

ALFREDO BRENCIS, COMPLAINANT, VS. ELY FAJARDO, RESPONDENT.

A.M. No. P-8. May 31, 1979

Ponente: ABAD SANTOS, J.

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ABAD SANTOS, J.:

This is an administrative case filed by Mr. Alfredo Brencis against Deputy Sheriff Ely B. Fajardo, formerly of the Court of First Instance of Rizal, Makati Branch, and then with the CFI of Manila, Warrant Section, for dishonesty and misconduct. It is alleged that respondent collected from complainant the amount of P250.00 and required him to come to Manila to get a Workmen's Compensation Commission check in the amount of P2,478.84, instead of mailing said check to him in Tigaon, Camarines Sur.

This case however has become moot and academic. In Administrative Matter No. P-312, entitled "Lumen Policarpio v. Ely B. Fajardo, " this Court, thru Mr. Justice Antonio P. Barredo, found the same respondent guilty of gross misconduct and grave abuse of authority in the performance of his duties as special sheriff in Civil Case No. 202468, and, forthwith "ordered that respondent Ely B. Fajardo, deputy sheriff of the Court of First Instance of Rizal, be immediately dismissed from the service with forfeiture of all benefits otherwise due him." (August 3, 1977)

WHEREFORE, this administrative case against respondent Ely B. Fajardo is hereby dismissed.

SO ORDERED.

Antonio, (Acting Chairman)*, Aquino, Concepcion, Jr., and Santos, JJ., concur.

* Justice Antonio P. Barredo is on leave.

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