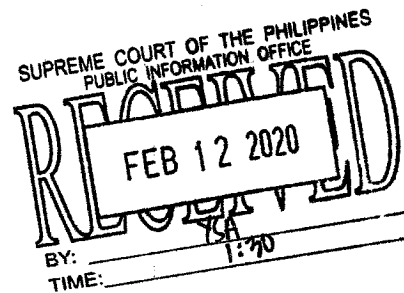




Republic of the Philippines  
Supreme Court  
Manila



THIRD DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated **January 15, 2020**, which reads as follows:*

**“G.R. No. 230122 (PEOPLE OF THE PHILIPPINES, *plaintiff-appellee* v. ALI IBRAHIM y NANDANG alias DATU ALI, *accused-appellant*). —** For this Court’s resolution is a Notice of Appeal<sup>1</sup> challenging the Decision<sup>2</sup> of the Court of Appeals, which affirmed the Regional Trial Court’s Joint Decision<sup>3</sup> convicting Ali Ibrahim y Nandang alias Datu Ali (Ibrahim) of two (2) counts of murder.

In two (2) separate Informations, both dated April 26, 2004,<sup>4</sup> Ibrahim was charged with two (2) murder counts for the killing of Marie Lee Licayan y Rueda (Licayan) and Ma. Luz Cruz y Maglipon (Cruz), penalized under Article 248 of the Revised Penal Code. The Informations read:

Criminal Case No. 130317-H

That on or about the 30<sup>th</sup> day of September 2002, in the Municipality of Taguig, Metro Manila, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, in conspiracy with one alias Bobby and one unidentified male person, whose identities and present whereabouts are still unknown, with the use of a gun, a deadly weapon, did then and there willfully, unlawfully and feloniously assault and shoot one Ma. Luz Cruz y Maglipon, hitting the latter in vital parts of her body, thereby inflicting upon her fatal injuries which caused her instantaneous death, the said killing having been attended by the qualifying circumstance of treachery and evident premeditation which qualify such killing to murder.

CONTRARY TO LAW.

<sup>1</sup> *Rollo*, pp. 26–28.

<sup>2</sup> *Id.* at 2–25. The March 16, 2016 Decision in CA-G.R. CR-HC No. 07137 was penned by Associate Justice Fernanda Lampas Peralta and concurred in by Associate Justices Jane Aurora C. Lantion and Nina G. Antonio-Valenzuela of the Sixth Division, Court of Appeals, Manila.

<sup>3</sup> *CA rollo*, pp. 28–43. The October 20, 2014 Joint Decision in Crim. Case Nos. 130317-H and 130318-H was penned by Presiding Judge Mariam G. Bien of Branch 153, Regional Trial Court, Taguig City.

<sup>4</sup> *Id.* at 19 and 21.

Criminal Case No. 130318-H

That on or about the 30<sup>th</sup> day of September 2002, in the Municipality of Taguig, Metro Manila, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, in conspiracy with one alias Bobby and one unidentified male person, whose identities and present whereabouts are still unknown, with the use of a gun, a deadly weapon, did then and there willfully, unlawfully and feloniously assault and shoot one Marie Lee Licayan y Rueda, hitting the latter in her head, thereby inflicting upon her fatal injuries which caused her instantaneous death, the said killing having been attended by the qualifying circumstance of treachery and evident premeditation which qualify such killing to murder.

CONTRARY TO LAW.<sup>5</sup> (Citations omitted)

When arraigned, Ibrahim pleaded not guilty to the crimes charged. Thus, joint pre-trial ensued, where the parties stipulated on Ibrahim's identity and the trial court's jurisdiction. Afterward, joint trial ensued.<sup>6</sup>

The prosecution, through witnesses Nestor San Diego (San Diego), Police Officer 3 Alain Sigua (PO3 Sigua), and Zenon Licayan (Zenon), Licayan's father,<sup>7</sup> narrated the following:

Between 2:00 p.m. and 3:00 p.m. on September 30, 2002, while he was selling watches<sup>8</sup> in a store along Guevarra corner A. Reyes Streets, Lower Bicutan, Taguig City, San Diego heard a gunshot. He turned to where it came from, and saw Ibrahim chase a limping Licayan. Cruz, a pal of Licayan, intervened and tried to pacify Ibrahim, pleading for her friend's life. Instead, Ibrahim grabbed Licayan by the neck and shot her.<sup>9</sup>

Cruz yelled for help, but one "Bobby," who was with Ibrahim, pushed her aside. Then, she was shot twice: first by Ibrahim, then by Bobby. Ibrahim then blew the tip of his gun, turned to the bystanders, and remarked, "*Kaya niyo ba 'to?*"<sup>10</sup>

PO3 Sigua shortly received information on the incident. Together with a barangay tanod and two (2) police officers from Maharlika Police Station, he went to the crime scene and there saw Cruz's and Licayan's

<sup>5</sup> *Rollo*, p. 5.

