

SUPREME COURT OF THE PHILIPPINES
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Third Division

AUG 08 2019

Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

REYNALDO SANTIAGO, JR. y G. R. No. 213760
SANTOS,

Petitioner,

Present:

-versus-

PERALTA, J., Chairperson,
LEONEN,
REYES, A., JR.,
HERNANDO, and
INTING, JJ.

PEOPLE OF THE PHILIPPINES,
Respondent.

Promulgated:
July 1, 2019

X-----*Wilfredo V. Lapitan*-----X

DECISION

LEONEN, J.:

Human beings are not chattels whose sexual favors are bought or sold by greedy pimps. Those who profit in this way by recruiting minors are rightfully, by law, labeled as criminals. They should be the subject of aggressive law enforcement, prosecuted, tried, and when proof beyond reasonable doubt exists, punished.

In the prosecution of the crime of trafficking in persons, the confidential asset or the informant's testimony is not indispensable. It is enough that there is proof that "the accused has lured, enticed[,] or engaged its victims or transported them for the established purpose of exploitation."¹

¹ *People v. Aguirre*, G.R. No. 219952, November 20, 2017, 845 SCRA 227, 244 [Per J. Tijam, First Division].

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For this Court's resolution is a Petition for Review on Certiorari² challenging the May 30, 2013 Decision³ and July 31, 2014 Resolution⁴ of the Court of Appeals in CA-G.R. CR No. 34942. The Court of Appeals affirmed with modification the May 15, 2012 Decision⁵ of the Regional Trial Court, Branch 42, Manila.⁶

In an October 7, 2011 Information, Reynaldo Santiago, Jr. y Santos (Santiago), Ramil Castillo y Merano (Castillo), and Rebecca Legazpi y Adriano (Legazpi) were charged with committing acts of trafficking in persons under Section 4(c), in relation to Section 6(c) of Republic Act No. 9208, or the Anti-Trafficking in Persons Act of 2003.⁷ The Information read:

That on or about September 30, 2011 in the City of Manila, Philippines, the said accused, being a group consisting of three (3) persons and therefore acting as a syndicate, did then and there willfully, unlawfully, feloniously, knowingly and jointly commit act of qualified trafficking in person for purposes of prostitution, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage upon a (*sic*) person of AAA, by then and there, for a fee, offering her for sexual intercourse or exploitation to Romeo S. David, a police asset.

CONTRARY TO LAW.⁸

On arraignment, Santiago and the other two (2) accused pleaded not guilty to the crime charged. Trial then ensued.⁹

The prosecution, through witnesses Police Officer 1 Jayboy Nonato (PO1 Nonato), PO1 Mark Anthony Ballesteros (PO1 Ballesteros), Melvin Espenida (Eспенida), and AAA,¹⁰ established the following:

On September 26 and 27, 2011, TV5 segment producer Espenida and his crew went to Plaza Morga and Plaza Moriones in Tondo, Manila to investigate the alleged prostitution operations in the area.¹¹ They had earlier

² *Rollo*, pp. 13–30.

³ *Id.* at 76–89. The Decision was penned by Associate Justice Priscilla J. Baltazar-Padilla, and concurred in by Associate Justices Rosalinda Asuncion-Vicente and Agnes Reyes-Carpio of the Eighth Division, Court of Appeals, Manila.

⁴ *Id.* at 107–108. The Resolution was penned by Associate Justice Priscilla J. Baltazar-Padilla, and concurred in by Associate Justices Agnes Reyes-Carpio and Eduardo B. Peralta, Jr. of the Special Former Eighth Division, Court of Appeals, Manila.

⁵ *Id.* at 46–55. The Decision was penned by Presiding Judge Dinnah C. Aguila-Topacio of Branch 42, Regional Trial Court, Manila.

⁶ *Id.*

⁷ *Id.* at 76.

⁸ *Id.* at 46.

⁹ *Id.* at 77.

