

DOLORES S. BAGO, COMPLAINANT, VS. JUDGE ERNESTO P. PAGAYATAN, REGIONAL TRIAL COURT, BRANCH 46, SAN JOSE, OCCIDENTAL MINDORO, RESPONDENT.

A.M. No. RTJ-07-2058 (Formerly OCA IPI No. 06-2422-RTJ). April 07, 2009

Ponente: CHICO-NAZARIO, J.

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CHICO-NAZARIO, J.:

The instant administrative complaint[1] was filed before this Court by complainant Dolores S. Bago (Bago) charging Judge Ernesto P. Pagayatan (Judge Pagayatan) of the Regional Trial Court (RTC), Branch 46, of San Jose, Occidental Mindoro, with Grave Abuse of Discretion, Misconduct, Inefficiency, and Gross Ignorance of the Law, relative to Criminal Case No. R-4295 for Murder, entitled, "People of the Philippines v. Orlando Gonzales, et al."

The antecedent facts which gave rise to the instant administrative complaint are recounted below:

On May 7, 1995, at around 9:00 in the evening, Mayor Guillermo Salas of Bulalacao, Oriental Mindoro, who was then running for reelection, was shot to death in front of the house of his rival candidate, Nestor Gonzales, in Barangay Campaanan, Bulalacao, Oriental Mindoro.

On May 19, 1995, a criminal complaint was filed before the Assistant Provincial Prosecutor's Office, by the Chief Investigator Rizaldy Herrera Garcia, 4[th] CIC Regional Office Camp Vicente Lim, Calamba, Laguna. Those accused for Murder were Rodel Gonzales, Orlando Gonzales, Robert Gonzales, Josefino Gonzales, Roderick Gonzales, Bernardo Merlin @ Ato and Avelino Rondael.

On August 1, 1995, the complaint was withdrawn by Antonio Salas, the brother of the victim from the Assistant Provincial Prosecutor's Office for lack of action on the case. Immediately thereafter, the complaint was filed before the Municipal Circuit Trial Court (MCTC), Mansalay, Bulalacao, Oriental Mindoro. After conducting the required preliminary investigation, the court [MCTC] found that probable cause exists against all the accused, hence a warrant of arrest was issued for their apprehension.

Records of the case were then transmitted to the Office of the Provincial Prosecutor. Accused, through counsel, filed a Motion for Reinvestigation with the Provincial Prosecutor's Office. After re-investigation, the Assistant Provincial Prosecutor affirmed the finding of the Municipal Circuit Trial Court and recommended the filing of Information for Murder against all the accused. Meanwhile, all the accused were arrested.

However, the recommendation of the Assistant Provincial Prosecutor was reversed by the Provincial Prosecutor in a resolution dated January 26, 1996 and instead he filed an Information for Murder against accused Rodel Gonzales and Orlando Gonzales only and excluded therefrom the other five co-accused.

Not satisfied with the said resolution, private complainant [Guillermo Salas Jr.] filed a petition for review with the Department of Justice.

On October 1, 1996, the Secretary of Justice modified the questioned resolution by affirming the dismissal of the complaint as against Avelino Rondael and directing the Provincial Prosecutor to amend, with leave of

court, the information for murder in Criminal Case No. R-724, now pending before Branch 43, Regional Trial Court of Oriental Mindoro, by including respondents Dr. Robert Gonzales, Josefino Gonzales, Roderick Gonzales and Bernardo Merlin as accused.

On March 24, 1997, the Secretary of Justice reversed his resolution of October 1, 1996 by ordering the withdrawal of the names of Dr. Robert Gonzales, Josefino Gonzales, Roderick Gonzales and Bernardo Merlin as accused in Crim. Case No. R-724.