<sup>6</sup> *Id.* at 6.

<sup>7</sup> *Id.*

<sup>8</sup> *CA rollo*, p. 30.

<sup>9</sup> *Rollo*, p. 4.

<sup>10</sup> *Id.*

lifeless bodies. He took their photographs and prepared his investigation reports.<sup>11</sup>

About a year after the incident, San Diego came forward to PO3 Sigua, through Licayan's father, Zenon, and recounted what had transpired.<sup>12</sup>

On September 15, 2003, PO3 Sigua was informed that a suspect in the killings was apprehended on drug charges. With San Diego and Zenon, the officer went to the Western Police District where the suspect was incarcerated. From a police line-up, San Diego was able to identify Ibrahim as the assailant. PO3 Sigua then read Ibrahim his constitutional rights.<sup>13</sup>

Testifying for the defense, Ibrahim denied killing Cruz and Licayan. He claimed that he was in Cotabato when the alleged incident happened, and only went back to Manila more than a month after.<sup>14</sup>

Six (6) years later, San Diego recanted his testimony. He narrated that their Purok leader, Cader Upang (Upang), supposedly forced him to falsely implead Ibrahim, threatening him and his family should he refuse.<sup>15</sup>

In its October 20, 2014 Joint Decision,<sup>16</sup> the Regional Trial Court convicted Ibrahim of two (2) counts of murder. Among others, it held that "[r]etractions are frowned upon by the courts."<sup>17</sup> It gave credence to San Diego's first testimony on October 9, 2008,<sup>18</sup> which it found to be detailed, categorical, and corroborated by the other testimonies.<sup>19</sup> The dispositive portion of the ruling read:

**WHEREFORE**, foregoing considered, the prosecution having proven the guilt of the accused beyond reasonable doubt, this court hereby finds accused ALI IBRAHIM y NANDANG alias Datu Ali **GUILTY** for the crimes of Murder charged in the two Informations. Accordingly, he is hereby sentenced as follows:

1. In Criminal Case No. 130317, accused is hereby sentenced to suffer the penalty of *reclusion perpetua* and is ordered to pay the heirs of Ma. Luz Cruz y Maglipon, the following: (a) Php50,000.00 as civil indemnity *ex delicto*; (b) Php20,000.00 as temperate damages; (c)

<sup>11</sup> Id. at 3.

<sup>12</sup> CA rollo, p. 33-34.

<sup>13</sup> Rollo, p. 3.

<sup>14</sup> Id. at 4.

<sup>15</sup> CA rollo, pp. 35-36.

<sup>16</sup> Id. at 28-43.

<sup>17</sup> Id. at 39.

<sup>18</sup> Id. at 38.

<sup>19</sup> Id. at 39-40.

Php50,000.00 as moral damages; and (d) Php30,000.00 as exemplary damages.

Send copy of this decision to the Heirs of Ma. Luz Cruz y Maglipon at their last known address.

2. In Criminal Case No. 130318, accused is hereby sentenced to suffer the penalty of *reclusion perpetua* and he is ordered to pay the heirs of Marie Lee Licayan y Rueda, the following: (a) Php50,000.00 as civil indemnity *ex delicto*; (b) Php20,000.00 as temperate damages; (c) Php50,000.00 as moral damages; and (d) Php30,000.00 as exemplary damages.

Send copy of this decision to Zenon Licayan at his given address on record.

