

RE: AMADO T. RESMA, SIMEON L. SUMBILLA JR., LEO L. SABISAJE, GODOFREDO M. BARAWID, EMMANUEL B. LULUQUISIN, RAMON H. MANGUNDAYAO, TOMAS B. YUMOL JR., LEONARDO DE JESUS, LAUREANO ...

Adm. Mat. No. P-2387. May 13, 1981

Ponente: MAKASIAR, J.

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MAKASIAR, J.:

This administrative case was formally commenced when the Court Administrator, on instructions of the Honorable Chief Justice, directed Executive Judge Antonio P. Paredes of the City Court of Manila in a letter dated May 15, 1980 "to investigate and report the facts and circumstances as published in the 'People's Journal' issue of Thursday, May 15, 1980, to the effect that police authorities caught six (6) employees of the City Court of Manila gambling in the sala of Judge Rosario Veloso located in the second floor of the City Court Building" (p. 8, rec).

Per his undated memorandum-report to the Court Administrator, Judge Paredes stated that on receipt of the photographs taken at the scene of the raid by press and police photographers and the police report, he issued a memorandum on May 23, 1980 requiring those employees who were arrested by the police officers and subsequently charged before the City Fiscal's Office, those who were present in the courtroom of Branch III during the two occasions when he, disguised and unnoticed by respondents, inspected the said sala, and its branch clerk of court to explain within seventy-two (72) hours why no disciplinary action should be taken against them for grave misconduct (pp. 4, 24, 25 & 26, rec).

The antecedent facts as found by the Court Administrator in his memorandum to the Honorable Chief Justice dated October 14, 1980 are quoted hereunder:

"Judge Paredes in his report related that a week after April 28, 1980 when Judge Rosario Veloso went on leave of absence, he received a phone call from an anonymous woman who claimed that the courtroom of Branch III of the City Court had been converted by some city court employees into a gambling casino; that Branch Clerk of Court Tomas Yumol, Jr. and Deputy Clerk of Court Leonardo de Jesus were acting as maintainer; that they serve White Castle Whiskey and cigarettes during the gambling sessions; that the city court employees were encouraged to gamble for money because the place being a court building, would expectedly not be raided by the police; and that gambling sessions starts at about 2:30 in the afternoon and ends at about 8:30 in the evening.

"Whereupon, on May 8 or 9, 1980, at about 6:30 in the afternoon, Judge Paredes himself went to the courtroom of Branch III incognito with his pants rolled up and wearing rubber shoes, a hat, sunglasses and a polo shirt to avoid being recognized by the employees gambling inside. Through the transparent glass door, he observed Atty. Laureano Javier, Leonardo de Jesus, Epipodo Tamayo, Manuel Guevarra, Benito Santos, Rolando Villanueva, Amado Resma, Leo Sabisaje, Godofredo Barawid, Ramon Mangundayao, Emmanuel Luluquisin and Servando Lontong while they were drinking liquor, smoking and playing cards with cash money on the gambling table.

"On May 13, 1980, Judge Paredes again received a phone call, from someone who said she is the wife of one of the employees who would be gambling on the following day, May 14, 1980, a pay day. She pleaded that she would be deprived of her husband's salary unless the gambling was stopped. The judge, thereafter phoned Police Brigadier General Pedro dela Paz, INP Superintendent, Western Police District, to request for police action.

"At about 5:30 in the afternoon of May 14, 1980, Police Colonel Narciso M. Cabrera, Police Lieutenant Ricardo Reyes and Police Cpl. Alejandro Musngi on instruction of General dela Paz came to the office of Judge Paredes for a conference. Having agreed to be back at 6:30 in the evening, they left. In the meantime, Judge Paredes once more incognito went to the courtroom of Branch III. From the outside, through the transparent glass opening of the door, he saw Leonardo de Jesus, Laureano Javier, Epipodo Tamayo, Manuel Guevarra, Rolando Villanueva, Simeon Sumbilla Jr., Amado Resma, Leo Sabisaje, Godofredo Barawid, Emmanuel Luluquisin and Ramon Mangundayao gathered around the lawyer's table and drinking White Castle Whiskey.

