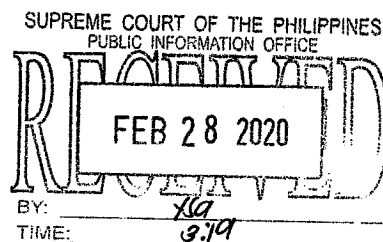




Republic of the Philippines
Supreme Court
Manila



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. 238402 (PEOPLE OF THE PHILIPPINES, *plaintiff-appellee* v. JOSEPH BELTRAN y VILLELA, TYRONNE KENNEDY TERBIO, and CARL DACTIL DE GUZMAN, *accused*; CARL DACTIL DE GUZMAN, *accused-appellant*). — The Court of Appeals elevated the records of this case to this Court pursuant to its November 27, 2017 Resolution,¹ which gave due course to the Notice of Appeal filed by accused-appellant Carl Dactil De Guzman.

In its June 4, 2018 Resolution,² this Court noted the records of this case forwarded by the Court of Appeals and informed the parties that they may file their supplemental briefs.

Both parties have filed separate Manifestations indicating that they would no longer file supplemental briefs.³

After an evaluation of the records of this case, this Court resolves to **DISMISS** the Appeal of accused-appellant for his failure to sufficiently show reversible error in the assailed Court of Appeals September 28, 2017 Decision in CA-G.R. CR-HC No. 08498⁴ warranting the exercise of this Court’s appellate jurisdiction.

WHEREFORE, this Court **AFFIRMS with MODIFICATION** the September 28, 2017 Decision of the Court of Appeals in CA G.R. No. CR-HC No. 08498. Accused-appellant Carl Dactil De Guzman is found **GUILTY**

¹ *Rollo*, p. 20.

² *Id.* at 22–23.

³ *Id.* at 26–27, 30–32.

⁴ *Id.* at 2–15. The Decision dated September 28, 2017 was penned by Associate Justice Mario V. Lopez, and concurred in by Associate Justice Remedios A. Salazar-Fernando and Associate Justice Ramon Paul L. Hernando of the Court of Appeals, First Division, Manila.

beyond reasonable doubt of robbery with homicide and is sentenced to suffer the penalty of *reclusion perpetua* without eligibility for parole under Republic Act No. 9346., He is ordered to pay the heirs of Ray Bernard Peñaranda the amounts of ₱100,000.00 as civil indemnity, ₱100,000.00 as moral damages, and ₱100,000.00 as exemplary damages.⁵

All monetary awards for damages shall earn the legal interest rate of six percent (6%) per annum from the date of the finality of this Resolution until fully paid.⁶

SO ORDERED.”

Very truly yours,

Mis PDC Batt
MISAE L DOMINGO C. BATTUNG III
Division Clerk of Court *2/31/2020*

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COURT OF APPEALS
CA G.R. CR HC No. 08498
1000 Manila

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The Presiding Judge
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Branch 34, Calamba City
4027 Laguna
(RTC CR No. 19120-2012-C)

Judgment Division
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Supreme Court, Manila

Mr. Carl Dactil De Guzman
c/o Superintendent
New Bilibid Prison
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1770 Muntinlupa City

G.R.No. 238402

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⁵ *People v. Jugueta*, G.R. No. 202124, April 5, 2016 [Per J. Peralta, En Banc].

⁶ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) Per J. Peralta, En Banc].