Disappointed, Mayor Gemma Salas, the daughter of the deceased, appealed the resolution of the Secretary of Justice to the Office of the President. Said Office acting through the then Executive Secretary Alexander P. Aguirre, in a Decision dated February 6, 1998, ordered the re-inclusion of the accused Roberto S. Gonzales, Josefino Gonzales, Roderick Gonzales, and Bernardo Merlin, in the information. Moreover, the Supreme Court acting on the petition filed by Mayor Salas for a change of venue, ordered the transfer of the instant case from Regional Trial Court, Branch 43, Roxas, Oriental Mindoro, to Regional Trial Court, Branch 46, San Jose, Occidental Mindoro, docketed as Criminal Cases Nos. R-4295, R-4296 and R-4297, for Murder, illegal possession of firearms and ammunitions, and violation of COMELEC Resolution No. 2755.

A Motion for Reconsideration of said Decision dated February 6, 1998 of the Executive Secretary was filed by the herein private respondents.

Meanwhile, trial of the three criminal cases was conducted by the Regional Trial Court Branch 46, of San Jose, Occidental Mindoro, and terminated on October 26, 1999.

Two months thereafter, after both parties submitted their respective Memoranda in the case, a "Motion to Admit Third Amended Information" was filed by Assistant Regional Prosecutor, Gerardo B. Iligan, but this time, with the dropping of the names of the accused, Roberto S. Gonzales, Josefino Gonzales, [and] Roderick Gonzales, from the information. Said Motion was based on the resolution issued by then Executive Secretary Ronaldo B. Zamora, dated 1 December 1999, which resolved the motion for reconsideration of the decision dated 6 February 1998 in favor of private respondents.[2]

On 27 January 2000, Judge Pagayatan issued an Order admitting the Third Amended Information for Murder in Criminal Case No. R-4295 and allowed the withdrawal of the names of the accused Roberto S. Gonzales, Josefino Gonzales, and Roderick Gonzales therefrom. The dispositive portion of said Order reads:

WHEREFORE, the third Amended Information is hereby admitted. Consequently, the charge against accused Dr. Roberto Gonzales, Josefino Gonzales, and Roderick Gonzales are forthwith withdrawn. Accused Roderick Gonzales who was arrested recently and detained at the Provincial Jail, is ordered released immediately, unless he is being held for some other offense x x x.[3]

Aggrieved by the foregoing Order, Antonio Salas, brother of the victim Guillermo Salas, filed a Petition for Certiorari and Prohibition before the Court of Appeals, docketed as CA-G.R. SP No. 58959, alleging that Judge Pagayatan committed grave abuse of discretion in issuing the Order dated 27 January 2000.

The Court of Appeals rendered a Decision[4] in CA-G.R. SP No. 58959 on 26 June 2001, with the following fallo:

Wherefore, premises considered the Court GRANTS the Petition for Certiorari and Prohibition. The assailed order dated January 27 2000 is hereby set aside and annulled. Respondent Judge is ordered to decide Criminal Cases R-4295, R-4296 and R-4297 posthaste.[5]

On 2 January 2006, Bago[6] filed the present administrative complaint against Judge Pagayatan, for Grave Abuse of Discretion, Misconduct, Inefficiency, and Gross Ignorance of the Law. Bago asserted that the 26 June 2001 Decision of the Court of Appeals in CA-G.R. S.P. No. 58959 revealed that Judge Pagayatan acted with grave

abuse of discretion and committed serious misconduct and inefficiency in issuing the Order dated 27 January 2000 in Criminal Case No. R-4295.

In his Comment[7] dated 9 March 2006, Judge Pagayatan vehemently denied the allegations in Bago's administrative complaint. Judge Pagayatan averred that upon the finality of the 26 June 2001 Decision of the Court of Appeals in CA-G.R. SP No. 58959, granting the issuance of the writs of certiorari and prohibition against his 27 January 2000 Order in Criminal Case No. R-4295, he immediately issued an order for the arrest of some of the accused who were still at large. However, before he could conclude the trial in Criminal Case No. R-4295, a motion for his inhibition was filed against him by the private complainant Guillermo Salas, Jr. To avoid any suspicion that he was biased, Judge Pagayatan issued an Order dated 25 March 2002 inhibiting himself from further hearing Criminal Case No. R-4295. Thus, the said criminal case was re-raffled to the RTC, Branch 45, of San Jose, Occidental Mindoro, presided by Judge Jose S. Jacinto, Jr. (Judge Jacinto), who continued the trial. On 25 March 2005, Judge Jacinto rendered his Decision in Criminal Case No. R-4295, finding only the accused Rodel Gonzales guilty of the crime of Homicide, and acquitting all the rest.

