

IMPOSING ON MUNICIPAL JUDGE FELIX M. CARIÑO OF TAYUM, ABRA, A FINE EQUIVALENT TO TWO (2) MONTHS' PAY

ADMINISTRATIVE ORDER NO. 259, December 12, 1970

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/68f12e055919/>

This is an administrative case against Municipal Judge Felix M. Cariño of Tayum, Abra, filed by the spouses Gaspar and Caridad T. Bilan and investigated by District Judge Juan P. Aquino. The charges are:

- That in Criminal Case No. 259, wherein the accused is respondent's nephew, respondent failed to order his arrest, delayed the hearing and failed to inhibit himself;
- That respondent certified in his application for leave of absence that all cases and motions submitted to him for decision and resolution were decided within ninety (90) days, although many cases had been pending trial in his court for years;
- That respondent unduly delayed the disposition of Criminal Case No. 112 wherein complainant Gaspar T. Bilan is the offended party;
- That Criminal Cases Nos. 244 and 245 were remanded to the Court of First Instance much later than Criminal Case No. 246, as noted in a decision of that Court, because of respondent's relationship to the offended party in the latter case;
- That respondent unduly delayed the disposition of Criminal Cases Nos. 210, 223, 224, 225, 243 and 253; and
- That respondent unnecessarily inhibited himself in Criminal Cases Nos. 137 and 293 and Civil Case No. 19.

These charges were denied by respondent as follows:

- That he issued a warrant for the arrest of the accused in Criminal Case No. 259; that the delay in hearing the case was due to attempts to settle the case amicably between the parties; and that he is not related to the accused within the sixth degree;
- That the certificate refers only to case submitted for decision and not to case pending trial.
- That Criminal Case No. 112 which was filed on November 29, 1956, was dismissed upon motion of Gaspar Bilan on December 10, 1957;
- That Criminal Case No. 246 was remanded earlier because the accused was detained, while in Criminal Cases Nos. 244 and 245 the accused were released on bail;
- That in Criminal Case No. 210 the delay was due to the failure to serve subpoena on the prosecution witness; that in Criminal Cases Nos. 223, 224 and 225 the delay due to efforts to effect an amicable settlement; that in Criminal Case No. 243 the delay was due to the failure to arrest one of the accused; and that in Criminal Case No. 253 the delay was due to the failure to serve subpoena on the prosecution witness; and
- That in Criminal Case No. 137 respondent inhibited himself with the approval of the District Judge because the parents of the offended party, a minor, were his second cousins; that in Criminal Case No. 293 he inhibited

himself with the approval of the District Judge because the accused was his second cousin; and that in Civil Case No. 19 he inhibited himself because of his relationship to the parties within the sixth degree.

I agree with the investigating District Judge that respondent has satisfactorily explained his actuations as referred to in the various charges, with the exception of that of unduly delaying the disposition of criminal cases. In Criminal Case No. 210 for illegal possession of firearms, respondent admits that, although it was filed in 1963, he first set the case for trial on July 23, 1968. His explanation that he was trying to locate the address of the constabulary soldiers who were the witnesses for the prosecution cannot be given credence because he failed to show that he coursed the subpoena through the constabulary command.

Respondent likewise admits that he set Criminal Cases Nos. 223, 224 and 225 for trial five years after they were filed, explaining that he gave the parties time to settle these related cases amicably. In Criminal Case No. 243, which was filed in January 1966, he claimed that he failed to set the case for trial because, although three of the four accused were already in custody, he was waiting for the arrest of the fourth accused. As pointed out by the investigating Judge, he failed to justify the delay in promptly setting the cases for trial.

Again, Criminal Case No. 253 for illegal possession of firearms was filed on June 30, 1966, but was first set for hearing only on July 17, 1967, because, according to respondent, he was trying to locate the address of the constabulary sergeant who was transferred after filing the case. Finally, in Criminal Case No. 259, wherein complainant Caridad T. Bilan was the offended party, the accused was released on bail on November 11, 1966, and it was only on August 28, 1968, that the case was set for trial, respondent's explanation being that he gave the parties time to settle the case amicably.

In the light of the evidence, the District Judge-Investigator correctly found respondent guilty of "neglecting and delaying his cases for an unreasonable period of time without malice". Accordingly, and as recommended by the Secretary of Justice, respondent Municipal Judge Felix M. Cariño is hereby fined in an amount equivalent to two (2) months' pay. He is also warned that a repetition of similar irregularities will be dealt with more severely.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

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.