SO ORDERED.<sup>20</sup> (Emphasis in the original)

Aggrieved, Ibrahim appealed before the Court of Appeals.<sup>21</sup>

In his Brief,<sup>22</sup> Ibrahim contended that the Regional Trial Court erred in convicting him of the crimes charged based solely on San Diego's testimony.<sup>23</sup> He claimed that San Diego's first testimony was laden with material inconsistencies, among which was who exactly shot the two (2) women. Allegedly, San Diego first testified that only Ibrahim shot the women, but later stated that Bobby also shot Cruz—a discrepancy that, Ibrahim noted, supposedly cast doubt on San Diego's testimony.<sup>24</sup>

Ibrahim also argued that San Diego's recantation should be given credence, notably because San Diego faced a possible charge of perjury for doing so.<sup>25</sup> He asserted that this warrants his acquittal,<sup>26</sup> maintaining that recantations "are not automatically unworthy of belief."<sup>27</sup>

Finally, Ibrahim asserted that the Regional Trial Court erred in appreciating treachery. He reasoned that it was not shown that he deliberately chose the method of assault, or that he made prior arrangements to ensure the crime's execution.<sup>28</sup>

<sup>20</sup> Id. at 42–43.

<sup>21</sup> *Rollo*, p. 7.

<sup>22</sup> *CA rollo*, pp. 58–78.

<sup>23</sup> Id. at 65.

<sup>24</sup> Id. at 65–66.

<sup>25</sup> Id. at 71.

<sup>26</sup> Id. at 67.

<sup>27</sup> Id. at 71.

<sup>28</sup> Id. at 74–75.

In its March 16, 2016 Decision,<sup>29</sup> the Court of Appeals affirmed the Regional Trial Court's Joint Decision, but with modifications on the damages awarded.

The Court of Appeals ruled that a retraction does not exclude an earlier testimony,<sup>30</sup> and that, "like any other testimony, [it] is subject to the test of credibility based on the relevant circumstances, including the demeanor of the recanting witness on the stand."<sup>31</sup> It also dismissed Ibrahim's "self-serving and uncorroborated"<sup>32</sup> defense of denial.<sup>33</sup>

Modifying the award of damages, the Court of Appeals disposed as follows:

**WHEREFORE**, the trial court's Joint Decision dated October 20, 2014 finding accused-appellant Ali Ibrahim y Nandang alias Datu Ali guilty beyond reasonable doubt of two (2) counts of murder is hereby **AFFIRMED**, subject to the **MODIFICATIONS** that for each count of murder, accused-appellant is ordered to pay the heirs of victims Ma. Luz Cruz y Maglipon and Marie Lee Licayan y Rueda the increased amounts of ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, and ₱25,000.00 as temperate damages, aside from P30,000.00 as exemplary damages, plus interest at the rate of six (6%) percent per *annum* from the finality of this Decision until full payment. In all other respects, the Joint Decision dated October 20, 2014 is **AFFIRMED**.

**SO ORDERED.**<sup>34</sup> (Emphasis in the original)

Thus, Ibrahim filed a Notice of Appeal.<sup>35</sup> Giving due course<sup>36</sup> to the appeal, the Court of Appeals elevated the case records to this Court.<sup>37</sup>

In its June 28, 2017 Resolution,<sup>38</sup> this Court noted the case records and directed the parties to file their respective supplemental briefs.

Both accused-appellant<sup>39</sup> and plaintiff-appellee People of the Philippines, through the Office of the Solicitor General,<sup>40</sup> manifested that they would no longer file supplemental briefs. The Manifestations were noted by this Court in its November 8, 2017 Resolution.<sup>41</sup>

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<sup>29</sup> *Rollo*, pp. 2–25.

<sup>30</sup> *Id.* at 15.

<sup>31</sup> *Id.* at 14.

<sup>32</sup> *Id.* at 18.

<sup>33</sup> *Id.*

<sup>34</sup> *Id.* at 24–25.

<sup>35</sup> *Id.* at 26–28.

<sup>36</sup> *Id.* at 29.

<sup>37</sup> *Id.* at 1.

<sup>38</sup> *Id.* at 31–32.

<sup>39</sup> *Id.* at 38–42.

<sup>40</sup> *Id.* at 43–46.

<sup>41</sup> *Id.* at 53–54.

The sole issue for this Court's resolution is whether or not the Court of Appeals erred in convicting accused-appellant Ali Ibrahim y Nanding alias Datu Ali for two (2) counts of murder.

This Court affirms accused-appellant's conviction with some modifications on the imposed penalty.

## I

This Court does not disturb the trial court's evaluation of facts and credibility of witnesses, unless significant facts or circumstances were overlooked or misinterpreted.<sup>42</sup> In *People v. Lita*,<sup>43</sup> this Court explained:

*The Regional Trial Court had the opportunity to personally observe the witnesses during their testimonies. Thus, its assignment of probative value to testimonial evidence will not be disturbed except when significant matters were overlooked. A reversal of its findings becomes even less likely when affirmed by the Court of Appeals.*<sup>44</sup> (Emphasis supplied)

A perusal of the records shows no reason to disturb the Regional Trial Court's factual findings, as affirmed by the Court of Appeals.

