

**ALBERT T. UY, COMPLAINANT, VS. JUDGE ADRIANO R. OSORIO, RTC,
BRANCH 171, VALENZUELA, METRO MANILA, RESPONDENT.**

A.M. No. RTJ-03-1757 (A.M. OCA IPI No. 97-372-RTJ). February 19, 2003

Ponente: SANDOVAL-GUTIERREZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/0c551f1a3a30/>

SANDOVAL-GUTIERREZ, J.:

The present administrative case stemmed from the affidavit-complaint dated April 7, 1997 filed with this Court by Albert Uy against Judge Adriano R. Osorio,[1] Regional Trial Court (RTC), Branch 171, Valenzuela, Metro Manila.

Albert Uy's affidavit-complaint alleges that he and his wife Carmen were defendants in Civil Case No. 4701-V-95 pending in respondent Judge Osorio's sala. On several occasions, respondent invited complainant to go to "Barracks," respondent's karaoke bar in Malabon. There, on different dates, respondent asked complainant to give him a television set, an air-conditioner, and the amounts of P20,000.00, P10,000.00, and US\$1,000.00 needed by his second family in Balagtas, Bulacan where his three children with one Inday Osorio live. Complainant obliged, prompting him to mortgage his car and close his bank accounts. As consideration for the appliances and money given by complainant, respondent promised that he will win in Civil Case No. 4701-V-95.

On May 16, 1996, respondent judge issued an order unloading Civil Case No. 4701-V-95 to another RTC judge on the ground that his court was designated as a special court to hear and decide only heinous crimes. What is surprising is that he did not unload Civil Case No. 4692-V-95, "Alfredo Atienza vs. Toyota (Cubao), Inc." Plaintiff here is respondent's compadre.

On May 21, 1996, complainant wrote respondent demanding the return of his money and appliances.

Subsequently, a "uniformed policeman" delivered to complainant's house a Metrobank check (No. 018382) in the name of Christian Osorio, respondent's son. The check, in the sum of P25,613.25, was intended as payment for the TV set and the air-conditioning unit. It was received by complainant's sister-in-law, Diana Uy.

Thereafter, complainant again wrote respondent another letter demanding payment of the sums of P20,000.00, P10,000.00 and \$1,000.00. In response, respondent sent his compadre, Alfredo Atienza, to complainant's house to deliver another Metrobank check (No. 018388) in the amount of P30,000.00, also in the name of Christian Osorio. It was received by complainant's wife, Carmen Uy.

In his comment on the affidavit-complaint, respondent Judge Osorio vehemently denied complainant's imputations against him. He explained that it is his son, Christian Osorio, who owns the karaoke bar "Barracks." Complainant is a disgruntled litigant and has "an axe to grind" against him considering that in Civil Case No. 4701-V-95, he issued a writ of preliminary attachment resulting in the sale at public auction of complainant's vehicles and the garnishment of his bank deposits. In order to obtain a favorable judgment, complainant befriended Christian. In the process, complainant convinced Christian to add a VIP room to his karaoke bar and offered to sell a TV set, an air-conditioning unit and sound equipment worth P55,000.00, payable as the business

progresses. Later, Christian intimated to pay in part, but complainant said it was not yet time to pay. He then requested Christian to convince his father to decide the case in his favor. Christian agreed, informing his father of such request. This prompted respondent to unload Civil Case No. 4701-V-95, using as reason the designation of his sala by this Court as a special court to hear and decide exclusively heinous crimes. He then advised his son to pay complainant for the appliances.

Respondent judge further averred in his comment that being a widower, he has no second family; that he has served the judiciary for more than thirty (30) years with utmost honesty; and that he will “not spoil and destroy the earned credits of his career.”

In a Resolution dated March 9, 1998, this Court referred this administrative matter to then Court of Appeals Justice Romeo Callejo, Sr. (now a member of this Court) for investigation, report and recommendation.

After conducting a hearing, Justice Callejo submitted his Report recommending that the affidavit-complaint against respondent judge be dismissed for insufficiency of evidence.