¹⁰ *Id.*

¹¹ *Id.* at 79.

designated a confidential asset, alias "Romeo David"¹² (David), on whom a lapel microphone was clipped, to pose as a customer and transact with the alleged pimps for a night with a minor.¹³ During the transaction, the pimps allegedly asked for ₱500.00.¹⁴ Espenida, who was on board a TV5 vehicle located about a hundred meters away from where David and the pimps were, heard the transaction through the microphone.¹⁵

On September 29, 2011, Espenida and his crew filed a Complaint before the Regional Police Intelligence Operations Unit, Regional Intelligence Division, Camp Bagong Diwa,¹⁶ reporting about the rampant human trafficking in Plaza Morga and Plaza Moriones. Acting on the Complaint, Police Senior Inspector Pablo Quejada, PO1 Nonato, PO1 Mabel Catuiran (PO1 Catuiran), PO1 Ballesteros, and other police operatives conducted an entrapment operation in those areas.¹⁷

Later, at around 11:00 p.m., the team and David arrived at Plaza Morga. After surveying the area, David pointed to the pimps, who, upon seeing the police, ran away but were eventually caught and arrested. During trial, they were positively identified by the police officers in court as the same people apprehended that night.¹⁸

After the arrest, the team proceeded to the hotel where the trafficked person, AAA, had been waiting. The officers took her into custody and brought her to the Regional Intelligence Division at Camp Bagong Diwa.¹⁹

According to AAA, at around 1:30 a.m. on September 30, 2011, she was about to buy coffee at Plaza Moriones when Santiago called her, offering to pay her to spend a night with a customer. He allegedly promised to pay AAA ₱350.00 out of the ₱500.00 that the customer would pay for the transaction. Later, she and Santiago went to the hotel, which was 15 meters away from Plaza Moriones.²⁰ There, the police came and took them both into custody. AAA later confirmed during trial that Santiago was the pimp, but said that she only saw Castillo and Legazpi for the first time upon getting into the van bound for the police station.²¹

Santiago solely testified in his defense. He alleged that at around midnight of September 29, 2011, while he was selling coffee at Plaza

¹² Id. at 78.

¹³ Id. at 79.

¹⁴ Id. at 80.

¹⁵ Id. at 79.

¹⁶ *Rollo*, p. 77, n.b. The Court of Appeals at times stated NCRPO instead. A perusal of the records reveals it should be its Regional counterpart.

¹⁷ Id. at 77-78.

¹⁸ Id. at 78.

¹⁹ Id.

²⁰ Id.

²¹ Id. at 80.

Morga, around 25 meters away from Plaza Moriones, he was approached by David, who said that he was looking for a woman. Santiago said that he ignored the man.²²

Then, Santiago allegedly saw AAA approach David, though he did not hear what the two had talked about. AAA later waved at Santiago and invited him to accompany her. AAA brought Santiago to a hotel, but as they were nearing it, the police arrived and arrested him.²³

In its May 15, 2012 Decision,²⁴ the Regional Trial Court convicted Santiago of committing trafficking in persons punished under Section 4(a) of Republic Act No. 9208, or the Anti-Trafficking in Persons Act. It gave credence to AAA's testimony that Santiago recruited her to have sex with David for ₱500.00. Santiago was sentenced to 20 years of imprisonment and was fined ₱1 million. Castillo and Legazpi were acquitted for the prosecution's failure to prove their guilt beyond reasonable doubt.²⁵ The dispositive portion of the Decision read:

WHEREFORE, in view of all the foregoing, this Court finds the accused REYNALDO SANTIAGO, JR. y SANTOS @ "REY" guilty beyond reasonable doubt of violating Section 4 (a) of Republic Act 9208 otherwise known as "Anti-Trafficking in Persons Act of 2003" and he is hereby sentenced to suffer the penalty of TWENTY YEARS IMPRISONMENT AND A FINE OF ONE MILLION (Php1,000,000.00) PESOS.

Accused RAMIL CASTILLO y MERANO and REBECCA LEGAZPI y ADRIANO are hereby acquitted for failure of the prosecution to prove their guilt beyond reasonable doubt.

SO ORDERED.²⁶

In its May 30, 2013 Decision,²⁷ the Court of Appeals affirmed Santiago's conviction. It found that all the elements to establish that an accused had committed trafficking in persons, which were the act, the means, and the exploitative purpose as provided under the Manual on Law Enforcement and Prosecution of Trafficking in Persons Cases, were present.²⁸ The dispositive portion of the Decision read:

WHEREFORE, in view of the foregoing, the impugned Decision of the court a quo is hereby **AFFIRMED**.

²² Id. at 81.

²³ Id.

²⁴ Id. at 46-55.

²⁵ Id. at 81-82.

²⁶ Id. at 55.

²⁷ Id. at 76-89.

²⁸ Id. at 84-86.

