

THIRD DIVISION

[CA-G.R. CR No. 36303, February 23, 2015]

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. JAIME DAVID A.K.A. PREXY, ACCUSED-APPELLANT.

RESOLUTION

REYES-CARPIO, A., J.:

<DIV ALIGN="JUSTIFY">Before Us is an appeal from the Decision^[1] dated October 16, 2013 rendered by the Regional Trial Court of Angeles City, Branch 60, in Criminal Case No. 03-417, wherein accused-appellant Jaime David a.k.a. Prexy^[2] was charged and ultimately convicted of the crime of Acts of Lasciviousness in relation to Republic Act No. 7610 (Special Protection of Children against Child Abuse, Exploitation and Discrimination Act), <I>viz</I>:

<BLOCKQUOTE>"WHEREFORE, premises considered, accused Jaime David a.k.a. 'Prexy' is hereby found guilty beyond reasonable doubt for Acts of Lasciviousness in relation to Section 5, Republic Act No. 7610 and is sentenced to suffer the indeterminate penalty of twelve (12) years, ten (10) months and twenty one (21) days of reclusion temporal, as minimum, to fifteen (15) years, six (6) months and twenty (20) days of reclusion temporal, as maximum. He is likewise ordered to pay a fine of P15,000.00 and to indemnify Katrina Jeanne Ayson P20,000.00 as civil indemnity and P15,000.00 as moral damages.

SO ORDERED."^[3]
</BLOCKQUOTE>

After the entire records of the case was transmitted to this Court, a notice to file brief was sent to the respective parties. On May 30, 2014, We received a Notice of Appearance with Motion for Extension of Time to File Appellant's Brief, filed by the Public Attorney's Office (PAO) as counsel for accused-appellant praying that it be given 50 days from May 30, 2014 or until July 19, 2014 within which to file the Appellant's Brief. The aforementioned motion was granted in Our June 16, 2014 Resolution.

A copy of Our said Resolution was, however, returned unclaimed with postal notation "deceased," thus We issued another Resolution on September 25, 2014 directing accused-appellant's counsel to "submit to this Court within 10 days from notice [a] certified true copy of the Death Certificate of accused-appellant Jaime David."^[4]

On November 6, 2014, We received a Motion for Extension of Time to File Compliance, filed by accused-appellant's counsel, praying to be "given an additional period of thirty (30) days from 6 November 2014 or until 6 December 2014, within