Judge Pagayatan maintained that the records were bereft of any showing that he had an interest, personal or otherwise, in Criminal Case No. R-4295. There was no showing of bad faith, malice, corrupt motive or improper consideration on his part. On the contrary, he had in his favor the presumption of regularity and good faith in the performance of official functions. Granting that he did err in admitting the Third Amended Information, it was but an error of procedure and judgment for which he could not be held administratively liable absent any showing of his bad faith. Judge Pagayatan further claimed that he was deprived of the opportunity to prove his fairness and neutrality when private complainant Guillermo Salas, Jr. moved for his inhibition from Criminal Case No. R-4295.

In her Reply[8] of 22 March 2006, Bago pointed out that her administrative complaint arose out of Judge Pagayatan's 27 January 2000 Order in Criminal Case No. R-4295 admitting the Third Amended Information, which excluded therefrom several of the accused, on the flimsy reason that the supervision and control of the case rested on the prosecution, thus, contravening the ruling in *Crespo v. Mogul*.^[9] Judge Pagayatan still issued the Order dated 27 January 2000 even though the parties in Criminal Case No. R-4295 had already filed their respective memoranda and submitted the case for resolution by the court.

Bago argued that the Special Eleventh Division of the Court of Appeals, then headed by now Supreme Court Justice Presbitero J. Velasco, Jr., already declared that Judge Pagayatan acted contrary to the rules. If Antonio Salas did not file the Petition for Certiorari against Judge Pagayatan, the other accused would have enjoyed their freedom via a shortcut. A careful consideration of the 25 March 2005 Decision of the RTC, Branch 46, in Criminal Case No. R-4295 for Murder, Criminal Case No. R-4296 for Illegal Possession of Firearms and Ammunitions, and Criminal Case No. R-4297 for violation of Commission on Elections Resolution No. 2735, would reveal how Judge Pagayatan handled Criminal Case No. R-4295, as well as the political maneuverings the case went through.

Bago contended that although bad faith might not be immediately obvious, it could be presumed when Judge Pagayatan acted with grave abuse of discretion, totally disregarding or ignoring elementary procedural and/or substantive rules.

Finally, Bago requested that an audit be conducted on the RTC presided by Judge Pagayatan to determine whether he could really enjoy the presumption of regularity in the performance of his official functions insofar as the present administrative charges against him were concerned.

On 18 May 2007, the Office of the Court Administrator (OCA) submitted its Report,^[10] with the following

recommendation -

RECOMMENDATION: Respectfully submitted to the Honorable Court our recommendation that:

- the instant complaint be RE-DOCKETED as a regular administrative matter;
- respondent Judge be FINED in the amount of TWENTY THOUSAND PESOS (P20,000.00) for gross ignorance of the law with a STERN WARNING that commission of the same act would be dealt with more severely.[11]

On 16 July 2007, the Court required[12] the parties to manifest within 10 days from notice if they were willing to submit the matter for resolution based on the pleadings filed. Bago submitted such a manifestation[13] on 10 September 2007; while Judge Pagayatan failed to file any despite notice sent to and received by him. Resultantly, the matter was submitted for decision based on the pleadings filed.

The Court agrees in the OCA recommendation.

The complaint against Judge Pagayatan centers on his admitting the Third Amended Information in Criminal Case No. R-4295 which dropped several accused from the case. Bago posits that the Decision dated 26 June 2001 of the Court of Appeals in CA-G.R. SP No. 58959 clearly establishes that Judge Pagayatan committed grave abuse of discretion, misconduct, inefficiency, and gross ignorance of the law.