"The police officers with some members of the media and photographers returned at about 7:00 in the evening. They all proceeded to the courtroom of Branch III, made a surprise entrance and arrested the following employees who were found playing for money the prohibited game of Lucky Nine:

"1. Amado Resma y Trinidad (dealer of Lucky Nine)

"2. Leo Sabisaje y Lumasag (bettor)

"3. Ramon Mangundayao y Hernandez (bettor)

"4. Godofredo Barawid y Mateo (bettor)

"5. Emmanuel Luluquisin y Bolisay (bettor)

"6. Simeon Sumbilla y Luminaria (bettor)

"They confiscated two (2) decks of American Playing Cards, cash money of P250.00 in various denominations, several White Castle Whiskey Bottles and an empty milk can 'presumably used for tong' " (pp. 162-163, rec).

About 8:10 P.M., the alleged gamblers were brought to Precinct 5 for further investigation and thereafter, for the filing of charges before the fiscal's office for violation of P.D. No. 1602 or the Gambling Law (p. 4, rec).

On May 29, 1980, respondents Yumol and de Jesus, in answer to Judge Paredes' memorandum, alleged that they never, at any time, allowed, permitted or tolerated employees of their court or any person to drink or gamble inside the courtroom of Branch III or even during the period alleged in the aforesaid memorandum; and that if the alleged drinking or gambling had been brought to their attention, they would have stopped the same right away (p. 28, rec).

In their letter-explanation, also of same date, respondents Resma, Barawid, Sabisaje, Mangundayao, Luluquisin and Sumbilla denied the alleged acts of gambling (playing Lucky 9) and drinking hard liquor, the alleged conversion of the courtroom into a gambling casino and further, they alleged that no gambling or drinking sessions were ever held in said courtroom from April 28, 1980 to May 14, 1980 (p. 30, rec).

In his separate letter-explanation bearing the same date, respondent De Jesus simply stated that there must have been a mistake in his identity (p. 29, rec).

Respondent Villanueva, in his answer dated May 30, 1980, stated that presumably there must have been a mistake in their identities and alleged that he never had been at the premises of Branch III on May 14, 1980 (p. 31, rec).

In his letter-explanation of May 29, 1980 respondent Guevarra alleged that on May 14, 1980 he went home

between 6:30 and 7:00 P.M. after they had finished practising "dama" in Branch III, the facilities of which they used after office hours (p. 32, rec).

Respondents Tamayo and Javier alleged in their answer also dated May 29, 1980 that they were not present during the raid, otherwise they would have been apprehended, and they were not aware of any and knew nothing of the gambling casino and drinking at the city court (p. 33, rec).

On the basis of police reports submitted to him on May 16, 1980 and the aforesaid letter-explanations, Judge Paredes submitted a memorandum-report to the Court Administrator on June 4, 1980. He recommended the dismissal from the service of respondents Sumbilla, Resma, Sabisaje, Barawid, Luluquisin and Mangundayao; six months' suspension of respondents Yumol and de Jesus and fifteen days' suspension from office of respondents Javier, Guevarra, Tamayo and Villanueva (pp. 1-6, rec).

In a resolution of this Court en bane dated June 26, 1980, these penalties were thus imposed on the following city court employees:

"(a) Simeon Sumbilla Jr., Amado Resma, Leo Sabisaje, Godofredo Barawid, Emmanuel Luluquisin and Ramon Mangundayao— Dismissal from the service for playing for money the prohibited game of Lucky Nine inside the courtroom of Branch III of the City Court of Manila while the Presiding Judge thereof was abroad, for the illegal use of the airconditioner, tables, chairs and other facilities of the Court in the commission of the offense;

"(b) Atty. Tomas Yumol Jr. and Leonardo de Jesus—Six Months Suspension from the service Without Pay, considering that a.s Branch Clerk of Court and Deputy Clerk of Court, respectively, of the same court, Branch III they allowed and/or tolerated the city employees to drink liquor and gamble inside the courtroom; and

"(c) Atty. Laureano Javier, Manuel Guevarra, Epipodo Tamayo and Rolando Villarrueva—Fifteen Days Suspension from the service without pay for habitually frequenting the courtroom of Branch III of the City Court of Manila while the prohibited game of 'Lucky Nine' was being played for money" (p. 36, rec).

