VICTORIANO G. MANLAPAZ, COMPLAINANT, VS. JUDGE MANUEL T. SABILLO, MUNICIPAL CIRCUIT TRIAL COURT, LAMITAN, BASILAN, RESPONDENT.

A.M. No. MTJ-10-1771 (formerly A.M. OCA IPI No. 09-2160-MTJ). February 13, 2013

Ponente: BRION, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/7013aa9b16ba/

BRION, J.:

For the Court's resolution is the administrative complaint filed by Victoriano G. Manlapaz (complainant) charging Judge Manuel T. Sabillo (respondent), Municipal Circuit Trial Court, Lamitan, Basilan, with serious and gross misconduct.

In a verified complaint-affidavit dated June 8, 2009,[1] the complainant alleged that sometime in 1996, the respondent, then a practicing lawyer, offered to sell to him and his wife a house and lot situated in Valenzuela City, Metro Manila for the price of P2,400,000.00, payable in sixteen (16) months. The complainant agreed to buy the property, believing that they got a fair deal as the respondent was one of their wedding sponsors. He made an initial payment of P500,000.00. After paying the total amount of P920,000.00, the transaction was discontinued for reasons that the complainant alleged to be "inconsistent with good faith."[2] The parties verbally agreed to terminate or discontinue their agreement. The respondent undertook to return the amount of P920,000.00 the complainant had already paid him.

The respondent reneged on his undertaking and failed to return the amount despite the complainant's repeated demands. This prompted the complainant to file a complaint for sum of money with damages with the Regional Trial Court (RTC) of Valenzuela City, Branch 75.[3] In a decision dated June 15, 2003, the RTC ordered the respondent to refund to the complainant the amount of P920,000.00; to pay him P100,000.00 as moral damages, P100,000.00 as exemplary damages, and P100,000.00 as attorney's fees; and to pay the costs of the suit.[4]

The respondent appealed to the Court of Appeals (CA). In a resolution dated April 25, 2007, the CA dismissed the appeal for the respondent's failure to pay the docket fees. The decision of the RTC became final and executory on November 21, 2007.[5]

On October 21, 2008, a writ of execution was issued by the RTC.[6] The sheriff tried to implement the writ, but he discovered that there was no more property to levy on. The respondent had already sold the property on December 15, 2004 to a buyer who offered a higher price.[7]

On the same date, the complainant, through his lawyer, sent a demand letter[8] to the respondent, whom he learned is now an incumbent Judge of the Municipal Circuit Trial Court of Lamitan, Basilan. The respondent agreed to meet the complainant. During the meeting with the complainant's lawyers, the respondent paid the P100,000.00 attorney's fees awarded by the RTC, but failed to settle the P920,000.00 and the amounts of awarded damages.[9]

In his comment dated October 24, 2009,[10] the respondent vehemently denied that his actions constituted

misconduct. He claimed that the filing of the administrative case against him was intended merely to embarrass and harass him. He further stated that despite the fraudulent scheme against him, he promised the complainant that he would refund the amount as soon as the house and lot were sold. The complainant could not wait and sued him. He could have settled his obligation earlier, but the complainant refused to meet him. He offered payment in the form of a cashier's check, but the complainant refused to accept it.

The records further show that in a letter dated January 10, 2011, the Judicial and Bar Council required the complainant to comment on the respondent's comment dated January 4, 2011 on the complaint. In his comment dated January 24, 2011,[11] the complainant reiterated his allegations in his complaint. He maintained that the RTC judgment had not yet been fully satisfied. The respondent has paid only the attorney's fees of P100,000.00 sometime in February 2009.

The complainant further alleged that when he asked the respondent for the balance of the money judgment awarded by the RTC, the respondent "stubbornly" refused to pay and offered the meager amount of P400,000.00 as full satisfaction of the money awarded to him. In a letter dated March 18, 2008[12] sent by his lawyer, the complainant informed the respondent that he was not amenable to the latter's offer. The complainant offered to waive the legal interests provided the respondent return the whole amount of P920,000.00.

In its evaluation report[13] dated April 8, 2010, the Office of the Court Administrator (OCA) found the respondent liable of willful failure to pay just debts classified as a light offense under Section 22(i) Rule XIV of the Omnibus Rules Implementing Book V of Executive Order No. 292, as amended by CSC Memorandum Circular No. 19, s. 1999.[14] It recommended that (1) the complaint be redocketed as a regular administrative matter, (2) the respondent be ordered to pay his indebtedness to the complainant, and (3) the respondent be reprimanded and warned that a repetition of the same or similar offense would warrant the imposition of a more severe penalty.

The respondent claimed that he had been in good faith in his willingness to return the amount paid by the complainant. The indications though all point to the contrary.

In the first place, the respondent failed to deliver the property he sold. The respondent — apparently hoping to get out of an unwanted situation — agreed to restitute the amount paid as soon as he was able to sell the property to another buyer. The sale to another buyer came, but the respondent still failed to comply with his undertaking to the point that an RTC judgment was entered against him.

