

MEDARDO M. PADUA, COMPLAINANT, VS. IRENEO S. PAZ, IN HIS CAPACITY AS SHERIFF IV, BRANCH 31, REGIONAL TRIAL COURT, SAN PEDRO, LAGUNA, RESPONDENT.

A.M. No. P-00-1445 (formerly OCA IPI No. 99-560-P). April 30, 2003

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/2978036b7b95/>

PER CURIAM:

Complainant Medardo M. Padua charges respondent Ireneo S. Paz, Sheriff IV of Branch 31 of the Regional Trial Court, San Pedro, Laguna, with grave misconduct, falsification of public document, perjury, giving false testimony, and abuse of position in connection with Civil Case No. 3225.[1]

On 12 June 1997, a Toyota Tamaraw wagon model 1994 bearing plate number TKU 319 belonging to Medardo M. Padua (“complainant”) figured in a traffic accident with the vehicle of Ireneo S. Paz (“respondent sheriff”), a 1981 Ford Laser bearing plate number DAL 334. Complainant’s 18-year old son Ryan Niño Padua (“Ryan Padua”) was driving complainant’s vehicle at the time of the accident.

Police Officer Victoriano A. Sabuco prepared a Traffic Accident Investigation Report[2] (“police report”) shortly after completing the investigation of the accident. The police report stated that at the time of the accident Ryan Padua possessed a valid driver’s license with license number NO1-95-179337.[3]

Complainant claimed that after the traffic accident, he gave respondent sheriff his calling card. This card supposedly contained the addresses and telephone numbers of both the complainant and his insurer, Covenant Assurance Company (“Covenant”).[4] Since respondent sheriff appeared satisfied with the arrangement, complainant believed the matter was amicably settled. Thus, complainant went his own way and so did respondent sheriff.

However, on 26 November 1998, several armed men, including police officers, claiming to be from the Office of the Provincial Sheriff of Laguna, awakened complainant at 6:00 a.m. in his house. The men announced that they were enforcing a writ of execution issued by the Municipal Trial Court of Biñan, Laguna (“Biñan MTC”). Complainant was able to convince the men from the sheriff’s office to give him some time to clarify the matter, and so the men peacefully left the premises.

Complainant soon discovered the reason for the sheriffs’ surprise visit. He and his lawyer found out that on 30 June 1997 respondent sheriff filed with the Biñan MTC a civil case for damages[5] in connection with the traffic accident. The summons was allegedly sent to complainant’s mother in Novaliches, where complainant previously resided. This, complainant claims, explains why he was not aware of the case filed against him until the sheriffs made their surprise visit. Complainant was declared in default for failing to file an answer within the reglementary period. Subsequently, there was an ex-parte presentation of evidence before a commissioner. Soon after this ex-parte hearing, Estanislao S. Belan of the Biñan MTC rendered a decision on 24 November 1997 in respondent sheriff’s favor. Complainant vigorously opposed the execution of this decision because of the alleged defective summons.

On 18 December 1998, complainant filed this administrative complaint against respondent sheriff for falsification of public document, perjury, giving false testimony and abuse of position.[6] Complainant also asserted that under the current civil service rules, respondent sheriff did not possess the necessary qualifications to hold his present position.[7] Complainant, moreover, stated that he resorted to all the means available to prevent the enforcement of an obviously unjust decision considering the numerous false statements and misrepresentations made by respondent sheriff.[8] He narrated that he felt so aggrieved by the numerous attempts of the sheriffs of the Biñan MTC to enforce the writ of execution despite the fact that he had already gone to the courts to defend himself.[9]

On 25 March 1999, respondent sheriff filed an Answer[10] denying all of complainant's material allegations. Respondent sheriff contended that he only filed the civil case for damages because complainant failed to honor his repeated promises that his insurer would pay for the damage to respondent sheriff's vehicle.

On 7 May 1999, complainant filed his Reply refuting respondent sheriff's allegations in the Answer and reiterating some of the allegations in his Complaint.

The Court, in the Resolution of 9 May 2001, assigned to Executive Judge Norberto Y. Geraldez[11] ("Investigating Judge Geraldez") this administrative complaint for investigation, report and recommendation.

On 6 November 2001, the Court received the report and recommendations of Investigating Judge Geraldez. Some of Judge Geraldez's findings included the following:

- Medardo Padua alleged some irregularities in the service of summons and copy of the complaint. Medardo Padua failed to present any evidence to prove the same. The Traffic Accident Investigation Report (Exhibit B) and Ryan Padua's driver's license (Exhibit K) showed that Ryan Niño Padua's residence was at Novaliches. There was basis to serve the summons at Novaliches. His claim that respondent knew that he now lives in Las Piñas was not supported by evidence.