In their letter dated July 22, 1980, respondents requested for reconsideration of the aforesaid resolution on the grounds that their guilt had not been sufficiently proven, the penalties imposed are harsh and not commensurate to the offense, if any and that they were not given their day in court. Respondents thus prayed that the said resolution be set aside and they be absolved from liability. In the alternative, they prayed that only those found inside the courtroom on May 14, 1980 after office hours when the police raided the place be adjudged guilty of the minor offense of using the said courtroom and its facilities without authority and that they be reprimanded for the same. As another alternative, respondents prayed that they be given the right to a formal hearing so that they may have their day in court (pp. 44-47, rec.).

On August 6, 1980, this Court, acting on the aforesaid letter for reconsideration, directed the Court Administrator to conduct a formal investigation of the charge of serious misconduct against respondents and thereafter to submit his report and recommendation (p. 64, rec).

Court Administrator Lorenzo Relova presided over formal hearings of this case on August 14, 15, 21, 28 and 29, and September 4 and 5, 1980.

For the complainant, witnesses Executive Judge Paredes, Lt. Reyes and Cpl. Musngi were merely subjected to cross-examination since their reports were admitted as direct testimony.

The defense presented respondents Yumol, De Jesus, Sumbilla, Resma, Mangundayao, Sabisaje, Barawid and Luluquisin to prove its case.

On cross-examination based on his report, Judge Paredes identified all twelve respondents whom he saw on May 8 or 9 either smoking, drinking or playing cards (pp. 9-13, t.s.n., Aug. 14, 1980). Complainant's main witness confirmed that he did not call the attention of respondent Yumol because he wanted further verification or evidence (pp. 14 & 15, t.s.n., Aug. 14, 1980); that he did not see Yumol on May 8 or 9 (p. 16, t.s.n.); that he saw De Jesus inside the session hall on May 8 and 9 milling around the table (p. 16, t.s.n.); that he saw respondents through the transparent glass door (p. 18, t.s.n.); that he did not see respondent Yumol in the courtroom on May 14 (p. 20, t.s.n.); that he did not see anyone playing "dama" nor did he see any "dama" board and no "dama" board or pieces were confiscated by the police during the raid (p. 25, t.s.n.); that he saw the police officers pick up the cards and money from the table when he was entering the courtroom and even saw such money being counted (p. 26, t.s.n.); that immediately after the raid on May 14, respondent Resma approached him asking for help but he replied that it was a police case already (p. 29, t.s.n.); that on May 14, he saw respondents holding cards and there was money on the table (p. 31, t.s.n.); reiterated that there was no "dama" playing on the 14th of May, but there were cards and money (p. 1, t.s.n.); that the air conditioner was on during the gambling sessions (pp. 4 & 5, t.s.n.); that he smelled one bottle and confirmed its scent of liquor (p. 6, t.s.n.); that when he asked them why they were drinking inside the courtroom, respondents Resma and Sabisaje just stared at him and did not answer (p. 7, t.s.n.); that when he asked them why they were gambling, respondents Luluquisin and Mangundayao just looked at him and did not answer (pp. 7 & 8, t.s.n.); that when the news item of the raid came out on May 15, he was summoned to the Supreme Court and instructed by the Chief Justice to investigate and report on the matter (p. 8, t.s.n.).