SO ORDERED.²⁹ (Emphasis in the original)

Santiago's Motion for Reconsideration³⁰ was denied in the Court of Appeals' July 31, 2014 Resolution.³¹

Santiago later filed a Motion for Extension of Time to File Petition for Review on Certiorari,³² which this Court granted in its September 8, 2014 Resolution.³³ Subsequently, he filed this Petition for Review on Certiorari.³⁴

In its January 12, 2015 Resolution,³⁵ this Court required respondent People of the Philippines, represented by the Office of the Solicitor General, to file its comment on the Petition within 10 days from notice.

The Office of the Solicitor General filed nine (9) Motions for Extension to File Comment totaling 130 days which this Court granted in its August 17, 2015³⁶ and January 13, 2016³⁷ Resolutions. It eventually filed its Comment.³⁸

This Court noted the Comment in its January 13, 2016 Resolution³⁹ and required Santiago to file his reply within 10 days from notice, with which Santiago complied.⁴⁰

In its September 21, 2016 Resolution,⁴¹ this Court gave due course to the Petition and required the parties to submit their respective memoranda within 30 days from notice.

Both parties initially filed their respective Motions for Extension, and subsequently, their respective Memoranda.⁴²

Arguing that the prosecution failed to prove his guilt beyond reasonable doubt, petitioner points out that the lack of testimony from the confidential informant, David, raises doubts on whether "petitioner truly

²⁹ Id. at 88.

³⁰ Id. at 90-97.

³¹ Id. at 107-108.

³² Id. at 3-10.

³³ Id. at 11.

³⁴ Id. at 13-30.

³⁵ Id. at 109.

³⁶ Id. at 154.

³⁷ Id. at 179.

³⁸ Id. at 158-177.

³⁹ Id. at 179.

⁴⁰ Id. at 187-193.

⁴¹ Id. at 195.

⁴² Id. at 215-236, OSG's Memorandum, and 238-250, petitioner's Memorandum.

offered AAA to him[.]”⁴³ He adds that the witnesses were allegedly inconsistent on David’s identity.⁴⁴

Petitioner also points out that AAA testified that she had not received the alleged consideration for the transaction, dispelling the prosecution’s claim that he was engaged in trafficking. Thus, his defense of denial should not be dismissed since the evidence is insufficient to sustain his conviction.⁴⁵

Respondent counters that the Petition should be denied as petitioner raises questions of fact, which are beyond the scope of a Rule 45 petition.⁴⁶ Nonetheless, it maintains that the prosecution has established petitioner’s guilt beyond reasonable doubt for violating Section 4(a) of the Anti-Trafficking in Persons Act.⁴⁷ It points out that the witnesses have proved the elements of the crime,⁴⁸ and the testimony of the confidential informant is not needed.⁴⁹

For this Court’s resolution is the lone issue of whether or not petitioner Reynaldo Santiago, Jr. y Santos is guilty of violating Section 4(a) of the Anti-Trafficking in Persons Act.

This Court denies the Petition.

This Court accords great respect to the trial court’s findings,⁵⁰ especially when affirmed by the Court of Appeals.⁵¹ “The trial court is in the best position to assess the credibility of witnesses and their testimonies because of its unique opportunity to observe the witnesses, their demeanor, conduct and attitude on the witness stand.”⁵² The exception is when either or both lower courts have “overlooked or misconstrued substantial facts which could have affected the outcome of the case.”⁵³

⁴³ Id. at 20 and 243.

⁴⁴ Id. at 243.

⁴⁵ Id. at 244.

⁴⁶ Id. at 223.

⁴⁷ Id. at 226.

⁴⁸ Id. at 228–234.

⁴⁹ Id. at 227.

⁵⁰ *People v. Montinola*, 567 Phil. 387, 404 (2008) [Per J. Carpio, Second Division] citing *People v. Fernandez*, 561 Phil. 287 (2007) [Per J. Carpio, Second Division]; *People v. Abulon*, 557 Phil. 428 (2007) [Per J. Tinga, En Banc]; and *People v. Bejic*, 552 Phil. 555 (2007) [Per J. Chico-Nazario, En Banc].

⁵¹ *People v. Baraoil*, 690 Phil. 368, 377 (2012) [Per J. Reyes, Second Division].

⁵² *Ditche v. Court of Appeals*, 384 Phil. 35, 46 (2000) [Per J. De Leon, Jr., Second Division].