- Medardo Padua claimed that Ireneo Paz gave a false statement in court. This was when Ireneo Paz testified that he went to Novaliches to talk to him. Medardo Padua claimed this was not true. There was no evidence to prove this.

- Medardo Padua claimed that Ireneo Paz falsified the Traffic Accident Investigation Report (Exhibit B-1). In said Exhibit B-1 Ryan Padua's age was 13. He presented the same as evidence before the MTC.

Medardo Padua presented a copy of the same Traffic Accident Investigation Report (Exhibit B) where the age of Ryan Padua was 18 years old. Respondent did not file any opposition to the said Exhibit B. There was evidence to prove that Ireneo Paz may have committed falsification of the Traffic Accident Investigation Report (Exhibit B-1).

It is interesting to note that Ryan Padua, as per his driver's license (Exhibit K) and Certification from the Land Transportation Office (Exhibit K-1) was born on January 4, 1977. Therefore, Ryan Padua, at the time of the accident on June 12, 1997 was 20 years and 5 months old and not 13 or 18 years old.

- Ireneo Paz in his subscribed complaint for damages alleged that Ryan Padua had no driver's license. Ireneo Paz knew the same was false as, as per Traffic Accident Investigation Report (Exhibit B), Ryan Padua had a driver's license. And, Ireneo Paz was well aware of this. There was evidence to show that Ireneo Paz may have committed perjury.

- Ireneo Paz testified in court that he never filed a claim before the Covenant Insurance Company when there was evidence to prove that he had filed a claim with said insurance company and submitted documents (Exhibit H, H-1 to H-7). Ireneo Paz may have given a false testimony.

Investigating Judge Geraldez stated in his Resolution dated 5 November 2001, that:

As Ireneo Paz committed grave misconduct and conduct prejudicial to the best interest of public service, it is respectfully recommended that said respondent be dismissed from the service with forfeiture of all benefits, and disqualification to hold any public position in any branch or agency of the government including government-owned or controlled corporations.

Upon receipt of Investigating Judge Geraldez's findings and recommendations, the Court referred this administrative case to the Office of the Court Administrator on 10 December 2001 for evaluation, report and recommendation.

After a careful evaluation of the record of this case, the Office of the Court Administrator ("OCA") agreed with the report of Investigating Judge Geraldez. The OCA affirmed in toto his recommendations and found them to be wholly supported by evidence and jurisprudence.

The OCA recommended that respondent sheriff Ireneo S. Paz be dismissed from the service with forfeiture of retirement benefits and with prejudice to re-employment in any branch, instrumentality or agency of the government, including government-owned or controlled corporations. Moreover, the OCA recommended that the case be referred to the Department of Justice for investigation and filing, if warranted, of the appropriate criminal case against complainant or respondent sheriff, or both.[12]

The Court agrees with the findings and conclusions of the OCA.

Complainant first imputes to respondent sheriff the act of falsifying the police report respondent sheriff presented to the court. Respondent sheriff presented to the Biñan MTC a photocopy of the police report,[13] showing that at the time of the traffic accident Ryan Padua was only thirteen years old, well below the statutory minimum age for driving, which is eighteen years. Respondent sheriff's copy of the police report is marked as Exhibit "B-1" and is a certified true copy of the original. However, it was Dahlia E. Borromeo, the Clerk of Court of the Biñan MTC, who certified it.

To refute this piece of evidence submitted by respondent sheriff, complainant presented a different copy of the same police report, duly marked as Exhibit "B." This copy of the police report was certified by Police Officer Victoriano A. Sabuco of the Metro Traffic Force, Southern District Traffic Command, Pasay City. He was also the police officer who prepared the original document. This copy submitted by complainant states that Ryan Padua's age is eighteen years old.

Respondent sheriff never filed any opposition to Exhibit "B." He never contested its authenticity. His silence may be construed as a tacit admission of the authenticity of Exhibit "B," and necessarily also a tacit admission that the police report he presented in court is a falsified copy.

Respondent sheriff stood to benefit from having the police report reflect that Ryan Padua was an underage driver, showing that Ryan Padua was at the time of the accident not qualified to drive a vehicle. As a father to a minor, complainant would also be liable for the negligent acts of his son that cause damage to others.[14] Thus, as found by Investigating Judge Geraldez, there is "evidence to prove that Ireneo Paz may have committed falsification of the Traffic Accident Investigation Report ('Exhibit B-1')," an act constituting grave misconduct.

Another charge imputed against respondent sheriff is the act of having committed perjury. Perjury is the deliberate making of untruthful statements upon any material matter before a competent person authorized to administer an oath in cases in which the law requires such oath.[15]

There are four elements that comprise the crime of perjury, namely: (a) the accused made a statement under oath on a material matter; (b) the statement was made before a competent officer, authorized to receive and administer oaths; (c) the accused made a willful and deliberate assertion of a falsehood in the statement and, (d) the sworn

statement containing the falsity is required by law or made for a legal purpose.