Complainant's second witness, Police Lt. Ricardo Reyes, when cross-examined on the basis of his report, testified that during the raid, when they proceeded towards the door, the respondents got alarmed and some of them stood up and then disappeared from the table (p. 17, t.s.n., Aug. 15, 1980); that some were scampering looking for an exit; that respondent Resma was trying to open the door leading to the chamber of Judge Veloso (p. 19, t.s.n.); that Resma was seated at the table holding American cards (p. 20, t.s.n.); that Resma was scooping up the money from the table (p. 21, t.s.n.); that the raiding party saw respondents betting with money in front of the table and money and cards were on the table (p. 24, t.s.n.); that he [witness Lt. Reyes] did not see any "dama" paraphernalia either on the small table or on the lawyer's table (p. 31, t.s.n.); that he got hold of Resma's arm because he was running towards a door leading to another room and had to stop him from opening the said door (p. 35, t.s.n.); that they saw Resma pocketing the money while simultaneously standing up from his position (p. 37, t.s.n.); that when informed that they were being arrested for engaging in the prohibited game of "Lucky Nine", all respondents did not comment (p. 46, t.s.n.); that respondents were not playing "dama"; that no one volunteered any information or explanation before their arrest; and that not one protested their arrest (p. 51, t.s.n.).

Cpl. Alejandro Musngi, complainant's third witness, testified that on the way along the corridor on the left side, they passed by a window and noted that there were a group of people milled around a small table who appeared to be gambling by their appearance, with one of them seated with a deck of cards, some milling around him with money in front of them and others holding a couple of cards (p. 8, t.s.n., Aug. 8, 1980); that the person holding the deck of cards was Amado Resma (p. 8, t.s.n.); that when they proceeded to the main door of the sala, the group got alarmed and instinctively stood up and dispersed (p. 11, t.s.n.); that after getting hold of Resma and some of the alleged gamblers, they looked for more evidence and found two (2) decks of American playing cards in the premises, one containing the characters which are intact inside the package, and the other without the Jack, Queen and King characters (p. 13, t.s.n.); that respondent Resma was sitting when they looked thru the window, but he was already standing when they entered the room (p. 34, t.s.n.); and that he did not see respondent Yumol in the courtroom during the May 14 raid and the latter was not one of those they apprehended (p. 46, t.s.n.).

On direct examination, respondent Yumol testified that on May 1980 he was on half-day duty, rendering service up to 12:00 noon (pp. 5-7, t.s.n. Aug. 28, 1980); that on May 8th and 9th, he worked the whole day, from 8:00

A.M. to 4:30 or 5:00 P.M. (p. 9, t.s.n.); that he did not lock the session hall during the time that Judge Veloso was on leave because there were many people looking for records and most of these records are in the sala (p. t.s.n.); and that he entrusted the closing of the session hall to employees who would still be working at the time he would leave (p. 17, t.s.n.); that the original curtain over the window was replaced after Judge Veloso returned from her vacation (p. 22, t.s.n.); and that he allowed people to play "dama" at the sala after 4:30 but he saw to it he was present (p*. 24, t.s.n.); and that in his absence, he never allowed them to play the said game.

The other respondents gave substantially the following testimony:

Leonardo de Jesus [Deputy Clerk of Court, Branch III] stated that he was not present during the raid on May 14, 1980 (p. 8, t.s.n. Aug. 19, 1980); that on said date, he left the court at 6:45 P.M. (pp. 8 & 9, t.s.n.); that on same date, he played "dama" at the personnel office and not in the session hall (p. 13, t.s.n.); and that he was not sure if the session hall of Branch III was open or close (p. 14, t.s.n.).

Simeon Sumbilla Jr. [Special Deputy Clerk of Court, Records Section] declared that upon their entry, the photographers immediately took pictures (pp. 23 & 24, t.s.n., Aug. 29, 1980); and that they played "dama" (p. 32, t.s.n.).

Amado Resma [Clerk II, City Court] testified that they had just finished playing "dama" when the police came (p. 37, t.s.n., Aug. 29, 1980); that he never thought of bringing the "dama" paraphernalia (p. 38, t.s.n.); that one set of cards was on the table and the other set was taken from the pocket of Mangundayao (p. 40, i.s.n.); and that the money was forcibly taken from his pocket (p. 42, t.s.n.).

Ramon Mangundayao [Laborer in the Office of the Clerk of Court] stated that he used the deck of cards taken from his hip pocket for playing solitaire (p. 50, t.s.n., Aug. 29, 1980); that he was looking for his lunch box when the police came (p. 50, t.s.n.); and that when he arrived at the session hall, the other six (6) respondents were all standing for 15 minutes and not doing anything else (p. 52, t.s.n.).