In *Crespo v. Mogul*,[14] the Court laid down the rule that once a complaint or information is filed before the trial court, any disposition of the case, as its dismissal or the conviction or acquittal of the accused, rests on the sound discretion of the said court. Although the fiscal retains the direction and control of the prosecution of criminal cases even while the case is already before the trial court, the fiscal cannot impose his opinion on the trial court. The trial court is the best and sole judge of what to do with the case before it. The determination of the case is within its exclusive jurisdiction and competence. A motion to dismiss the case filed by the fiscal should be addressed to the trial court which has the option to grant or deny the same. It does not matter if this is done before or after the arraignment of the accused or that the motion was filed after a reinvestigation or upon instructions of the Secretary of Justice who reviewed the records of the investigation.[15]

This Court likewise held that once a case has been filed with the trial court, it is that court, no longer the prosecution, which has full control of the case, so much so that the Information may not be dismissed without its approval. Significantly, once a motion to dismiss or withdraw the Information is filed, the court may grant or deny it, in the faithful exercise of judicial discretion. In doing so, the trial judge must himself be convinced that there was indeed no sufficient evidence against the accused, and this conclusion can be arrived at only after an assessment of the evidence in the possession of the prosecution. What was imperatively required was the trial judge's own assessment of such evidence, it not being sufficient for the valid and proper exercise of judicial discretion merely to accept the prosecution's word for its supposed insufficiency.[16]

Also significant is *Marcelo v. Court of Appeals*,[17] in which this Court ruled that although it is more prudent to wait for a final resolution of a motion for review or reinvestigation from the Secretary of Justice before acting on a motion to dismiss or a motion to withdraw an Information, a trial court, nonetheless, should make its own study and evaluation of said motion and not rely merely on the awaited action of the Secretary. The trial court has the option to grant or deny the motion to dismiss the case filed by the fiscal, whether before or after the arraignment of the accused, and whether after reinvestigation or upon instructions of the Secretary who reviewed the records of the investigation, provided that such grant or denial is made from its own assessment and evaluation of the merits of the motion.

Once a motion to dismiss or withdraw the information is filed, the trial judge may grant or deny it, not out of

subservience to the Secretary of Justice, but in faithful exercise of judicial prerogative.[18] Indeed, it bears stressing that the trial court is not bound to adopt the resolution of the Secretary of Justice since it is mandated to independently evaluate or assess the merits of the case and it may either agree or disagree with the recommendation of the Secretary of Justice. Reliance alone on the resolution of the Secretary of Justice would be an abdication of the trial court's duty and jurisdiction to determine a prima facie case.[19]

The trial court may make an independent assessment of the merits of the case based on the affidavits and counter-affidavits, documents, or evidence appended to the Information; the records of the public prosecutor which the court may order the latter to produce before it; or any evidence already adduced before the court by the accused at the time the motion is filed by the public prosecutor.[20]

In this case, Judge Pagayatan failed to make an independent assessment of the merits of Criminal Case No. R-4295 for Murder, making no reference to or taking no consideration of the evidence on record or in the possession of the public prosecutor. In granting the motion of the public prosecutor to file a Third Amended Information (which excluded several of the accused from the case and, in effect, dropped or withdrew the criminal charges against them), Judge Pagayatan relied solely on the directive of Chief State Prosecutor Jovencito R. Zuño to the Office of the Regional State Prosecutor. This is evident from his Order[21] dated 27 January 2000, wherein Judge Pagayatan himself stated:

It appearing from the record of this case that it was the Chief State Prosecutor Jovencito R. Zuno himself who directed the Office of the Regional State Prosecutor to file the amended information to exclude the names of the accused Dr. Roberto Gonzales, Josefino Gonzales and Roderick Gonzales, and considering that it is the Chief State Prosecutor who has direct control and supervision over prosecution of criminal cases, the court resolves to grant the motion.

Judge Pagayatan clearly failed to comply with his mandate and to discharge his duty to judiciously and independently rule upon the Motion to Admit Third Amended Information. He obviously lost sight of the fact that Criminal Case No. R-4295 was already filed before his court and was under his control; and he was not bound by the actuations or resolutions of the prosecution, or even by the directive coming from the Chief Prosecutor himself. He had the discretion to grant or deny the prosecution's motion based on his personal and independent evaluation or assessment of the evidence before him.

