

IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE ON PROVINCIAL PROSECUTOR LUIS R. MARCAIDA OF THE PROVINCIAL PROSECUTORS OFFICE OF PALAWAN

ADMINISTRATIVE ORDER NO. 71, April 28, 2003

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This refers to the formal administrative charge filed against respondent Provincial Prosecutor (PP) Luis R. Marcaida (hereinafter referred to as respondent), Provincial Prosecutor's Office, Palawan, docketed as NPS Adm. No. 98-0008, entitled "Cynthia Lyn Parrenas et al. vs. Provincial Prosecutor Luis R. Marcaida" for gross misconduct (violation of Sec. 3(e) of R.A. No. 3019 in relation to Sec. 5, Art. III of RA No. 7610 and Art. 335 of the Revised Penal Code).

The instant case arose from a complaint filed by Cynthia Lyn Parrenas and her father Toribio Parrenas against respondent for having repeatedly engaged in sexual intercourse with Cynthia Lyn, then a seventeen (17) year-old minor, between the period from June 12, 1997 to January 23, 1998 while complainant was entrusted by her parents to herein respondent to work as his household helper on the promise that the latter will take care of her education and welfare, and during the period when respondent was handling the prosecution of the rape case which Cynthia Lyn filed against a certain Rio Caballero docketed as Crim. Case No. 11401 entitled "People of the Philippines vs. Rio Caballero", pending before Regional Trial Court (RTC), Branch 49, Puerto Princesa City, Palawan.

The facts of the case are as stated in the letter-recommendation dated December 18, 2000 of then DOJ Secretary Artemio G. Tuquero finding respondent guilty and liable for gross misconduct and recommending his dismissal from the service, which is hereby adopted in toto, a copy of which is hereto attached as Annex "A", and made an integral part hereof.

WHEREFORE, as recommended by the Secretary of Justice, respondent Provincial Prosecutor Luis R. Marcaida is hereby found guilty of gross misconduct and is **DISMISSED** from the service, with forfeiture of all retirement benefits with prejudice to his reemployment in any branch or agency of the government, including government-owned or controlled corporations effective upon receipt of this Order.

Done in the City of Manila, this 28th day of April in the year of Our Lord, Two Thousand Three.

By authority of the President:

(Sgd.) ALBERTO G. ROMULO
Executive Secretary

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