

Title: Governor Manuel M. Lapid vs. The Court of Appeals, et al.

Facts:

An unsigned letter from “Mga Mamamayan ng Lalawigan ng Pampanga,” alleging illegal quarrying and exactions in Pampanga, led the NBI to begin an open probe. The investigation culminated in charges against Governor Manuel Lapid and others for alleged misconduct related to the collection of unauthorized fees from quarry operators.

The Ombudsman preventively suspended the accused for six months, a decision implemented by the DILG. The Ombudsman later found Lapid and some co-accused guilty, imposing a one-year suspension. Lapid’s motion for reconsideration was rejected by the Ombudsman.

Lapid appealed to the Court of Appeals (CA), securing a temporary restraining order (TRO). However, the CA’s TRO lapsed, and the DILG acted on the Ombudsman’s decision, leading Lapid to approach the Supreme Court (SC) for relief through a petition for certiorari, prohibition, and mandamus. The SC issued a resolution requiring responses from the respondents and remanded the case to the CA for resolution on the merits but enjoined the immediate execution of the Ombudsman’s decision.

Issues:

1. Whether the decision of the Ombudsman finding Governor Lapid administratively liable and imposing a penalty of one-year suspension is immediately executory pending appeal.

Court’s Decision:

The SC resolved that the Ombudsman’s decision was not among those listed as final and unappealable by Section 27 of R.A. 6770 (Ombudsman Act of 1989), thus not immediately executory. The timely appeal filed by Lapid stayed the immediate implementation of the decision, supported by the Ombudsman’s own procedural rules. The SC also clarified that their previous ruling in **Fabian vs. Desierto** did not affect the finality or executory nature of decisions, just the appropriate forum for appeals. The contention that decisions of quasi-judicial bodies are immediately executory was rejected as misplaced, with specific laws dictating specific cases where decisions are immediately executory.

Doctrine:

Decisions of the Office of the Ombudsman which impose penalties not enumerated in Section 27 of the Ombudsman Act (R.A. 6770) as final and unappealable are not immediately executory. An appeal timely filed, such as in this case, stays the immediate

implementation of the Ombudsman's decision.

Class Notes:

- Understand the appeal processes in administrative cases, especially regarding decisions by the Office of the Ombudsman under R.A. 6770.
- Recognize the impact of timely filed appeals on the executory nature of administrative decisions.
- Remember the principle "inclusion unius est exclusio alterus" (the inclusion of one is the exclusion of others) for interpretative purposes in law.
- Identify specific legal provisions that allow for immediate execution of decisions pending appeal, noting they are exceptions rather than the rule.
- Note how legislative changes or interpretations by the judiciary can influence the enforceability of administrative decisions.

Historical Background:

This case underscores the judiciary's interpretative role in determining the immediacy of an administrative decision's executory nature and emphasizes the specific legislative provisions that guide such determinations. It highlights the unique intersection between administrative law and the procedural rights of individuals subjected to disciplinary action, within the broader context of the Philippines' legal framework for combating corruption and maintaining public trust in government officials.