Leo Sabisaje [Bailiff of Branch IX] testified that they had already finished playing "dama" when the police came (p. 6, t.s.n., Sept. 4, 1980); that nobody produced or brought the "dama" paraphernalia to police headquarters (p. 7, t.s.n.); and that he was on half-day duty on May 14 but came back in the afternoon to practice "dama" (p. 8, t.s.n.).

Godofredo Barawid [Stitcher of Branch I] declared that respondent Resma and he were the last players of "dama" (p. 15, t.s.n., Sept. 4, 1980); and that no "dama" board or paraphernalia was presented to the police (p. 19, t.s.n.).

Emmanuel Luluquisin [Laborer of Branch IX] alleged that he watched the "dama" game while waiting for respondent Sumbilla (pp. 23 & 24, t.s.n. Sept. 4, 1980); and that respondent Sumbilla was typing when the police entered (p. 25, t.s.n.).

Manuel Guevarra [Bailiff of Branch VIII] testified that he was coaching "dama" in Branch III on May 8 or 9 (p. 31, t.s.n. Sept. 4, 1980); that he was not in the courtroom when the raiding party entered the said courtroom; and that he met Cpl. Musngi downstairs on his way home (p. 34, t.s.n.).

Rolando Villanueva, a laborer of Branch XIII who was not among those apprehended on May 14, was merely charged with frequenting the sala of Branch III which was usually used for gambling (p. 39, t.s.n., Sept. 4, 1980).

Epipodo Tamayo [Laborer in the Office of the Clerk of Court] stated that he was never in Branch III on the questioned dates (pp. 42 & 43, t.s.n., Sept. 4, 1980).

The main thrust of the testimony of respondents who were arrested on May 14, 1980 was that they neither gambled nor drank on May 8 or 9, 1980; that they were neither gambling nor drinking when the police entered the

courtroom of Branch III on May 14 but were playing "dama".

The prosecution witnesses positively identified all the respondents whom they saw either gambling or drinking on aforecited dates. They unanimously confirmed that they did not see anyone playing "dama" nor did they see any "dama" paraphernalia during the surprise raid; they saw cards and money on the table. As against respondents' denial and excuse, certain significant and derogatory situations or circumstances definitely show their guilt. WE should thus take note of the following:

Principal witness Judge Paredes saw the police officers pick up the cards and money from the table when he was entering the courtroom and even saw such money being counted. Immediately after the raid on May 14 while still in the courtroom, respondent Resma approached the witness-judge asking for help but the latter replied that it was a police case already. Realizing then that he was in trouble, to save his neck, he impulsively asked for help from the judge. Again, when Judge Paredes asked respondents why they were drinking and gambling inside the courtroom, respondents Resma, Sabisaje, Luluquisin and Mangundayao just looked at him without saying anything. This indicates a normal reaction of people who are caught in the act of committing a violation of the law or infraction of the civil service rules. Similarly, when respondents were informed by witness Lt. Reyes that they were being arrested for engaging in the prohibited game of "Lucky Nine," all of them did not comment.

Witness Cpl. Musngi identified respondent Resma as the card dealer. Said respondent impulsively ran towards a door looking for an exit when the raiding party entered the courtroom.

Respondent Sumbilla revealed that upon the entry of the raiding party, the photographers immediately took pictures. The photos submitted as evidence would indeed not lie.

Respondent Yumol allowed people to play "dama" at the courtroom after 4:30 P.M. and only when he was present. In the afternoon of May 14, 1980, he was not around since he was on half-day duty. How could there have been "dama" playing as respondents claim?

Respondent Resma never thought of bringing the "dama" paraphernalia. Respondents Sabisaje and Barawid likewise admitted that nobody produced or brought such paraphernalia to the police headquarters.

Respondent De Jesus claimed that the "dama" paraphernalia was kept in a safe place before they would leave the courtroom. If this were true, then nothing could have prevented them from producing the same and bringing the said paraphernalia to the police station. It thus becomes very obvious that the "dama" game was a last-minute lame excuse. The reason was plain and simple. There were no "dama" pieces and board to produce or bring.

