

Title:

Ferdinand A. Cruz vs. Judges Henrick F. Gingoyon and Jesus B. Mupas, RTC Branch 117, Pasay City

Facts:

1. **Initial Complaint**: Ferdinand A. Cruz filed a civil complaint against his neighbor Benjamin Mina Jr. in the RTC of Pasay City for abatement of nuisance concerning a “basketball goal” protruding from Mina’s residence into a public alleyway.
2. **Default Judgment**: Mina was declared in default, allowing Cruz to present evidence ex-parte.
3. **Trial Decision**: On October 21, 2005, Judge Gingoyon dismissed the case, stating Cruz lacked “locus standi,” and determined the “basketball goal” was a nuisance but explained public nuisance actions should be brought by city officials.
4. **Advisory Opinion**: The judgment included observations on urban blight and advised Cruz to accept the living conditions of the area or move to a better neighborhood.
5. **Motion for Reconsideration**: Cruz objected to the judgment and the Judge’s advisory opinion, indirectly accusing Judge Gingoyon of having improper communications with the defendant.
6. **Show Cause Order**: On November 11, 2005, Judge Gingoyon ordered Cruz to substantiate his allegations or face contempt charges.
7. **Non-Appearance**: Cruz failed to appear on the scheduled hearing on November 18, 2005, prompting Judge Gingoyon to give ten more days to show cause.
8. **Compliance and Contempt**: Cruz reiterated his accusations without providing evidence, leading Judge Gingoyon to find him guilty of direct contempt on November 25, 2005, sentencing Cruz to two days of imprisonment and a fine of P2,000.
9. **Warrant of Arrest and Urgent Motion**: An arrest order was issued. Cruz filed an “Urgent Ex-Parte Motion to Post Bond and Quash Warrant of Arrest,” claiming to have filed a petition for certiorari with the Supreme Court.
10. **Denial of Motion**: The RTC denied Cruz’s motion due to lack of proof of an actual pending petition with the Supreme Court.
11. **Judge’s Death**: Judge Gingoyon was murdered on December 31, 2005.
12. **Supreme Court Involvement**: The Supreme Court directed Judge Mupas to submit a comment. Cruz formally filed a Petition for Certiorari before the Supreme Court.

Issues:

1. **Validity of the Contempt Ruling**: Whether the RTC properly adjudged Cruz in direct contempt of court.
2. **Factual Basis for Contempt**: Whether the RTC had sufficient factual basis to cite Cruz for contempt.
3. **Denial of Motion to Fix Bond**: Whether the respondent court abused its discretion by denying Cruz's motion to post bond.

Court's Decision:

1. **Direct Contempt**: The Supreme Court affirmed the RTC's finding that Cruz was guilty of direct contempt for making baseless accusations about Judge Gingoyon's impartiality and unverified communications with the defendant, which impugned the integrity and authority of the court.
 - **Legal Precedence**: Derogatory statements in submitted pleadings are equivalent to direct contempt, according to Rules of Court, Rule 71, § 1.
 - **Substantiation Requirement**: Cruz was unable to substantiate his serious allegations, openly offending the dignity of the court.
2. **Factual Basis**: The court found the RTC's description of the living conditions in the alleyway to be based on general knowledge and Judge Gingoyon's familiarity with Pasay City, dismissing any insinuations of off-the-record communications as unfounded.
 - **Judicial Experience Consideration**: Judges are not isolated from the public and such general observations do not necessitate alleged misconduct.
3. **Denial of Motion to Fix Bond**: The Supreme Court upheld the RTC's denial of Cruz's motion since proof of filing the certiorari petition was not presented at the time of the motion.
 - **Procedural Correctness**: The RTC acted correctly within its discretion as Cruz's petition was filed only after his motion was submitted.
 - **Procedural Hierarchy**: The court noted that any petition for extraordinary writs should follow the judicial hierarchy and be initially filed in lower courts unless special and compelling reasons are provided.

Doctrine:

Respect for the Judicial Office:

- Contemptuous statements aimed at judges without factual basis directly affront the court's dignity and authority.
- Courts maintain the responsibility to uphold their integrity and discipline when faced with

such derogatory submissions.

Class Notes:

- **Direct Contempt**: Under Rule 71, § 1 of the Rules of Court, derogatory, offensive, or malicious statements in court submissions are considered as direct contempt.
- **Procedural Posture**: Proper filing of certiorari petitions and compliance with the procedural hierarchy of courts are critical for seeking judicial remedies.
- **Judicial Observations**: General knowledge or judicial experience is permissible in judgments without necessitating personalization or misconduct allegations.

Historical Background:

Urban Blight and Court Interventions:

The case reflects the judicial attitude towards urban blight issues in Metro Manila and the balancing act courts must perform addressing individual complaints amidst socio-economic disparities. The judgment highlighted the reality of living conditions in densely populated areas and the role of community standards in legal determinations. The case underscores the judiciary's resistance to personal attacks on its impartiality, reinforcing the importance of evidence-based allegations and appropriate channels for legal redress.