Verily, the Court of Appeals, in its Decision dated 26 June 2001 in CA-G.R. SP No. 58959, pronounced that Judge Pagayatan indeed committed grave abuse of discretion in issuing the Order dated 27 January 2000 in Criminal Case No. R-4295 and, accordingly, annulled the same. A relevant portion of said Decision reads:

In the case at bar, respondent Judge has already acquired jurisdiction over the persons of private respondents. Even if the Executive Secretary ordered the public prosecutor to exclude private respondents from the information, the respondent Judge had to personally evaluate and consider the evidence on hand and the merits of the case and exercise his own discretion in determining whether or not the exclusion of private respondents is proper. In the case at bar, respondent Judge did not exercise his discretion required of a magistrate who has jurisdiction over the accused in criminal cases but merely accepted the motion of the regional state prosecutor hook, line, and sinker and on its face value. This is patent from the assailed resolution when he reasoned out that the motion is granted "considering that it is the Chief State Prosecutor who has direct control and supervision over prosecution of criminal cases." This is contrary to the plain import of the Crespo vs. Mogul ruling that such a motion to dismiss the case against an accused which in this case was disguised as a Motion For Third Amendment of Information "should be addressed for the consideration of the Court." Moreover, "the Court in the exercise of discretion may grant the motion or deny it." A perfunctory reading of the assailed Order easily reveals that no substantial justification is embodied therein to support the grant of the exclusion and which unequivocally demonstrates the fact that respondent Judge did not make his own personal

independent evaluation of the merits of the case. Since respondent Judge did not exercise his discretion in resolving the motion for amendment of information, and simply allowed the opinion of the prosecutor to be imposed upon himself in resolving the motion, then such act certainly constitutes grave abuse of discretion.[22]

By merely echoing the directive of Chief State Prosecutor Zuño, Judge Pagayatan abdicated his duty as a judge of a court of law, allowing his court to be subjugated to an administrative agency. Also, in failing to make a personal and independent determination of the propriety of dropping the charges against several of the accused in Criminal Case No. R-4295, and depending entirely on Chief State Prosecutor Zuño's finding, Judge Pagayatan relinquished the discretion he was obliged to exercise under the circumstances, thus, violating the decree of this Court in *Crespo v. Mogul*. In effect, it was the prosecution, through the Office of the Chief State Prosecutor, which decided what to do with the accused in Criminal Case No. R-4295 and the RTC was reduced to a mere rubber-stamping body.

Admittedly, judges cannot be held to account for erroneous judgments rendered in good faith. However, this defense has been all too frequently cited to the point of staleness. In truth, good faith in situations of infallible discretion inheres only within the parameters of tolerable judgment and does not apply where the issues are so simple and the applicable legal principle evident and basic as to be beyond permissible margins of error.[23] Indeed, while a judge may not always be subjected to disciplinary action for every erroneous order or decision he renders, that relative immunity is not a license to be negligent or abusive and arbitrary in performing his adjudicatory prerogatives.[24]

Judge Pagayatan failed to conform to the high standards set under Canon 1 of the Code of Judicial Conduct, which requires a judge to uphold the integrity and independence of the judiciary by adhering to the following mandates:

Rule 1.01 - A judge should be the embodiment of competence, integrity, and independence.

Rule 3.01 - A judge shall x x x maintain professional competence.

Competence is a mark of a good judge. When a judge displays an utter lack of familiarity with the rules, he erodes the public's confidence in the competence of our courts.[25] It is highly imperative that judges be conversant with the law and basic legal principles.[26]

As a judge, Judge Pagayatan must have the basic rules at the palm of his hands, as he is expected to maintain professional competence at all times.[27] Indeed, a judge is called upon to exhibit more than just a cursory acquaintance with statutes and procedural rules. He must be conversant with basic legal principles and well-settled doctrines. He should strive for excellence and seek the truth with passion.[28] The failure to observe the basic laws and rules is not only inexcusable, but renders him susceptible to administrative sanction for gross ignorance of the law from which no one is excused, and surely not a judge.[29]