Respondent Mangundayao offered the flimsy excuse that he used the deck of cards taken from his hip pocket for playing solitaire during breaktime. It is very unnatural and unrealistic for a person to be carrying in his pocket for hours the bulky playing cards. When he allegedly arrived at the session hall of Branch III to retrieve his lunch box, he found the other six (6) respondents all standing for 15 minutes and not doing anything else. Why would said respondents waste 15 minutes standing in an empty courtroom at almost 7 o'clock in the evening when they were supposed to have gone home at 5:00 P.M.?

Respondent Luluquisin, however, alleged that Sumbilla was typing when the police entered the room.

Respondents could not seem to agree on what they were allegedly doing when the police entered the room. It is more difficult for respondents to give the same story when the truth is suppressed.

The aforestated circumstances explain the reason why respondents Resma, Barawid, Sabisaje, Mangundayao, Luluquisin and Sumbilla in their letter-explanation dated May 28, 1980, never invoked that they were playing "dama" on May 14, 1980. They merely gave a general denial that there were no gambling and drinking sessions in

Branch III.

From May 23, 1980 when Judge Paredes issued ilic memorandum directing them to explain why they should not be disciplinarily dealt with up to May 29, 1980 or the day they answered, respondents had six (6) days to mull over and prepare their written explanation. And yet not one of the six (6) respondents put up the defense of "dama" playing. It was only respondent Guevarra who alleged in his answer for the first time that they practiced "dama" on the questioned date. Then all of a sudden, respondents came up with the alibi of "dama" game and kept capitalizing on such excuse during the formal hearings in this case.

While respondents Yumol and De Jesus alleged in their letter of May 29, 1980 that they never allowed or tolerated any drinking or gambling inside the courtroom of Branch III and while they further alleged that if the said drinking or gambling were brought to their attention, they would have stopped the same right away, still they did not categorically state therein that no gambling or drinking ever took place inside the courtroom. Both respondents understandably had to deny knowledge of the same to escape responsibility.

Judge Paredes affirmed that on May 8 and 9, he saw Yumol and De Jesus milling around the gambling table. But even if respondents Yumol and De Jesus were not present in the courtroom after 5 o'clock in the afternoon on May 8, 9 and 14, 1980, respectively, and even assuming that aforementioned respondents did not allow nor tolerate the drinking and gambling in the courtroom after office hours, they are still liable for neglect of duty for their failure as supervisors to maintain maximum security of the courtroom where records are kept and its other facilities and government properties thereon.

Respondent Yumol admitted that the air condition plug was pulled off but still the session hall had adequate ventilation by the use of the ceiling fan and open windows. Hence, employees and other people could still make use of the said hall comfortably. Also, he admitted that the courtroom was not locked during the questioned times and even on previous days because many people would like to look for records of cases most of which are in the said room. This practice or system is very defective, risky and even unimaginable for a branch clerk of court to allow. Considering the highly sensitive and confidential nature of his position (unless he did not so realize), he did not exercise the necessary prudence to secure the court records and other government properties from loss or tampering. Respondent further stated that he gave the instruction to lock the courtroom to all employees who would be left working after office hours; but he never assigned the locking of the courtroom to any particular employee to insure the security of the courtroom. This practice is again a sign of negligence since no particular or definite employee could ever be held responsible for any violation or for lack of security. Respondent should, but did not, observe the caution and sense of responsibility required of his position. Respondent De Jesus admitted that he was not sure if the session hall was closed or open. This clearly meant that he did not check the security of the courtroom and its facilities; he was completely remiss in the performance of his duty to protect the security of the court premises, the records of cases and the other government properties therein.

Gambling is illegal and generates unwholesome consequences on the gambler and his family. Gambling diverts valuable time from the employee's more important responsibilities such as raising his family and performing his job. Money is of course essentially involved and oftentimes, the gambler is in debt.