Respondent sheriff in his verified complaint for damages stated that Ryan Padua had no driver's license on 12 June 1997, which was the date of the vehicular accident. Respondent sheriff knew that this statement he made under oath was false. This conclusion is drawn from the fact that in respondent sheriff's own copy of the police report, at the time of the accident, Ryan Padua possessed license number NO1-95-179337. This information contained in respondent sheriff's copy of the police report completely contradicts the statement respondent sheriff made in his very own complaint. Respondent sheriff cannot merely feign ignorance of this detail which is material to his complaint for damages. Based on the evidence, all the requisite elements of the act of perjury exist. Clearly, respondent sheriff committed perjury in filing his verified complaint for damages, an act constituting grave misconduct.

Another accusation complainant makes against respondent sheriff is the act of giving false testimony. Complainant cites respondent sheriff's testimony in court that he never filed a claim with complainant's insurer, Covenant. Complainant, however, points out that respondent sheriff did file a claim with Covenant to collect on complainant's admitted liability for his son's part in the vehicular accident.

On 21 August 1997, in an ex-parte hearing conducted before the Clerk of Court of the Biñan MTC, respondent sheriff stated under oath that he approached complainant to plead with him to pay the damages respondent sheriff incurred from the accident. However, complainant allegedly refused to pay the damages and instead claimed that his insurance company would pay the damages. When asked if respondent sheriff contacted this insurance company, respondent sheriff claimed he did not because complainant did not even mention to him the insurance company that insured complainant's car.[16]

However, ample evidence exists on record to prove that respondent sheriff indeed had filed a claim with Covenant, contrary to the statement he made under oath. Respondent sheriff submitted several documents to the insurance company, namely: (1) a Certificate of Registration;[17] (2) an official receipt from the Land Transportation Office evidencing payment of such registration;[18] (3) a driver's license;[19] (4) a receipt[20] from Imperial Insurance, Inc., evidencing payment of premium, which receipt is duly marked as received by Covenant; (5) a Private Car Policy[21] issued by Imperial Insurance, Inc. in favor of one Ireneo Paz, also marked as received by Covenant; and (6) a detailed estimate[22] issued by Cosmetic Car Care enumerating the various repairs needed on respondent sheriffs vehicle.

All these are some of the requirements necessary prior to the filing of an insurance claim with Covenant. Respondent sheriff did contact Covenant and even filed a claim with Covenant for payment of the damage to his car, despite his sworn testimony to the contrary. Clearly, respondent sheriff gave false testimony in the ex-parte hearing, an act also constituting grave misconduct.

Court personnel charged with the dispensation of justice, from the presiding judge to the lowliest clerk, bear a heavy responsibility in insuring that their conduct is always beyond reproach.[23] The preservation of the integrity of the judicial process is of paramount importance. All those occupying offices in the judiciary should at all times be aware that they are accountable to the people. They must serve with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice and lead modest lives.[24]

Indeed, all those involved in the administration of justice must at all times conduct themselves with the highest degree of propriety and decorum and take utmost care in avoiding incidents that degrade the judiciary and diminish the respect and regard for the courts.[25]

In grave misconduct, there must be substantial evidence showing that the acts complained of are corrupt or

inspired by an intention to violate the law, or constitute flagrant disregard of well-known legal rules.[26] Respondent sheriff's introduction in evidence of the falsified police report, committing perjury and giving false testimony, are plainly corrupt acts and show an intent to disregard flagrantly the law. They constitute grave misconduct that corrodes respect for the courts. Incidentally, respondent sheriff's acts of perjury and of giving false testimony, which show a predisposition to lie, defraud and deceive, also constitute dishonesty.[27]

The penalty for grave misconduct is dismissal from the service,[28] with forfeiture of all benefits and with prejudice to re-employment in any branch or agency of the government, including government-owned or controlled corporations.[29] In *Remolona v. Civil Service Commission*,[30] the Court En Banc ruled that, to warrant dismissal, grave misconduct or dishonesty need not be committed in the course of performance of duty by the person charged. The Court explained the rationale for this rule, as follows:

The rationale for the rule is that if a government officer or employee is dishonest or is guilty of oppression or grave misconduct, even if said defects of character are not connected with his office, they affect his right to continue in office. The Government cannot tolerate in its service a dishonest official, even if he performs his duties correctly and well, because by reason of his government position, he is given more and ample opportunity to commit acts of dishonesty against his fellow men, even against offices and entities of the government other than the office where he is employed; and by reason of his office, he enjoys and possesses a certain influence and power which renders the victims of his grave misconduct, oppression and dishonesty less disposed and prepared to resist and to counteract his evil acts and actuations. The private life of an employee cannot be segregated from his public life. Dishonesty inevitably reflects on the fitness of the officer or employee to continue in office and the discipline and morale of the service.

