TOMAS GOTGOTAO, ROBERTO S. VENTURA, WILFREDO M. ANTOLIN, AND ORLANDO O. ORGANISTA, COMPLAINANTS, VS. RENATO C. MILLORA COURT INTERPRETER III, REGIONAL TRIAL COURT, BRANCH 46, UR...

A.M. NO. P-05-2005 (FORMERLY OCA-IPI NO. 01-1209-P). June 08, 2005

Ponente: TINGA, J.

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TINGA, J.:

On 04 September 2001, the Office of the Court Administrator (OCA) received a letter-complaint[1] signed by complainants herein addressed to then Deputy Court Administrator Zenaida N. Elepaño, accusing Renato C. Millora, former Court Interpreter III,[2] of arrogance, grave abuse of authority, moonlighting and conduct unbecoming of a court employee. Complainants claim that they had been in possession for more than thirty (30) years of a parcel of rice land in Urdaneta City, Pangasinan. They allege that on 29 August 2001, at around 6:30 p.m., Millora, together with agents from the National Bureau of Investigation (NBI) and other individuals, "swooped inside our lot". When complainants asked for the search warrant, Millora tied them with an electric cord, saying, "Walang maaring bumangga sa akin dahil ako ang batas at bagyo ako sa lahat ng Korte dito sa Urdaneta at subukan nyo ako."[3]

Thereafter, on 11 September 2001, another letter-complaint was received by the OCA, this time captioned Supplemental Re: Complaint Filed Against Renato C. Millora (Court Interpreter) RTC, Br. 46, Urdaneta City, Pangasinan, and signed by Wilfredo Antolin and Tomas Gotgotao.[4] Complainants allege that when they furnished Millora a copy of their letter-complaint, the latter tore it to pieces and uttered, "Walang Elepaño, Elepaño sa akin. Baka hindi niya alam ang kamandag ko dito sa RTC."[5] In addition, they state that there are seven (7) cases against Millora pending before the Sandiganbayan.[6] Moreover, complainants accuse Millora of being a jueteng maintainer and a drug user.[7]

On 5 December 2001, Millora filed his Comment[8] with the OCA. He denies the allegations in the complaint for being false, half-truth or exaggerated, claiming that he was not present, and more importantly, had no participation, in the search conducted by the NBI. He claims that he does not know the NBI agents who searched the complainants. He states that complainants were able to enter the rice land after they threatened its caretaker with their guns and that it was the caretaker, and not Millora who reported the matter to the NBI.[9]

Considering that the parties presented conflicting allegations on the material facts pertinent to the case, the matter was referred to Executive Judge Joven F. Costales of RTC-Urdaneta City for investigation, report and recommendation.[10]

At the hearings conducted by the investigating judge, complainants adopted the complaint and supplemental complaint as their direct testimony.[11] Gotgotao stated that no firearm was confiscated from him, but because of the search, he was charged with illegal possession of firearms. He suspected that Millora had a hand in the procurement of the warrant.[12]

For his part, Wilfredo Antolin stated that he does not own the rice land, nor has he occupied it for more than thirty (30) years, and in fact was only visiting the land. Like Gotgotao, he suspected that Millora had a hand in the procurement of the search warrant against them. He claimed to have been friends with Millora. While he claimed that he understood the contents of the complaint, he admitted that he failed to sign the same, and he does not know who affixed his signature.[13]

On the other hand, Millora testified that he did not participate in the search and claimed that he passed by the place past 7:30 p.m. and saw that there were many people in the premises at that time. He denied participation in the search conducted by the NBI. He likewise denied having received and torn the supplemental complaint. He denied the charge that he was a jueteng maintainer, and claimed that the graft cases against him were already dismissed by the Sandiganbayan. He stated that complainants went to him and asked for P100,000.00 in exchange for dropping the case but he refused.[14]

Atty. Dave Alunan, NBI agent, testified that he did not personally know Millora[15] nor see him when his team conducted the search. He stated that no other person could have interfered in the implementation of the warrant.[16]

During the course of the hearings, counsel for Millora moved to strike out the testimony of Antolin in view of the latter's admission that he was not the one who signed the complaint.[17]

The investigating judge recommended that Millora be meted a fine of Two Thousand Pesos (P2,000.00) for conduct unbecoming of a court employee.[18]

In administrative proceedings, the burden of proof that respondent committed the act complained of rests on the complainant.[19] He must be able to show this by substantial evidence, or such relevant evidence as a reasonable mind may accept as adequate to support a conclusion.[20] Failing this, the complaint must be dismissed.