Gambling may consequently introduce factors which can erode the structure of the family and society. When the employee's salary is dissipated or lost in gambling, it is a source of family squabbles and consequent disunity. Precisely, that telephone complaint of a worried wife of one of the respondents precipitated the investigation. His family and work are neglected. A gambler is often in debt and malverses money or property or indulges in illicit and extra-marital affairs, and may acquire unwholesome or anti-social habits.

The authorities on criminology thus confirm:

"The psychoanalyst Edmund Bergler, who has written extensively on the psychology of gambling, argues that some gamblers are neurotics driven by latent rebellion 'against logic, cleverness, moderation, morals and renunciation and by a deep unconscious feeling of guilt.' In such cases, according to this analysis, the gambler 'really' wants to lose, and keeps going until he loses in order to obtain the requisite self-punishment" (DETERRENCE, *The Legal Threat in Crime Control*, Zimring and Hawkins, 1973, p. 105; italics supplied).

"The use of sharp practice and cheating has aroused suspicion of gamblers and their trade. In a Puritanical culture, also, gambling is obnoxious as a form of mere pleasure-seeking, and legal penalties are looked upon as the appropriate means to prevent it. Moreover, apart from the serious crime of racketeering, gambling is often found to have been an important element in the development of a criminal career" (*Criminology*, Taft and England, 4th Ed., 1964, p. 195; italics supplied).

In the case of *People vs. De Gorostiza and Ticzon* (77 Phil. 88), We ruled that the social scourge of gambling must be stamped out. The laws against gambling must be enforced to the limit.

Again, in the case of *People vs. Dionisio* (L-25513, 22 SCRA 1299), We pronounced that:

"The hope of large or easy gain, obtained without special effort, turns the head of the workman, and habitual gambling is a cause of laziness and ruin" (Planiol, *Droit Civil*, Vol. 2, No. 2110).

Co-respondents Laureano Javier, Rolando Villanueva, Epipodo Tamayo and Manuel Guevarra accepted the penalty of 15-day suspension imposed by resolution of June 25, 1980 for habitually frequenting the courtroom of Branch III of the City Court of Manila while gambling was going on, which fact was established by the testimony of City Court Executive Judge Antonio P. Paredes. Said respondents returned to duty after they served their 15-day suspension.

WHEREFORE, RESPONDENTS AMADO RESMA, SIMEON SUMBILLA JR., LEO SABISAJE, GODOFREDO BARAWID, EMMANUEL LULUQUISIN, AND RAMON MANGUNDAYAO ARE HEREBY FOUND GUILTY OF SERIOUS MISCONDUCT AND ARE HEREBY DISMISSED FROM THE SERVICE WITH LOSS OF RETIREMENT PRIVILEGES AND WITH PREJUDICE TO REINSTATEMENT OR RE-EMPLOYMENT IN ANY BRANCH, AGENCY OR POLITICAL SUBDIVISION OF THE GOVERNMENT INCLUDING GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS.

RESPONDENTS TOMAS YUMOL JR. AND LEONARDO DE JESUS ARE HEREBY FOUND GUILTY OF NEGLECT OF DUTY AND THEIR SUSPENSION FOR SIX (6) MONTHS PURSUANT TO RESOLUTION OF JUNE 26, 1980, IS HEREBY CONFIRMED. HOWEVER, BY REASON OF THEIR HAVING SERVED THE SAID SIX-MONTH SUSPENSION, THE RESOLUTION DATED MARCH 12, 1981 LIFTING THEIR SUSPENSION AND AUTHORIZING THEM TO REPORT FOR DUTY IS HEREBY LIKEWISE CONFIRMED.

THE FIFTEEN-DAY SUSPENSION IMPOSED BY THE RESOLUTION OF JUNE 26, 1980 ON RESPONDENTS LAUREANO JAVIER, ROLANDO VILLANUEVA, EPIPODO TAMAYO AND MANUEL GUEVARRA IS HEREBY CONFIRMED.

SO ORDERED.

Fernando, C.J., Teehankee, Barredo, Aquino, Fernandez, Guerrero, De Castro and Melencio-Herrera, JJ., concur.

Concepcion Jr. and Abad Santos, JJ., took no part.

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