



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 3, 2020**, which reads as follows:

**“G.R. No. 249483 (Domingo U. Sabado, Jr. v. People of the Philippines).** – Petitioner’s motion for an extension of thirty (30) days within which to file a petition for review on *certiorari* is **GRANTED**, counted from the expiration of the reglementary period.

The instant petition seeks to reverse and set aside the April 22, 2019 Decision<sup>1</sup> and September 19, 2019 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. CR No. 39743.

After carefully reviewing the allegations, issues and arguments raised in the instant petition, the Court hereby resolves to **DENY** the same for failure of the petitioner to show any reversible error on the part of the CA in affirming his conviction by the Regional Trial Court. The CA was correct in finding that all the elements of acts of lasciviousness were proven by the prosecution beyond reasonable doubt. The alleged inconsistency in the testimony of the victim was correctly found by the CA to be minor, and does not discredit the victim as a witness.

The amount of damages awarded, however, should be adjusted to conform with prevailing jurisprudence.<sup>3</sup>

**WHEREFORE**, the petition is hereby **DENIED**. The April 22, 2019 Decision and September 19, 2019 Resolution of the Court of Appeals in CA-G.R. CR No. 39743 are hereby **AFFIRMED with MODIFICATION** as to the amount of damages awarded. Petitioner is hereby **ORDERED to PAY** the victim the amounts of ₱20,000.00 as moral damages, ₱20,000.00 as civil indemnity, and ₱20,000.00 as exemplary damages. All awards for damages

<sup>1</sup> *Rollo*, pp. 32-42; penned by Associate Justice Ronaldo Roberto B. Martin with Associate Justices Ramon M. Bato, Jr. and Ramon A. Cruz, concurring.

<sup>2</sup> *Id.* at 44-45.

<sup>3</sup> See *People v. Tulagan*, G.R. No. 227363, March 12, 2019.

shall earn interest at the legal rate of six percent (6%) *per annum* from the date of finality of this judgment until fully paid.<sup>4</sup>

**SO ORDERED.”**

Very truly yours,

*Mis & DC Batt*  
**MISAEAL DOMINGO C. BATTUNG III**  
*Division Clerk of Court / Joy*  
*2/17/2020*

Atty. Sharwina W. Gonzales  
Special & Appealed Cases Service  
PUBLIC ATTORNEY'S OFFICE  
DOJ Agencies Building  
East Avenue cor. NIA Road  
1104 Diliman, Quezon City

Domingo U. Sabado  
Accused-Apellant  
Block 2C, Lot 14, Ph. 1, Dela Costa Homes II,  
1400 Caloocan City

COURT OF APPEALS  
CA G.R. CR No. 39743  
1000 Manila

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

The Presiding Judge  
REGIONAL TRIAL COURT  
Branch 31, 1400 Caloocan City

PUBLIC INFORMATION OFFICE  
Supreme Court, Manila  
[For uploading pursuant to A.M. 12-7-1-SC]

LIBRARY SERVICES  
Supreme Court, Manila

Judgment Division  
JUDICIAL RECORDS OFFICE  
Supreme Court, Manila

**G.R.No. 249483**

**(141)  
URES**

/joy

<sup>4</sup> *Nacar v. Gallery Frames*, 716 Phil. 267 (2013).