Public confidence in our courts is vital to the effective functioning of the judiciary. Court personnel who commit misconduct or dishonesty diminish the faith of the people in the judiciary's ability to dispense justice.

Respondent sheriff failed to live up to the high ethical standards demanded by the office he occupies. By committing the questioned acts, respondent sheriff undermined the integrity of the service and jeopardized the public's faith in the impartiality of the courts. Respondent sheriff, who is an important court personnel because he enforces judicial orders, debased the judicial process by introducing in evidence a falsified document, committing perjury and giving false testimony in an effort to obtain unfairly a favorable judgment for himself.

WHEREFORE, the Court finds respondent Sheriff IV Ireneo S. Paz of the Regional Trial Court, Branch 31, San Pedro, Laguna, guilty of GRAVE MISCONDUCT. The Court imposes on him the penalty of DISMISSAL from the service with forfeiture of all benefits, excluding accrued leave credits, with prejudice to re-employment in any branch or agency of the government, including government-owned or controlled corporations.

Let a copy of this decision be attached to the personnel records of Ireneo S. Paz.

SO ORDERED.

Davide, Jr., C.J., Bellosillo, Puno, Vitug, Panganiban, Quisumbing, Ynares-Santiago, Sandoval-Gutierrez, Carpio, Austria-Martinez, Corona, Carpio Morales, Callejo, Sr., and Azcuna, JJ., concur.

[1] *Ireneo S. Paz v. Medardo M. Padua*, filed with the Municipal Trial Court of Biñan, Laguna

[2] *Rollo*, Annex "A," p. 6.

[3] *Ibid*.

[4] *Rollo*, p. 1.

- [5] Civil Case No. 3225 for Damages entitled “Ireneo S. Paz v. Medardo M. Padua.”
- [6] Rollo, p. 1.
- [7] Ibid.
- [8] Ibid., p. 4.
- [9] Ibid.
- [10] Ibid., p. 36.
- [11] Branch 36, Regional Trial Court of Calamba, Laguna.
- [12] Memorandum from the Office of the Court Administrator, 22 April 2002, p. 7.
- [13] Exhibit “B-1,” Rollo, p. 73.
- [14] Article 2180 of the Civil Code, cited in the Decision of 24 November 1997 penned by Judge Estanislao S. Belan of Biñan MTC, Rollo, p. 30.
- [15] Burgos v. Aquino, 319 Phil. 622 (1995).
- [16] This particular statement is marked Exhibit “G,” Rollo, pp. 18-19.
- [17] Exhibit “H-1,” Rollo, p. 24.
- [18] Exhibit “H-2,” Ibid., p. 25.
- [19] Exhibit “H-3,” Ibid., p. 26.
- [20] Exhibit “H-4,” Ibid., p. 27.
- [21] Exhibit “H-5,” Ibid., p. 28.
- [22] Exhibits “H-6” to “H-7,” Ibid., pp. 33-34.
- [23] Montemayor v. Collado, 194 Phil. 246 (1981); Garcia v. Eullaran, A.M. No. P-89-327, 19 April 1991, 196 SCRA 1.
- [24] Lim-Arce v. Arce, A.M. No. P-89-312, 9 January 1992, 205 SCRA 21.
- [25] Security Division, Supreme Court v. Umpa, 326 Phil 698 (1996).
- [26] Amosco v. Magro, A.M. No. 439-MJ, 30 September 1976, 73 SCRA 107.
- [27] Tuazon v. Godoy, G.R. No. 146927, 10 December 2002; PAGCOR v. Rilloroza, G.R. No. 141141, 25 June 2001, 359 SCRA 525.
- [28] Section 52, Rule V, on Penalties of Civil Service Commission Memorandum Circular No. 19-99 dated 14 September 1999 provides as follows: “Classification of Offenses. - Administrative offenses with corresponding penalties are classified into grave, less grave or light, depending on their gravity or depravity and effects on the government service.
- The following are grave offenses with their corresponding penalties:
- Dishonesty
- 1st offense - Dismissal

- Gross Neglect of Duty

1st offense - Dismissal

- Grave Misconduct

1st offense - Dismissal

- Being Notoriously Undesirable

xxx.”

See also Supreme Court Memorandum Circular No. 30 dated 30 July 1989; Civil Service Commission Resolution No. 89-506 dated 20 July 1989.

[29] Ibay v. Virginia G. Lim, AM. No. 99-1309, 11 September 2000, 340 SCRA 107.

[30] G.R. No. 137473, 2 August 2001, 362 SCRA 304.; Nera v. Garcia, 106 Phil. 1031 (1960).

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.