A judge owes it to himself and his office to know by heart basic legal principles and to harness his legal know-how correctly and justly. When a judge displays utter unfamiliarity with the law and the rules, he erodes the confidence of the public in the courts. Ignorance of the law by a judge can easily be the mainspring of injustice. As an advocate of justice and a visible representation of the law, a judge is expected to be proficient in the interpretation of our laws. When the law is so elementary, not to know it constitutes gross ignorance of the law. Ignorance of the law, which everyone is bound to know, excuses no one - not even judges. Ignorantia juris quod quisque scire tenetur non excusat.[30] As the Court held in *Monterola v. Judge Caoibes, Jr.*[31]:

Observance of the law, which respondent ought to know, is required of every judge. When the law is

sufficiently basic, a judge owes it to his office to simply apply it; anything less than that is either deliberate disregard thereof or gross ignorance of the law. It is a continuing pressing responsibility of judges to keep abreast with the law and changes therein. Ignorance of the law, which everyone is bound to know, excuses no one -not even judges - from compliance therewith x x x. Canon 4 of the Canons of Judicial Ethics requires that the judge should be studious of the principles of law. Canon 18 mandates that he should administer his office with due regard to the integrity of the system of the law itself, remembering that he is not a depository of arbitrary power, but a judge under the sanction of law. Indeed, it has been said that when the inefficiency springs from a failure to consider a basic and elementary rule, a law or principle in the discharge of his duties, a judge is either too incompetent and undeserving of the position and the title he holds or is so vicious that the oversight or omission was deliberately done in bad faith and in grave abuse of judicial authority. x x x.

Ignorantia legis non excusat remains a valid dictum. When an officer of the court such as Judge Pagayatan, who is supposed to know the law, displays such ignorance, then he must be called to account.[32]

Clearly then, Judge Pagayatan displayed gross ignorance of the law when he abandoned his duty to personally and independently evaluate the prosecution's motion to admit the third amended Information, which excluded several accused therefrom, and relied entirely on the directive of Chief State Prosecutor Zuño ordering such an amendment. Verily, Judge Pagayatan's actions patently indicate his insufficient grasp of the law.

Gross ignorance of the law or procedure is classified as a serious charge under Rule 140, Section 8 of the Rules of Court, as amended by A.M. No. 01-8-10 SC; and penalized under Section 11 of the same Rule as follows:

SEC. 11. Sanctions. - A. If the respondent is guilty of a serious charge, any of the following sanctions may be imposed:

- Dismissal from the service, forfeiture of all or part of the benefits as the Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations: Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits;
- Suspension from office without salary and other benefits for more than three (3) but not exceeding six (6) months; or
- A fine of more than P20,000.00 but not exceeding P40,000.00.

Guided by the previous rulings of this Court in *Gamas v. Oco*[33] and *Sule v. Biteng*,[34] a fine of P20,000.00 is justified in the case at bar.

Records show that Judge Pagayatan availed himself of optional retirement which became effective on 7 July 2008, and his retirement benefits were withheld pending the outcome of the instant administrative complaint, and the other administrative cases against him such as A.M. No. RTJ-07-2089 for Gross Ignorance of the Law, Knowingly Rendering Unjust Judgment, Republic Act No. 3019 and Violation of Code of Judicial Conduct and OCA IPI No. 07-2698-RTJ for Gross Ignorance of the Law, Grave Abuse of Authority, Misconduct, Conduct Prejudicial to the Proper Administration of Justice.

WHEREFORE, respondent Judge Pagayatan is found GUILTY of Ignorance of the Law for which he is FINED the amount of Twenty Thousand Pesos (P20,000.00), to be deducted from his retirement benefits.

SO ORDERED.

Ynares-Santiago, (Chairperson), Carpio Morales[*], Nachura, and Peralta, JJ., concur.

[*]Per Special Order No. 602, dated 20 March 2009, signed by Chief Justice Reynato S. Puno, designating Associate Justice Conchita Carpio Morales to replace Associate Justice Ma. Alicia Austria-Martinez, who is on official leave.

[1] Rollo, pp. 2-3.

[2] Id. at 6-8.

[3] Id. at 4.

