

MELENCIO PARANE, COMPLAINANT, VS. JUDGE RICARDO A. RELOZA, RESPONDENT.*A.M. No. MTJ-92-718. November 07, 1994*Read online (full-text search, related cases, audio case brief): <https://batas.org/library/21723b722db8/>**PER CURIAM:**

The factual findings of this Court's Third Division, in its 04 August 1994 resolution, is hereby adopted. Hence -

"Complainant Melencio Parane, in his two letters, dated 26 June 1991 and 17 February 1992, requested the assistance of the Office of the Court Administrator in expediting the disposition of MTC Civil Case No. 335 (Melencio Parane vs. Leonardo Giray, et al.) for forcible entry, with preliminary mandatory injunction, pending before respondent Judge's sala at Laoang, Northern Samar. The case was submitted for decision in August 1991. The Office of the Court Administrator, in its first indorsement, dated 23 July 1991, required respondent Judge to comment on the complaint. There having been no response, a second indorsement, dated 23 March 1992, was sent. Respondent Judge once more failed to comply. A tracer, dated 10 June 1992, was sent to him reiterating the directive; still, no word was received by the Office of the Court Administrator.

"Meanwhile, another letter, dated 18 September 1992, was filed by complainant, charging respondent Judge with having violated Section 3.05, Canon 3, of the "Canons of Judicial Ethics" (Code of Judicial Conduct).

"In a resolution, dated 10 November 1992, issued by the Court En Banc, respondent Judge was directed to comment on the complaint. No compliance was received by the Court from respondent Judge. In its resolution of 04 March 1993, this Court ordered respondent Judge (1) to show cause why no disciplinary action should be taken against him for such failure; and (2) to comply, nevertheless, with the Court's resolution of 10 November 1992. Again, respondent Judge did not heed the order. On 22 July 1993, the Court thereupon resolved: (a) to impose on respondent Judge a fine of Five Hundred Pesos (P500.00), payable within five days from notice, or imprisonment of five days in case of failure to pay the fine; and (b) to require him to still comply with the Court's resolution of 10 November 1992, within ten days from notice. In a certification, dated 21 April 1994, Mrs. Araceli C. Bayuga, Cashier V of the Disbursement and Collection Division of this Court, reported that, as of said date, no record of such payment appeared to have yet been made by respondent Judge. The case was referred to the Office of the Court Administrator for evaluation, report and recommendation.

"In a memorandum, dated 18 May 1994, submitted by Deputy Court Administrator Bernardo P. Abesamis, approved by Court Administrator Ernani Cruz-Paño, the Office of the Court Administrator, convinced that respondent Judge had unquestionably showed indifference in complying with this Court's resolutions, recommended thusly:

"ACCORDINGLY, it is respectfully recommended that respondent Judge Ricardo A. Reloza be (a) **SUSPENDED** for a period of six (6) months without pay not deductible to his accumulated leave credits, if any; (b) **DIRECTED** to comply with the Resolution of this Court dated July 22, 1993 with **STERN WARNING** that non-compliance therewith will be dealt with more severely; and (c) Executive Judge Tomas B. Noynay, RTC, Branch 21, Laoang, Northern Samar be **DIRECTED** to conduct an inspection and submit a report on the docket and calendar of MTC, Laoang, Northern Samar and to designate an Acting Judge on the said court during the suspension of Judge Ricardo A. Reloza."

In the aforesaid resolution of 04 August 1994, the Court, wishing to afford respondent Judge another opportunity to explain himself, resolved thusly:

"WHEREFORE, finding respondent Judge guilty of gross misconduct and insubordination in his continued failure to comply with the lawful orders of this Court, the Court hereby IMPOSES on respondent Judge a FINE of Five Thousand Pesos (P5,000.00). Said respondent is still required to COMPLY with the resolution of 22 July 1993 within TEN (10) days from receipt hereof, with a STERN WARNING that non-compliance therewith will be dealt with most severely as so hereinabove expressed. Executive Judge Tomas B. Noynay, Regional Trial Court, Branch 21, Laoang, Northern Samar is also DIRECTED to conduct an inspection and submit a report on the docket and calendar of the Municipal Trial Court, Laoang, Northern Samar, within sixty (60) days from his receipt hereof."

The Registry Return Receipt would disclose that the Court's 04 August 1994 resolution was received by respondent Judge on 12 August 1994. He had, therefore, until 22 August 1994 within which to comply with the Court's directive.

To date, respondent Judge has not submitted his compliance by filing a comment on the administrative complaint against him. Furthermore, a certification, dated 05 October 1994, by Mrs. Araceli C. Bayuga, Cashier V of the Disbursement and Collection Division of the Court, shows that respondent Judge has not paid the fine of P5,000.00 which the Court has earlier imposed.

This contumacious conduct and his disregard of the Court's mandate should merit no further compassion. Respondent's continued refusal to abide by lawful directives issued by this Court can mean no less than his own utter lack of interest to remain with, if not his contempt of, the system to which he has all along pretended to belong.

WHEREFORE, the Court resolves to DISMISS respondent Judge from the service with forfeiture of all benefits and disqualification from reinstatement or appointment to any public office including any government-owned or controlled corporation. This Resolution shall take effect upon respondent Judge's receipt of a copy hereof.

SO ORDERED.

Narvasa, C.J., Padilla, Bidin, Regalado, Davide, Jr., Romero, Bellosillo, Melo, Quiason, Puno, Vitug, Kapunan, and Mendoza, JJ., concur.
Feliciano, J., on leave.

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