While the respondent eventually tried to settle his obligation when he offered to issue a cashier's check dated October 22, 2009 to pay not only the P920,000.00 but also the damages awarded by the RTC, the offer however appears to be an afterthought and was made only after the consequences of the RTC judgment became inescapable. Previously, the respondent showed other insincerities, such as when he offered to settle the indebtedness for only P400,000.00, and when he paid only the P100,000.00 attorney's fees but left the principal amount of P920,000.00 unsettled. These actions, taken together, indicate to us a pattern of willfulness to avoid payment of a just debt.

The Court has repeatedly stressed that it is not a collection agency for the unpaid debts of its officials and employees,[15] but has nevertheless provided for Section 8, Rule 140 of the Rules of Court that holds its officials and employees administratively liable in unpaid debt situations. This Section provides that willful failure to pay a just debt is a ground for disciplinary action against judges and justices and should find full application in the present case.

Just debts, as defined in Section 23, Rule XIV of the Omnibus Rules Implementing Book V of E.O. No. 292, refer

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

to (1) claims adjudicated by a court of law; or (2) claims, the existence and justness of which are admitted by the debtor. Section 8, Rule 140 of the Rules of Court classifies willful failure to pay a just debt as a serious charge, penalized as follows:

> SEC. 11. Sanctions. – A. If the respondent is guilty of a serious charge, any of the following sanctions may be imposed:
> 1. Dismissal from the service, forfeiture of all or part of the benefits as the Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations. Provided, however, That the forfeiture of benefits shall in no case include accrued leave credits;
>
> 2. Suspension from the office without salary and other benefits for more than three (3) but not exceeding six (6) months; or
>
> 3. A fine of more than P20,000.00 but not exceeding P40,000.00.[16]

While reference to a debt necessarily implies a transaction that is private and outside of official transactions, the rules do not thereby intrude into public officials' private lives; they simply look at their actions from the prism of public service and consider these acts unbecoming of a public official.[17] These rules take into account that these are actions of officials who are entrusted with public duties and who, even in their private capacities, should continually act to reflect their status as public servants. Employees of the judiciary should be living examples of uprightness not only in the performance of official duties but also in their personal and private dealings with other people so as to preserve at all times the good name and standing of the courts in the community.[18]

In the present case, the complainant's claim against the respondent is a just debt, whose existence and justness the respondent himself admitted. The respondent's willfulness in not paying his just obligation is shown by his continued failure to settle it, despite demand letters sent to him by the complainant. The RTC's final decision in the complainant's favor renders the respondent's obligation to pay conclusive.

Admittedly, the respondent later realized his misdeeds and finally offered to pay his indebtedness to the complainant. This development, however, cannot erase his misconduct; it can only mitigate his culpability. Thus, we must hold the respondent accountable and accordingly penalize him. In doing so, however, we must also ensure that public service is not hindered and therefore deem it best, for this purpose, to merely impose on the respondent the penalty of fine[19] instead of the suspension or dismissal that the rules fully allow.

WHEREFORE, the Court finds respondent Judge Manuel T. Sabillo of the Municipal Circuit Trial Court of Lamitan, Basilan GUILTY of willful failure to pay a just debt under Section 8, Rule 140 of the Rules of Court. He is hereby imposed a fine of Forty Thousand Pesos (P40,000.00) with the WARNING that a repetition of the same or similar offense shall be dealt with more severely. He is further directed to pay his indebtedness to the complainant, if he has not at this time settled it, within thirty (30) days from notice hereof.

SO ORDERED.

Carpio, (Chairperson), Del Castillo, Abad,[*] and Perlas-Bernabe, JJ., concur.

---

[*] Designated as additional member in lieu of Associate Justice Jose Portugal Perez per Raffle dated February 11, 2013.

[1] Rollo, pp. 3-6.

[2] Id. at 4.

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

[3] Id. at 9-11.

[4] Id. at 13-18; penned by Acting Presiding Judge Dionisio C. Sison.

[5] Order dated September 29, 2008, issued by Judge Trinidad L. Dabbay. Id. at 21

[6] Id. at 22-23.

[7] Id. at 30-32.

[8] Id. at 24.

[9] Id. at 5.

[10] Id. at 43-45.

[11] Id. at 72-77.

[12] Id. at 26.

[13] Id. at 56-59.

[14] Now Section 52, C(10) Rule IV of the CSC Memorandum Circular No. 19, s. 1999.

[15] Villaseñor v. De Leon, A.M. No. P-03-1685, March 20, 2003, 399 SCRA 342.

[16] Rule 140 of the Rules of Court.

[17] Grio Lending Services v. Sermonia, A.M. No. P-03-1757, December 10, 2003, 417 SCRA 361.

[18] Supra.

[19] Juario v. Labis, supra note 13, at 544-545; Zamudio v. Auro, A.M. No. P-04-1793, December 8, 2008, 573 SCRA 178, 187.

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

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.