The Regional Trial Court convicted accused-appellant of murder, which is defined and punished under Article 248 of the Revised Penal Code:

ARTICLE 248. Murder. — Any person who, not falling within the provisions of Article 246, shall kill another, shall be guilty of murder and shall be punished by *reclusion perpetua*, to death if committed with any of the following attendant circumstances:

1. With treachery, taking advantage of superior strength, with the aid of armed men, or employing means to weaken the defense, or of means or persons to insure or afford impunity;
2. In consideration of a price, reward, or promise;
3. By means of inundation, fire, poison, explosion, shipwreck, stranding of a vessel, derailment or assault upon a railroad, fall of an airship, by means of motor vehicles, or with the use of any other means involving great waste and ruin;
4. On occasion of any of the calamities enumerated in the preceding paragraph, or of an earthquake, eruption of a

<sup>42</sup> *People v. Gabrino*, 660 Phil. 485, 493 (2011) [Per J. Velasco, Jr., First Division].

<sup>43</sup> G.R. No. 227755, August 14, 2019, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65609>> Per J. Leonen, Third Division].

<sup>44</sup> *Id.* citing *People v. Dimapilit*, 816 Phil. 523, 540–541 (2017) [Per J. Leonen, Second Division].

volcano, destructive cyclone, epidemic, or any other public calamity;

5. With evident premeditation;
6. With cruelty, by deliberately and inhumanly augmenting the suffering of the victim, or outraging or scoffing at his person or corpse.

For an accused to be convicted of murder, the prosecution must prove the following elements:

- (1) that a person was killed;
- (2) that the accused killed him or her;
- (3) that the killing was attended by any of the qualifying circumstances mentioned in Article 248 of the Revised Penal Code; and
- (4) that the killing is not parricide or infanticide.<sup>45</sup> (Citation omitted)

Here, Cruz and Licayan were undisputedly killed. What is disputed here is whether eyewitness San Diego's testimony identifying accused-appellant as the killer must be given credence, since he later recanted it.

Generally, recantations "are viewed with skepticism and reservation"<sup>46</sup> as they are "exceedingly unreliable."<sup>47</sup> The circumstances surrounding a recanted testimony must be scrutinized first before it may be appreciated.<sup>48</sup> Retraction, after all, "does not necessarily negate an earlier declaration."<sup>49</sup>

This Court elaborated on this point in *People v. Soria*:<sup>50</sup>

We have held that affidavits of recantation can easily be secured from poor and ignorant witnesses for monetary consideration or through intimidation. Recanted testimony is exceedingly unreliable, for there is always the probability that it may later be repudiated. Courts thus look with disfavor affidavits of retractions of testimony given in open court, and are wary or reluctant to allow a new trial based on retracted testimony. Indeed, it would be a dangerous rule to reject the testimony taken before the court of justice simply because the witness later on changed his mind for one reason or another, for such a rule will make a solemn trial a

<sup>45</sup> *People v. Dimapilit*, 816 Phil. 523, 540 (2017) [Per J. Leonen, Second Division].

<sup>46</sup> *People v. ZZZ*, G.R. No. 229862, June 19, 2019, <http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65253> [Per J. Leonen, Third Division] citing *People v. Bertulfo*, 431 Phil. 535, 550 (2002) [Per C.J. Davide, Jr., First Division].

<sup>47</sup> *People v. Pasilan*, 122 Phil. 46, 54 (1965) [Per J. Bengzon, J.P., En Banc].

<sup>48</sup> *People v. ZZZ*, G.R. No. 229862, June 19, 2019, <http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65253> [Per J. Leonen, Third Division].

<sup>49</sup> *People v. Nardo*, 405 Phil. 826, 842 (2001) [Per Curiam, En Banc] citing *People v. Navarro*, 357 Phil. 1010 (1998) [Per J. Panganiban, First Division].

