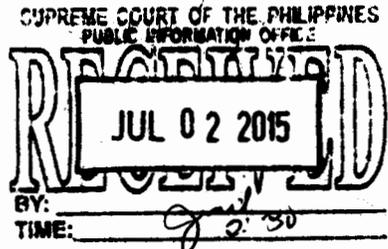




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **02 February 2015** which reads as follows:

G.R. No. 201148 – *People of the Philippines, plaintiff-appellee, v. Eligio Cabuso y Quizon, accused-appellant.*

After a careful review of the records of the case, we find the appeal of appellant Eligio Cabuso y Quizon to be lacking in merit. We, therefore, adopt the findings of facts of the trial court as affirmed by the Court of Appeals. Both the Regional Trial Court of Angeles City, Branch 59 and the Court of Appeals correctly found appellant guilty beyond reasonable doubt of the crime of parricide and properly sentenced him to suffer the penalty of *reclusion perpetua*. Moreover, appellant is not eligible for parole pursuant to Section 3 of Republic Act No. 9346 or the Act Prohibiting the Imposition of Death Penalty in the Philippines. The award of civil indemnity in the amount of ₱50,000.00 must be increased to ₱75,000.00 in line with prevailing jurisprudence. In addition, the heirs of the victim are entitled to receive moral damages in the amount of ₱50,000.00 and exemplary damages in the amount of ₱30,000.00. The award of actual damages in the amount of ₱70,000.00 is deleted for lack of proof. In lieu thereof, temperate damages in the amount of ₱25,000.00 is awarded. Finally, all damages awarded shall earn interest at the rate of 6% *per annum* from date of finality of this resolution until fully paid.

WHEREFORE, we **ADOPT** the findings of facts of the trial court as affirmed by the Court of Appeals. The assailed September 30, 2011 Decision of the Court of Appeals in CA-G.R. CR H.C. No. 02829 is **AFFIRMED with MODIFICATION**. Appellant Eligio Cabuso y Quizon is hereby found guilty beyond reasonable doubt of the crime of parricide and is sentenced to suffer the penalty of *reclusion perpetua* without eligibility for parole. He is also ordered to pay the heirs of Arsenia Cabuso y Ramos the amounts of ₱75,000.00 as civil indemnity, ₱50,000.00 as moral damages, ₱30,000.00 as exemplary damages, and ₱25,000.00 as temperate damages, all with interest at the rate of 6% *per annum* from date of finality of this resolution until fully paid. (*J. Velasco, Jr., designated Acting Member in view of the leave of absence of J. Brion, per Special Order No. 1910 dated January 12, 2015.*)

SO ORDERED.

Very truly yours,

H. W. Cabalag Perfecto
MA. LOURDES C. PERFECTO
Division Clerk of Court *2015*

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Please notify the Court of any change in your address.
GR201148. 02/02/15(113)sr. 

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