Justice Callejo’s findings are reproduced as follows:

“Calibrating and assessing the evidence of the parties, the Investigating Justice is convinced that the Complainant had decided to influence the Respondent to resolve Civil Case No. 4701-V-95 in his favor but that he cannot contact the Respondent personally as the latter made it a policy, in his Court, that no one can see him in his Chambers. The Complainant then decided to use the son of the Respondent, Christian Osorio, as a ‘channel’ or ‘vehicle’ to the Respondent and influence the latter in resolving Civil Case No. 4701-V-95 in his favor. The Complainant managed to convince Christian Osorio to convert a portion of his ‘Karaoke Bar’ into a ‘VIP room’ and offered to supply Christian Osorio with an air-conditioner and television unit as well as cash in the amount of P30,000.00 and US\$1,000.00. Christian Osorio knew no better. He took the bait and accepted the appliances and the cash amounts from the Complainant. As it was, when the time was ripe, the Complainant sought the help of Christian Osorio to talk with the Respondent to resolve Civil Case No. 4701-V-95 in favor of the Complainant. However, when apprised by his son of the request of the Complainant, sometime in April, 1996, the Respondent realized that the Complainant managed to inveigle himself into the good graces of his son, Christian Osorio, precisely to influence the Respondent in resolving Civil Case No. 4701-V-95 in favor of the Complainant. But the Respondent was even caught in a bind because if he inhibited himself from the case, he had to have a valid reason for so doing. However, the Respondent cannot use, as a justification for his inhibition, the attempt of the Complainant to influence the Respondent via his son, Christian Osorio, as the same would place his son, in a bad light. However, when the Respondent received Administrative Order No. 51-96 of the Supreme Court, the Respondent used the said Order as justification for unloading Civil Case No. 4701-V-95 to another Branch of the Court, thus, preserving the integrity of the Court. On the other hand, the complainant realized that all the appliances and cash money he gave to Christian Osorio were for naught. He had to recover the appliances and cash money he gave to Christian Osorio. However, if the Complainant filed a complaint against Christian Osorio, he will thereby be rendering himself vulnerable to a charge of attempt to corrupt a public rendering himself vulnerable to a charge of attempt to corrupt a public officer, a felony under Article 213 of the Revised Penal Code. Hence, to compel Christian Osorio to refund to the Complainant the cash money he received from the Complainant and recover the value of the appliances, he wrote the letters of demand, Exhibits ‘A’ and ‘C’, to the Respondent smuggled that, to avert being charged administratively by the Complainant, the Respondent will have to insist that his son, Christian Osorio, complied with the demands of the Complainant. However, the Complainant sent his letters of demand with the notations ‘Personal/Confidential’ written on the envelopes to insure that the staff of the Respondent will not open the said envelopes thereby insuring that the Respondent will not be able to charge the Complainant with libel. As it was, after the Complainant had received the remittances of Christian Osorio, he did not anymore file any charges against the Respondent. Although the Complainant failed to secure a favorable judgment from the Respondent, in Civil Case No. 4701-V-95, however, he was able to recover his

‘investment’ with Christian Osorio. In fine, the Investigating Justice finds and so declares that the Complainant failed to prove, with the requisite quantum of evidence, his charge of ‘Corruption’ against the Respondent.”

This Court agrees with the findings, conclusion and recommendation of Justice Callejo.

Actually, on the basis of his affidavit-complaint, complainant is charging respondent with bribery, dishonesty and violation of the Anti-Graft and Corrupt Practices Law, classified as serious charges under Sections 7 and 8, Rule 140 of the Rules of Court, thus:

“SEC. 7. Classification of Charges.- Administrative charges are classified as serious, less serious, or light.

“SEC. 8. Serious charges. – Serious charges include:

‘1. Bribery, direct or indirect;

2. Dishonesty and violations of the Anti-Graft and Corrupt Practices Law (R.A. 3019).

x x x”

In *Huggland vs. Lantin*,^[2] this Court held that the culpability of respondent judge for gross dishonesty must be established not just by substantial evidence which suffices in administrative investigation (Section 5, Rule 133, Revised Rules of Court), but by a clear preponderance of evidence.