⁵³ *People v. Montinola*, 567 Phil. 387, 404 (2008) [Per J. Carpio, Second Division] citing *People v. Fernandez*, 561 Phil. 287 (2007) [Per J. Carpio, Second Division]; *People v. Abulon*, 557 Phil. 428 (2007) [Per J. Tinga, En Banc]; and *People v. Bejic*, 552 Phil. 555 (2007) [Per J. Chico-Nazario, En Banc].

Here, nothing warrants a reversal of the Court of Appeals' and the Regional Trial Court's Decisions. This Court sustains petitioner's conviction.

Section 3(a) of Republic Act No. 9208, or the Anti-Trafficking in Persons Act, defines the crime of trafficking in persons:

SECTION 3. Definition of Terms. — As used in this Act:

(a) Trafficking in Persons — refers to the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the persons, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

In *People v. Casio*,⁵⁴ we enumerated the elements of the crime:

The elements of trafficking in persons can be derived from its definition under Section 3 (a) of Republic Act No. 9208, thus:

(1) The act of "recruitment, transportation, transfer or harbouring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders."

(2) The means used which include "threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another[?]; and

(3) The purpose of trafficking is exploitation which includes "exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs."⁵⁵

On February 6, 2013, the law was amended by Republic Act No. 10364.⁵⁶ *Casio*, likewise, enumerated the elements of the crime under the expanded definition:

Under Republic Act No. 10364, the elements of trafficking in persons have been expanded to include the following acts:

⁵⁴ 749 Phil. 458 (2014) [Per J. Leonen, Third Division].

⁵⁵ Id. at 472-473 citing Republic Act No. 9208 (2003), sec. 3(a).

⁵⁶ Expanded Anti-Trafficking in Persons Act of 2012.

(1) The act of “recruitment, *obtaining, hiring, providing, offering,* transportation, transfer, *maintaining,* harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders[”];]

(2) The means used include “by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”[;]

(3) The purpose of trafficking includes “the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs[.]”⁵⁷

Here, the offense was committed on September 30, 2011,⁵⁸ prior to the amendment. Thus, the original provisions of Republic Act No. 9208 are applicable.

The Information charged petitioner with violation of Section 4(c), in relation to Section 6(c) of the law. Section 4(c) punishes the act of “[offering] or [contracting] marriage, real or simulated, for the purpose of acquiring, buying, offering, selling, or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage[.]”

However, a perusal of the allegations in the Information reveals that petitioner was sufficiently charged with the crime of trafficking in persons under Section 4(a). The provision does not allow any person:

(a) To recruit, transport, transfer, harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage.

The trial court correctly convicted petitioner for violation of Section 4(a), instead of Section 4(c) of Republic Act No. 9208. The Information sufficiently averred that: (1) petitioner committed an act of qualified trafficking in persons by offering AAA to David for sex or exploitation; (2) the act was done for a fee; and (3) for prostitution, sexual exploitation, forced labor, slavery, involuntary servitude, or debt bondage.⁵⁹

⁵⁷ *People v. Casio*, 749 Phil. 458, 474 (2014) [Per J. Leonen, Third Division].

⁵⁸ *Rollo*, p. 46.

⁵⁹ *Id.*

The rule is settled that “what controls is not the designation of the offense but its description in the complaint or information[.]”⁶⁰

*People v. Ramirez*⁶¹ held that the accused may not use the trafficked person’s consent as a valid defense. It also discussed relevant jurisprudence:

This Court in *People v. Rodriguez* acknowledged that as with *Casio*, the corroborating testimonies of the arresting officer and the minor victims were sufficient to sustain a conviction under the law. In *People v. Spouses Ybañez, et al.*, this Court likewise affirmed the conviction of traffickers arrested based on a surveillance report on the prostitution of minors within the area. . . . *Casio* also recognizes that the crime is considered consummated even if no sexual intercourse had taken place since the mere transaction consummates the crime.⁶² (Citations omitted)

Here, the trafficked person, AAA, clearly recounted in her testimony how petitioner engaged her for the illicit transaction:

Q: Where were you on September 30, 2011 at around 1:30 in the morning?

A: I was going to Plaza Moriones to buy coffee.

Q: And while you were going to Plaza Moriones to buy coffee, is there anything unusual that happened?

A: Yes, Sir.

Q: Can you tell us what was that unusual [thing] that happened?

A: I was called [up] by Reynaldo Santiago, Sir.

Q: And what happened after you were called by Reynaldo Santiago?