[4] Id. at 31-38.

[5] Id. at 57.

[6] Records did not mention her relation to deceased Guillermo Salas.

However, Section 1, Rule 140 of the Rules of Court (as amended by A.M. No. 01-8-10-SC, which took effect on 1 October 2001) provides that:

Section 1. How instituted. - Proceedings for the discipline of Judges of regular and special courts and Justices of the Court of Appeals and the Sandiganbayan may be instituted *motu proprio* by the Supreme Court or upon a verified complaint, supported by affidavits of persons who have personal knowledge of the facts alleged therein or by documents which may substantiate said allegations, or upon an anonymous complaint, supported by public records of indubitable integrity. The complaint shall be in writing and shall state clearly and concisely the acts and omissions constituting violations of standards of conduct prescribed for Judges by law, the Rules of Court, or the Code of Judicial Conduct.

A careful perusal of the above-cited provision shows that the complainant need not be the person allegedly aggrieved by the actuations of a court officer or employee or someone related thereto. The rule does not mention that the complainant must be the aggrieved party or his relative so as to initiate the prosecution of an administrative case. As correctly observed by the OCA, the above-quoted rule allows the filing by even an anonymous complainant as the rule merely requires that it should be supported by public records of indubitable integrity. (Balayon, Jr. v. Judge Dinopol, A.M. No. RTJ-06-1969, 15 June 2006, 490 SCRA 547, 552-553.)

[7] Rollo, pp. 90-91.

[8] Id. at 90-91

[9] 235 Phil. 465 (1987).

[10] Id. at 94-98.

[11] Rollo, p. 98.

[12] Id. at 99.

[13] Id. at 101.

[14] *Supra* note 9.

[15] *Martinez v. Court of Appeals*, G.R. No. 112387, 13 October 1994, 237 SCRA 575, 584.

[16] *Odin Security Agency, Inc. v. Sandiganbayan*, 417 Phil. 673, 679-680 (2001); *Baltazar v. People*, G.R. No. 174016, 28 July 2008, 560 SCRA 278.

[17] G.R. No. 106695, 4 August 1994, 235 SCRA 39.

- [18] Roberts, Jr. v. Court of Appeals, 324 Phil. 568, 598 (1996).
- [19] Solar Team Entertainment, Inc. v. Judge How, 393 Phil. 172, 185-186 (2000).
- [20] Santos v. Orda, Jr., G.R. No. 158236, 1 September 2004, 437 SCRA 504, 515.
- [21] Rollo, p. 4.
- [22] Id. at 21-22.
- [23] Poso v. Mijares, 436 Phil. 295, 314 (2002).
- [24] De Guzman, Jr. v. Sison, 407 Phil. 351, 365 (2001).
- [25] Fr. Guillen v. Judge Cañon, 424 Phil. 81, 88 (2002).
- [26] Borja-Manzano v. Sanchez, 406 Phil. 434, 440 (2001).
- [27] Cruz v. Yaneza, 363 Phil. 629, 649 (1999).
- [28] Office of the Court Administrator v. Judge Sardido, 449 Phil. 619, 631 (2003).
- [29] Bueno v. Judge Dimangadap, A.M. No. MTJ-02-1462, 10 August 2004, 436 SCRA 25, 31.
- [30] Español v. Mupas, A.M. No. MTJ-01-1348, 11 November 2004, 442 SCRA 13, 44-45.
- [31] 429 Phil. 59, 66-67 (2000).
- [32] Obrero v. Acidera, A.M. No. P-08-2442, 28 March 2008, 550 SCRA 53, 59.
- [33] 469 Phil. 633 (2004). In this case, respondent Judge was found guilty of gross ignorance of the law for failure to comply with the requirements of Section 1(a) of Rule 116 of the Revised Rules of Criminal Procedure, by failing to furnish complainants therein a copy of the information with the list of the witnesses and was meted a fine of P20,000.00.
- [34] 313 Phil. 398 (1995). In this case, respondent Judge was found guilty of gross ignorance of the law when he granted bail solely on account of the voluntary surrender of the accused and was meted a fine of P20,000.00.

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