The Court does not concur with the investigating judge in holding Millora guilty of conduct unbecoming of a court employee. After meticulously going over the record, we failed to find any substantial evidence linking Millora to the acts complained of. Of the four complainants, only two testified, with their testimonies full of inconsistencies vis-à-vis their complaints. Save for their self-serving testimonies, they were not able to present any other witness to support the veracity of their claims, despite their allegation that many others witnessed the incidents complained of. Even the joint affidavit[21] purportedly made by two witnesses for the complainants was not properly executed, as it did not bear the signatures of the affiants, or the proofs of identification.

In contrast, the NBI agent responsible for the service of the warrant categorically stated that he did not personally know Millora and neither did he see him when they conducted the search.

Likewise unfounded are the charges that Millora is a jueteng maintainer and drug user. Complainants were unable to show even a shred of evidence to buttress these allegations.

Moreover, there are circumstances which indicate the motive of the complainants in filing the complaints and accordingly cast doubt on the veracity of the charges. Complainants admitted that they suspected Millora as having a hand in the application for the issuance of the search warrant against them.[22] They were in fact arrested, incarcerated and charged with illegal possession of firearms after the said warrant was served on them. Millora testified that a few months prior to the filing of the instant case, complainants requested him to secure a lawyer to help them recover possession of their land from Dr. Benigno Robeniol, who happens to be a good friend of Millora,[23] but he was unable to extend any assistance.[24]

With no hard evidence except this self-serving assertion to back up their complaints, the Court has no choice but

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to dismiss the same. It is not hard to imagine that the instant complaint was a product of resentment, if not bitterness of complainants who wanted to get back at Millora who they perceived to be the one who caused their misfortune which started with the NBI raid.

The image of a court of justice is necessarily mirrored in the conduct, official or otherwise, of the men and women who work thereat, from the judge to the least and lowest of its personnel—hence it becomes the imperative sacred duty of each and everyone in the court to maintain its good name and standing as a true temple of justice.[25] The conduct of court personnel at all times must not only be characterized by propriety and decorum but also be above suspicion.[26] Thus, all court personnel are enjoined and required to comport themselves in such manner as to avoid any taint of suspicion being cast on their actuations, official or private.[27]

Given the strictures imposed on court personnel, it is but necessary that they be given a measure of protection against baseless and unfounded charges. If a court employee is to be disciplined, the evidence against him should be substantial, competent and derived from direct knowledge. Reliance on mere allegations, conjectures and suppositions will leave an administrative complaint with no leg to stand on. Charges based on mere suspicion and speculation cannot be given credence.[28]

WHEREFORE, the complaint against Renato C. Millora, Court Interpreter, Regional Trial Court, Branch 46, Urdaneta City, Pangasinan is hereby DISMISSED.

SO ORDERED.

Austria-Martinez, (Acting Chairman), Callejo, Sr., and Chico-Nazario, JJ., concur.
Puno, (Chairman), J., on leave.

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[1] Rollo, pp. 1-2.

[2] Regional Trial Court of Urdaneta City, Branch 46. Mr. Millora retired in December 2003.

[3] Rollo, p. 1.

[4] Id. at 10-11.

[5] Id. at 10.

[6] Ibid.

[7] Ibid.

[8] Rollo, pp. 18-19.

[9] Ibid.

[10] Rollo, p. 26.

[11] TSN, 19 February 2003, id. at 177-196.

[12] Id. at 187-192.

[13] TSN, 04 March 2003, id. at 198-222.

[14] TSN, 22 June 2004, id. at 223-247.

[15] TSN, 08 September 2004, id. at 253.

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[16] TSN, 22 June 2004, id. at 255-255-A.

[17] TSN, 04 March 2004, id. at 215.

[18] Rollo, pp.145-146.

[19] Corpuz v. Siapno, A.M. No. MTJ-96-1106, 17 June 2003, 404 SCRA 83.

[20] Mercado v. Casida, 431 Phil. 248 (2002)

[21] Rollo, p. 12.

[22] TSN, 20 June 2003, id. at 192; TSN, 04 March 2003, id. at 209.

[23] TSN, 22 June 2004, id. at 236.

[24] TSN, 22 June 2004, id. at 240.

[25] San Jose v. Centeno, 315 Phil. 296, 304 (1995), citing Recto v. Racelis, 70 SCRA 438 (1976).

[26] Tan v. Herras, Adm. Matter No. P-90-404, 11 March 1991, 195 SCRA 1, 4, citations omitted.

[27] In Re: Josefina V. Palon, A.M. No. 92-8-027-SC, 02 September 1992, 213 SCRA 219, 221.

[28] Sierra v. Tiamson, A.M. No. RTJ-04-1847. 21 July 2004.

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