A: There was someone asking in looking for a woman, Sir, and then I was called.

Q: And what did you do after Reynaldo Santiago told you that someone was looking for a woman? What did you do then?

A: I went with him, Sir.

Q: You went with whom?

A: Reynaldo Santiago, Sir, to go to the man.

Q: Did you go to the man?

A: No, I went ahead to the hotel, Sir.

Q: Did you reach the hotel?

A: Yes, Sir, I was able to reach the hotel and at the hotel that’s the place where everything happened. “Nagkahulihan na po.”

⁶⁰ *People v. Maravilla*, 247-A Phil. 475, 482 (1988) [Per J. Cruz, First Division].

⁶¹ G.R. No. 217978, January 30, 2019, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65006>> [Per J. Leonen, Third Division].

⁶² *Id.*

Q: Before going to the hotel and you were asked by Reynaldo to go to the hotel, aside from telling you to go to the hotel, what else did you talk about?

A: "Nilalakad niya po ako ng five hundred."

....

Q: You mentioned earlier of a five hundred, that will be the amount of the transaction, in that five hundred, how much will you receive?

A: Three hundred fifty, Sir.

Q: One hundred fifty will go to the person who facilitated?

A: Yes, Sir.⁶³

In *People v. Rodriguez*,⁶⁴ this Court held that the trafficked victim's testimony that she had been sexually exploited was "material to the cause of the prosecution."⁶⁵ Here, AAA's testimony was corroborated by the testimonies of the police officers who conducted the entrapment operation. They recalled in detail the steps they had taken to verify the surveillance report and ensure that petitioner was the same person with whom the confidential informant transacted.⁶⁶

Contrary to petitioner's contention, the testimony of the confidential informant is not indispensable in the crime of trafficking in persons. Neither is his identity relevant. "It is sufficient that the accused has lured, enticed[,] or engaged its victims or transported them for the established purpose of exploitation,"⁶⁷ which was sufficiently shown by the trafficked person's testimony alone. As explained by the Court of Appeals:

Jurisprudence consistently holds that there are compelling considerations why confidential informants are usually not presented by the prosecution. One is the need to hide their identity and preserve their invaluable service to the police. Another is the necessity to protect them from being objects or targets of revenge by the criminals they implicate once they become known. The testimony of the confidential asset is not relevant for conviction nor is it indispensable for a successful prosecution of this case because his testimony would merely be corroborative and cumulative. The testimonies of the trafficked person, AAA, clearly narrating what transpired on the trafficking incident and the police officers regarding the entrapment operation were sufficient to prove appellant's guilt of the crime charged.⁶⁸ (Citation omitted)

⁶³ *Rollo*, pp. 168-169.

⁶⁴ G.R. No. 211721, September 20, 2017, 840 SCRA 388 [Per J. Martires, Third Division].

⁶⁵ *Id.* at 401.

⁶⁶ *Rollo*, pp. 77-81.

⁶⁷ *People v. Aguirre*, G.R. No. 219952, November 20, 2017, 845 SCRA 227, 244 [Per J. Tijam, First Division].

⁶⁸ *Rollo*, p. 87.

Thus, we affirm the lower courts' conviction of petitioner for violation of Republic Act No. 9208, Section 4(a), as punished under Section 10(a).⁶⁹ Moreover, since this Court cannot impose an indeterminate sentence due to the straight penalty imposed by law, the trial court correctly imposed the penalty of 20 years of imprisonment and the fine of ₱1,000,000.00.

However, damages in favor of AAA must be awarded. In *People v. Lalli*:⁷⁰

The Civil Code describes moral damages in Article 2217:

Art. 2217. Moral damages include physical suffering, mental anguish, fright, serious anxiety, besmirched reputation, wounded feelings, moral shock, social humiliation, and similar injury. Though incapable of pecuniary computation, moral damages may be recovered if they are the proximate result of the defendant's wrongful act for omission.

Exemplary damages, on the other hand, are awarded in addition to the payment of moral damages, by way of example or correction for the public good, as stated in the Civil Code:

Art. 2229. Exemplary or corrective damages are imposed, by way of example or correction for the public good, in addition to the moral, temperate, liquidated or compensatory damages.

Art. 2230. In criminal offenses, exemplary damages as a part of the civil liability may be imposed when the crime was committed with one or more aggravating circumstances. Such damages are separate and distinct from fines and shall be paid to the offended party.

