

MANUEL CALUMBA, COMPLAINANT, VS. BOBBY T. YAP, UTILITY WORKER, MUNICIPAL TRIAL COURT, GUIHULNGAN, NEGROS ORIENTAL, RESPONDENT.

A.M. No. P-08-2506. August 12, 2008

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/00b480b75ebc/>

PER CURIAM:

On December 8, 2005, the Office of the Court Administrator (OCA) received a letter-complaint from Manuel C. Malumba charging Bobby Tiongco Yap, Utility Worker I in the Municipal Trial Court of Guihulngan, Negros Oriental, with Conduct Unbecoming a Court Personnel and Dishonesty. Malumba claimed that Yap had been previously charged with two counts of theft. Yap was allegedly found guilty as charged in Criminal Case No. 1492 while the Information in Criminal Case No. 1466 was dismissed.

Upon query from Judge Romeo L. Anasario of the 2nd Municipal Circuit Trial Court (Manjuyod-Bindoy-Ayungon), Bindoy, Negros Oriental, records showed that on August 25, 1965, respondent Yap was found guilty of theft of a fighting cock in Criminal Case No. 1492 and sentenced to suffer a penalty of 25 days imprisonment and to pay half of the cost.

In his Comment, Yap alleged that SPO4 Manuel Calumba filed the instant complaint in retaliation to the charges of Grave Threats and Illegal Discharge of Firearm that he filed against the latter before the Provincial Prosecution Office of Negros Oriental, and an administrative case before the Provincial Internal Affairs Service (PIAS) of the Philippine National Police in Negros Oriental.

He claimed that the complaints for theft against him were filed in 1965 when he was 18 years old; that he thought that both charges against him were dismissed; and that it was only upon the filing of the instant administrative complaint that he learned that he was convicted in 1965 of stealing a fighting cock in Criminal Case No. 1492. He alleged that he finished only 2nd year high school; and that he joined the Judiciary in 1986.

Respondent's Personal Data Sheet showed that he stated that he had never been convicted for violation of any law, decree, ordinance or regulations by any court of tribunal.

In its Evaluation, the OCA noted that in making untruthful statements in his personal data sheet, respondent was liable for falsification and dishonesty. It was thus recommended that respondent be dismissed from the service with forfeiture of all retirement benefits, except accrued leave credits, and with prejudice to reemployment in any branch or instrumentality of the government, including government-owned or controlled corporations.

We adopt the findings and recommendation of the OCA.

Persons involved in the administration of justice, from the highest official to the lowest clerk, must live up to the strictest standards of honesty and integrity in the public service, especially since the image of a court of justice is necessarily mirrored in the conduct, official or otherwise, of the personnel who work thereat.[1]

In the instant case, respondent was charged with two counts of theft - of which he was convicted and sentenced to

suffer 25 days of imprisonment. We do not find merit in respondent's explanation that the charges were filed way back in 1965 when he was only 18 years of age. Mere passage of time does not erase or justify past infractions; neither does it serve as a license not to disclose them in official documents as required by law. He obtained gainful employment in the Judiciary under false pretenses and misrepresentation.

Under Section 52 (A)(1) and A(6), Rule IV of the Revised Uniform Rules on Administrative Cases in the Civil Service, dishonesty and falsification of official document are considered grave offenses punishable by dismissal from the service.

WHEREFORE, based on the foregoing, respondent Bobby T. Yap, Utility Worker, Municipal Trial Court, Guihulngan, Negros Oriental, is found GUILTY of DISHONESTY and FALSIFICATION OF OFFICIAL DOCUMENT. He is DISMISSED from the service, with forfeiture of all retirement benefits, except for accrued leave credits, and with prejudice to reemployment in any branch or instrumentality of the government, including government-owned or controlled corporations. This Decision is immediately executory.

SO ORDERED.

Puno, C.J., Quisumbing, Ynares-Santiago, Carpio, Austria-Martinez, Corona, Carpio Morales, Azcuna, Tinga, Chico-Nazario, Velasco, Jr., Nachura, Reyes, Leonardo-De Castro, and Brion, JJ., concur.

[1] Bellosillo v. Rivera, A.M. No. P-00-1424, September 25, 2000, 341 SCRA 1, 10.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.