In *Layola vs. Gabo, Jr.*,^[3] this Court ruled that “for a judge to be held liable for knowingly rendering an unjust judgment, it must be established beyond cavil that the judgment adverted to is unjust, contrary to law or unsupported by the evidence, and that the same was rendered with conscious and deliberate intent to do an injustice. In other words, the quantum of proof required to hold respondent judge guilty for alleged violations of Section 3(e) of R.A. 3019 and Article 206 of the Revised Penal Code, is proof beyond reasonable doubt.”

A review of the records shows that complainant failed to establish by the required quantum of evidence the culpability of respondent judge for the serious charges mentioned above.

From the totality of proofs presented by the parties, we can easily discern that indeed, complainant “used” respondent’s son, Christian Osorio, in order that he could obtain a favorable decision in Civil Case No. 4701-V-75. However, when respondent came to know of complainant’s scheme, respondent unloaded the case. It was then when complainant wrote respondent to return the appliances and money.

On this point it may be asked: if it were true that indeed respondent demanded from complainant a TV set, an air-conditioner and money, why did the former unload the case? We can only conclude with certainty that there was no such demand and neither was there a commitment on respondent’s part to decide the case in favor of complainant.

Significantly, the two checks issued to complainant in payment of the appliances were in the name of Christian Osorio. We are thus convinced that those appliances were delivered to Christian, not to respondent, and that the latter had nothing to do with the business transaction between his son and complainant.

We have observed that complainant failed to present any witness to corroborate his imputations against respondent judge. Nobody testified that both of them met at one time or another at the “Barracks.” Noteworthy is the fact that complainant himself admitted when he testified before Justice Callejo that respondent judge did not want to see anybody in his chambers, thus:

“J. Callejo:

Did you not try to see the judge in his chambers in the Court?

Witness: (Complainant)

No one can see the judge in his room, sir.”[4]

If respondent does not allow anybody (apparently referring to litigants) to enter his chambers, it is unthinkable why he should meet complainant at the karaoke bar and demand from him appliances and sums of money.

Moreover, while complainant alleged in his affidavit-complaint that respondent needed the money for his second family, however, he testified that complainant would spend the same for the renovation of the karaoke bar and for his vacation during the Holy Week, thus:

“Atty. Ligsay:

Did Judge Osorio give you any reason for asking ten thousand, or twenty thousand, or the television or the airconditioner?

“Witness:

Yes, sir. According to him, he needed the money and the appliances because he was converting the karaoke bar into a VIP room and he needed the one thousand dollars because he will be on vacation during the Holy Week, sir.” [5]

Likewise, complainant does not personally know that respondent has a second family, thus:

“Atty. Osorio:

In other words, only your friend told you that the judge has a second family in Meycauayan, Bulacan?

Witness:

Yes, sir.

J. Callejo:

Don't you know that the judge is a widower?

Witness:

Yes, sir.”[6]

Incidentally, with respect to respondent's failure to unload Civil Case No. 4692-V-95, suffice it to state that it is the party concerned, not herein complainant, who should ask respondent, through a motion, to inhibit himself from hearing the case.

In sum, we find that complainant's evidence fails to prove his charges. On the contrary, the evidence for respondent judge sustains his defense that complainant deliberately established close relationship with his son in order to obtain a favorable decision in Civil Case No. 4701-V-95.

WHEREFORE, the instant administrative complaint against respondent Judge Adriano R. Osorio is DISMISSED for insufficiency of evidence.

SO ORDERED.

Puno, (Chairman), Panganiban, Corona and Carpio-Morales, JJ., concur.

[1] He retired last March 5, 2001. His retirement does not divest this Court of its jurisdiction over this case (Perez vs. Abiera, 64 SCRA 302 [1975]).

[2] 326 SCRA 620, 637 (2000).

[3] 323 SCRA 348, 354 (2000).

[4] TSN, June 10, 1998 at 138.

[5] TSN, June 10, 1998 at 34-35.

[6] Id. at 138.

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.