The payment of P500,000 as moral damages and P100,000 as exemplary damages for the crime of Trafficking in Persons as a Prostitute finds basis in Article 2219 of the Civil Code, which states:

Art. 2219. Moral damages may be recovered in the following and analogous cases:

- (1) A criminal offense resulting in physical injuries;
- (2) Quasi-delicts causing physical injuries;
- (3) Seduction, abduction, rape, or other lascivious acts;
- (4) Adultery or concubinage;

⁶⁹ Republic Act No. 9208, sec. 10(a) provides:

SECTION 10. *Penalties and Sanctions.* — The following penalties and sanctions are hereby established for the offenses enumerated in this Act:

- (a) Any person found guilty of committing any of the acts enumerated in Section 4 shall suffer the penalty of imprisonment of twenty (20) years and a fine of not less than One million pesos (P1,000,000.00) but not more than Two million pesos (P2,000,000.00).

⁷⁰ 675 Phil. 126 (2011) [Per J. Carpio, Second Division].

- (5) Illegal or arbitrary detention or arrest;
- (6) Illegal search;
- (7) Libel, slander or any other form of defamation;
- (8) Malicious prosecution;
- (9) Acts mentioned in Article 309;
- (10) Acts and actions referred to in Articles 21, 26, 27, 28, 29, 30, 32, 34, and 35.

The parents of the female seduced, abducted, raped, or abused, referred to in No. 3 of this article, may also recover moral damages.

The spouse, descendants, ascendants, and brothers and sisters may bring the action mentioned in No. 9 of this article, in the order named.

The criminal case of Trafficking in Persons as a Prostitute is an analogous case to the crimes of seduction, abduction, rape, or other lascivious acts. In fact, it is worse.⁷¹

Thus, moral damages of ₱500,000.00 and exemplary damages of ₱100,000.00 are imposed, with interest at the rate of six percent (6%) per annum from the finality of this Decision until fully paid.⁷²

WHEREFORE, the Petition is **DENIED**. The Court of Appeals' May 30, 2013 Decision and July 31, 2014 Resolution in CA-G.R. CR No. 34942 are **AFFIRMED with MODIFICATION**.

Petitioner Reynaldo Santiago, Jr. y Santos is found **GUILTY** beyond reasonable doubt of violating Section 4(a) of Republic Act No. 9208. He is sentenced to suffer the penalty of imprisonment of twenty (20) years and to pay the victim, AAA: (1) a fine of One Million Pesos (₱1,000,000.00); (2) moral damages of Five Hundred Thousand Pesos (₱500,000.00); and (3) exemplary damages of One Hundred Thousand Pesos (₱100,000.00).

All damages awarded shall be subject to the rate of six percent (6%) per annum from the finality of this Decision until its full satisfaction.

SO ORDERED.



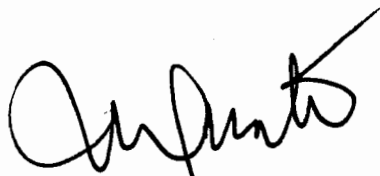
MARVIC M.V.F. LEONEN

Associate Justice

⁷¹ Id. at 158–159.

⁷² See *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].


WE CONCUR:



DIOSDADO M. PERALTA
Associate Justice
Chairperson

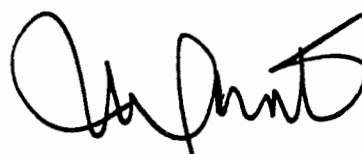
Reyes
ANDRES B. REYES, JR.
Associate Justice


RAMON PAUL L. HERNANDO
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice

ATTESTATION

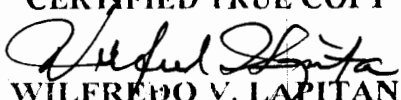
I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

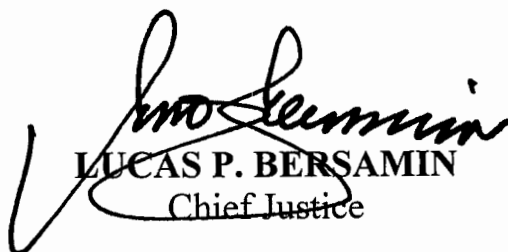


DIOSDADO M. PERALTA
Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

CERTIFIED TRUE COPY

WILFREDO V. LAPITAN
Division Clerk of Court
Third Division


LUCAS P. BERSAMIN
Chief Justice

AUG 08 2019