORDERED** to **PAY**, jointly and severally, the heirs of the victim Aldrin P. Tadifa, the amounts of ₱150,000.00 as civil indemnity, ₱150,000.00 as moral damages, and ₱242,723.33 as actual damages representing the stipulated expenses of the bank. In addition, the accused-appellants Loloy Iligan a.k.a. Gary Cido y Sandilan, Jomar Sandilan a.k.a. Egium, and Salvador “Badong” Sandilan are **ORDERED** to **PAY**, jointly and severally, the heirs of the victim Aldrin P. Tadifa, ₱75,000.00 as exemplary damages. All monetary awards for damages shall earn interest at the legal rate of six percent (6%) *per annum* from the time of finality of this Resolution until fully paid.

SO ORDERED. (Rosario, J., designated additional Member per Special Order No. 2797 dated November 5, 2020.)”

By authority of the Court:



TERESITA AQUINO TUAZON
Division Clerk of Court *by s/r*

28 MAY 2021

⁴¹ See *People v. PO2 Valdez*, 703 Phil. 519, 529 (2013); *People v. Corsales*, 472 Phil. 61, 72 (2004); See *People v. Arondain*, 418 Phil. 354, 373-374 (2001).

*PUBLIC ATTORNEY'S OFFICE (reg)
Regional Special & Appealed Cases Unit –
Mindanao Station
BJS Building, Tiano-San Agustin Sts.
Cagayan de Oro City

*OFFICE OF THE SOLICITOR GENERAL (reg)
134 Amorsolo Street
1229 Legaspi Village
Makati City

*ARMANDO ILIGAN a.k.a. Jan-Jan SANTIAGO. (reg)
*EMAN SANTIAGO y PONSO (reg)
*LOLOY ILIGAN a.k.a. "Gary Cido y Sandilan" (reg)
*JOMAR SANDILAN a.k.a. "Egium" (reg)
*SALVADOR "Badong" SANDILAN (reg)
Accused-Appellants
c/o The Superintendent
Davao Prison & Penal Farm
Dujali 8105 Davao del Norte

*THE SUPERINTENDENT (reg)
Davao Prison & Penal Farm
Dujali 8105 Davao del Norte

*THE DIRECTOR (reg)
Bureau of Corrections
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 7
Bayugan 8502 Agusan del Sur
(Crim. Case No. 2973)

COURT OF APPEALS (reg)
9000 Cagayan de Oro City
CA-G.R. CR-HC No. 01217-MIN

JUDGMENT DIVISION (x)
Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)
LIBRARY SERVICES (x)
[For uploading pursuant to A.M. No. 12-7-SC]

OFFICE OF THE CHIEF ATTORNEY (x)
OFFICE OF THE REPORTER (x)
PHILIPPINE JUDICIAL ACADEMY (x)
Supreme Court, Manila

**with copy of the CA Decision dated 29 November 2018.
Please notify the Court of any change in your address.*
GR246320. 12/09/2020(253)URES 