<sup>50</sup> 331 Phil. 259 (1996) [Per J. Davide, Jr., Third Division].

mockery and will place the investigation of truth at the mercy of unscrupulous witnesses. It bears stressing that a testimony in court is made under conditions calculated to discourage and forestall falsehood, viz.:

that such testimony is given under the sanction of an oath and of the penalties prescribed for perjury; that the witness' story is told in the presence of an impartial judge in the course of a solemn trial in an open court; that the witness is subject to cross-examination, with all the facilities afforded thereby to test the truth and accuracy of his statements and to develop his attitude of mind towards the parties, and his disposition to assist the cause of truth rather than to further some personal end; that the proceedings are had under the protection of the court and under such conditions as to remove, so far as is humanly possible, all likelihood that undue or unfair influences will be exercised to induce the witness to testify falsely; and finally that with the watchful eye of a trained judge, his manner, general bearing, and demeanor and even the intonation of his voice often unconsciously disclose the degree of credit to which he is entitled as a witness.<sup>51</sup>  
(Citations omitted)

Here, this Court finds no reason to vacate the trial court's appreciation of the original testimony's credibility. San Diego's retraction six (6) years after is suspect. The supposed threats to his life and his family were mere allegations that remained unsubstantiated.

Furthermore, as the trial court found, San Diego's initial narration was categorical, detailed, and corroborated by other testimonies.<sup>52</sup> He satisfactorily detailed his account of the events, even on cross-examination. His initial testimony was found to have "tallie[d] in all respects with his sworn statement given before [PO1] Sigua."<sup>53</sup>

Contrary to accused-appellant's claim, his conviction did not solely rest on San Diego's declarations. Licayan's father, Zenon, stated that there were other witnesses to the crime who approached him, but refused to testify for fear of reprisal.<sup>54</sup> Under the Rules on Evidence, Zenon's testimony may be admitted as "an independently relevant statement":<sup>55</sup>

In *People v. Cusi, Jr.* this Court had occasion to rule that "(w)hile the testimony of a witness regarding a statement made by another person, if intended to establish the truth of the fact asserted in the statement, is clearly hearsay evidence, it is otherwise if the purpose of placing the

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<sup>51</sup> Id. at 271-272.

<sup>52</sup> CA *rollo*, pp. 38-40.

<sup>53</sup> Id. at 40.

<sup>54</sup> Id. at 34.

<sup>55</sup> *People v. Mallari*, 369 Phil. 872, 884 (1999) [Per J. Ynares-Santiago, First Division].



statement in the record is merely to establish the fact that the statement was made or the tenor of such statement.”<sup>56</sup>

Thus, this Court holds that the lower courts did not err in giving credence to San Diego’s positive identification of accused-appellant as Cruz’s and Licayan’s murderer.

## II

Accused-appellant further assails San Diego’s credibility by arguing that there were material inconsistencies in his testimony. This claim is likewise unmeritorious.

Rather than weaken, minor inconsistencies strengthen a testimony. These do not operate to absolve accused-appellant from liability:

[W]e have time and again said that a few discrepancies and inconsistencies in the testimonies of witnesses referring to minor details and not actually touching upon the central fact of the crime do not impair the credibility of the witnesses. Instead of weakening their testimonies, such inconsistencies tend to strengthen their credibility because they discount the possibility of their being rehearsed.<sup>57</sup> (Citation omitted)

Here, the Court of Appeals explained:

Accused-appellant assails the testimony of Nestor San Diego as a prosecution eyewitness. Allegedly, there was material inconsistency in his testimony because during his direct examination, he “testified that only the accused-appellant shot the two (2) women,” but in response to a clarificatory question propounded by the trial court, he “testified that a certain Bobby likewise shot Luz.”

There is no real inconsistency in the aforementioned (*sic*) testimony of Nestor San Diego, as he in fact was able to clarify that “Bobby” also fired his gun at Luz Cruz. His response to the trial court’s clarificatory question was in accord with his sworn statement dated September 27, 2003 stating that the assailants, including “Bobby,” shot Luz Cruz when the latter shouted for help.<sup>58</sup> (Citations omitted)

Moreover, the rule is settled that when not attended by ill motive, a categorical and consistent positive identification, as in San Diego’s eyewitness account, prevails over the accused’s self-serving defense of denial.

<sup>56</sup> Id. citing *People v. Cusi, Jr.*, 122 Phil. 275 (1965) [Per J. Dizon, En Banc].

<sup>57</sup> *People v. Bagaua*, 442 Phil. 245, 255 (2002) [Per J. Ynares-Santiago, First Division].

<sup>58</sup> *Rollo*, p. 13.

