

ESTER PANGAN BARCINAS, PETITIONER, VS. OFFICE OF THE DEPUTY OMBUDSMAN FOR LUZON AND ONOFRE F. ALAJOR, JR., RESPONDENTS.

Ponente: PERALTA, JR., E. B., J.

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PERALTA, JR., E. B., J.:

Within the 5-page Motion for Reconsideration[1] from petitioner was an attempt to capitalize on Dagan vs. Office of the Ombudsman, et al.,[2] to drive home the point that We erred when We opted to dismiss petitioner's remedy under Rule 65 from the adverse disposition of public respondent.[3]

Yet, unlike Dagan, which tackled the dismissal of Dagan's appeal arising from administrative charges,[4] the situation presented by herein petitioner before Us involved a Joint Resolution from the Ombudsman concerning both criminal and administrative charges against herein private respondent.[5] Necessarily, for an imprecise analogy of the entire picture, so to speak, petitioner's Motion for Reconsideration must fail.

Accordingly, petitioner's Motion for Reconsideration is hereby DENIED for lack of merit.

SO ORDERED.

De Leon, M. M., Chairperson, and Cruz, S. C., JJ., concur.

[1] Dated July 1, 2014, Rollo, pp. 317A-323.

[2] G.R. No. 184083, November 19, 2013, Justice Perez.

[3] Resolution on June 4, 2014, Rollo, pp. 312-314.

[4] 1[st] paragraph, Decision, in Dagan – “Assailed in this petition are the twin Resolutions of the Court of Appeals dated 28 April 2008 1 and 6 August 2008, 2 respectively in CA-G.R. SP No. 103150, dismissing petitioner William C. Dagan's appeal from the Decision and Order of the Office of the Ombudsman (OMB) in OMB-C-A-05-0263-F, exonerating respondents Jaime A. Dilag (Dilag), Eduardo B. Jose (Jose), Vergel A. Cruz, Eduardo C. Domingo, Rogelio A. Tandiam, Reynaldo G. Fernando and Romeo F. Buencamino from administrative charges.” [underscoring Ours]

[5] Resolution of June 4, 2014, page 1, Rollo, page 313.

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