

Title: *Senator Gregorio B. Honasan II vs. The Panel of Investigating Prosecutors of the Department of Justice, et al.*

Facts:

The case originated when Senator Gregorio Honasan filed a petition for certiorari with the Supreme Court of the Philippines on September 22, 2003. The petition sought the issuance of a temporary restraining order and writ of preliminary injunction against a Panel of Investigating Prosecutors from the Department of Justice (DOJ), the CIDG-PNP-Director, and the Ombudsman. Honasan contested the Panel's authority to conduct a preliminary investigation for a charge of coup d'état against him, alleging grave abuse of discretion.

Following the petition, the respondents filed their comments, and an oral argument was held on November 18, 2003. The parties submitted their memoranda as required by the court. On April 13, 2004, the Supreme Court dismissed Honasan's petition, affirming the DOJ Panel's concurrent jurisdiction over the preliminary investigation. Honasan received the decision on April 22, 2004, giving him until May 7, 2004, to file a motion for reconsideration.

On April 23, 2004, the DOJ Panel issued an order directing Honasan to submit his counter-affidavit by May 3, 2004. In response, Honasan filed a motion with the Supreme Court to cite the DOJ Panel in contempt, arguing that this action contravened an agreed status quo before the petition's filing.

Issues:

1. Whether the DOJ Panel's action to continue with the preliminary investigation and require Honasan to submit his counter-affidavit constitutes contempt of court by violating the agreed status quo.
2. Whether there was a contemptuous intent on the part of the DOJ Panel to impede the administration of justice.

Court's Decision:

The Supreme Court denied Honasan's motion to cite the DOJ Panel in contempt. The Court found no contemptuous intent from the Panel's side to impede justice. The action taken by the Panel was seen as a move to expedite the completion of the preliminary investigation, considering the delay due to the jurisdictional issue.

The Court emphasized that contempt of court signifies a willful disregard or disobedience of the court's orders that tends to bring the authority of the court into disrepute. In this case,

the issuance of the order by the Panel was interpreted as an effort to move the investigation forward in light of the Supreme Court's decision affirming their jurisdiction and not as an act of contempt.

Furthermore, it was highlighted that Honasan filed his motion for reconsideration thirty days late, rendering the Supreme Court's decision dated April 13, 2004, final and executory by May 8, 2004. Thus, the Panel was justified in proceeding with the investigation, and Honasan was required to submit his counter-affidavit within a new period provided by the Resolution.

Doctrine:

The doctrine established in this case reaffirms the principle that parties must respect the decisions of the court and emphasized the contempt of court as a serious offense that reflects a willful disregard or disobedience to the court's authority, which must be clearly demonstrated and not inferred from actions taken in good faith compliance with court decisions.

Class Notes:

- **Contempt of Court**: Defined as disobedience or opposition to the court's authority. Requires a willful disregard or disobedience of court orders.
- **Actuating Intent**: In contempt proceedings, the intent of the alleged contemnor is crucial. Actions taken in good faith or under the belief of being in compliance with court decisions are not typically considered contemptuous.
- **Finality of Decisions**: A Supreme Court decision becomes final and executory if no motion for reconsideration is filed within the prescribed period, allowing parties to proceed based on that decision.

Historical Background:

This case reflects the legal intricacies involved when charges of significant political nature, like a coup d'état, are filed against public figures. It underscores the judiciary's role in maintaining checks and balances, ensuring that proceedings are conducted fairly, and judicial directives are respected, especially in cases with high public interest and potential implications on the governance and stability of the state.