## III

Accused-appellant also disputes the finding that treachery attended the killings, which qualified the charges to murder.<sup>59</sup> In *People v. Abadies*,<sup>60</sup> this Court discussed:

There is treachery when the offender commits any of the crimes against persons, employing means, methods or forms in the execution thereof which tend directly and specially to insure its execution, without risk to himself arising from the defense which the offended party might make. The qualifying circumstance of treachery attended the killing as the two conditions for the same are present, *i.e.*, (1) that at the time of the attack, the victim was not in a position to defend himself, and (2) that the offender consciously adopted the particular means, method or form of attack employed by him. The essence of treachery is the swift and unexpected attack on the unarmed victim without the slightest provocation on his part.<sup>61</sup> (Citations omitted)

As the Court of Appeals found, the prosecution sufficiently proved that treachery attended the killing of Cruz and Licayan:

The qualifying circumstance of treachery, which was alleged in both informations, was positively established by the prosecution evidence. The killing of Ma. Luz Cruz and Marie Lee Licayan was executed in a manner that made it impossible for them to retaliate or escape, much less defend themselves. Jurisprudence recognizes that “the use of a xxx shotgun against two (2) unarmed victims is undoubtedly treacherous, as it denies the victims the chance to fend off the offender.”

Marie Lee Licayan had no opportunity to escape from her assailants. Neither was she able to raise any meaningful defense against her assailants. When she tried to flee, she was already wounded and because of her gunshot wound, was running away limping. Despite her hapless condition, she was closely followed by accused-appellant and his two (2) companions who were armed with guns. When accused-appellant overtook Marie Lee Licayan, the former held her by the neck and shot her in the head. Thus, the Court agrees with the observation of the OSG that accused-appellant was completely in control of the situation that he could afford to let Marie Lee Licayan move away.

With respect to Ma. Luz Cruz, she had no inkling that she would be gunned down. Perhaps confident that accused-appellant would listen to her, she did not board the tricycle, but tried to pacify the latter and even pleaded for the life of Marie Lee Licayan. Further, Ma. Luz Cruz was shouting for someone to help Marie Lee Licayan when she was pushed by “Bobby” and then shot by accused-appellant and “Bobby.”<sup>62</sup> (Citations omitted)

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<sup>59</sup> CA rollo, pp. 91–92.

<sup>60</sup> 436 Phil. 98 (2002) [Per J. Ynares-Santiago, En Banc].

<sup>61</sup> Id. at 104–105.

<sup>62</sup> Rollo, pp. 20–21.

This Court finds no error in the Court of Appeals' conclusion. At the time of the attack, Cruz and Licayan were unarmed and had no means to defend themselves against a gun pointed at them. Neither was provocation in any way present on their part.

For all these, accused-appellant's guilt for the two (2) counts of murder has been proven beyond reasonable doubt. The penalty of *reclusion perpetua* for each count was correctly imposed. However, to conform to recent jurisprudence,<sup>63</sup> this Court deems it proper to increase the amounts of exemplary damages from ₱30,000.00 to ₱75,000.00, and the temperate damages from ₱25,000.00 to ₱50,000.00.

**WHEREFORE**, the appeal is **DISMISSED**. The Court of Appeals' March 16, 2016 Decision in CA-G.R. CR-HC No. 07137 is **AFFIRMED with MODIFICATIONS**.

Accused-appellant Ali Ibrahim y Nandang alias Datu Ali is found **GUILTY** beyond reasonable doubt of two (2) counts of murder punished under Article 248 of the Revised Penal Code. He is sentenced to suffer the penalty of *reclusion perpetua* for each count.

Accused-appellant is also **DIRECTED** to pay the heirs of each victim, Marie Lee Licayan y Rueda and Ma. Luz Cruz y Maglipon, moral damages, civil indemnity, and exemplary damages worth ₱75,000.00 each, and temperate damages worth ₱50,000.00.

All damages awarded shall be subject to interest at the rate of six percent (6%) per annum from the finality of this Resolution until their full satisfaction.<sup>64</sup>

**SO ORDERED."**

Very truly yours,

*Mis D C Batt*  
**MISAELO DOMINGO C. BATTUNG III**  
Deputy Division Clerk of Court

*Jan 21/20*

<sup>63</sup> See *People v. Jugueta*, 783 Phil. 806 (2016) [Per J. Peralta, En Banc].

<sup>64</sup> See *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].

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The Presiding Judge  
REGIONAL TRIAL COURT  
Branch 153, 1634 Taguig City  
(Crim. Case Nos. 130317-H & 130318-H)

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