

JUDICIAL INTEGRITY BOARD, COMPLAINANT, VS. PRESIDING JUDGE OSCAR D. TOMARONG, BRANCH 28, REGIONAL TRIAL COURT, LILOY, ZAMBOANGA DEL NORTE, RESPONDENT.

A.M. No. RTJ-25-085 (Formerly JIB FPI No. 23-254-RTJ), July 29, 2025

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PER CURIAM:

This is a disciplinary proceeding initiated motu proprio by the Judicial Integrity Board (JIB) against Judge Oscar D. Tomarong (Judge Tomarong), Presiding Judge of Branch 28, Regional Trial Court of Liloy, Zamboanga del Norte (RTC) seeking his dismissal from the service and his disbarment.

The Facts

On September 16, 2022, the RTC promulgated its Judgment[1] in Crim. Case No. L-00451 titled *People of the Philippines v. Oscar D. Tomarong, Erwel C. Silandron, Roger D. Saldia, Juliber S. Cabating, Jerry aka Jerry Doe, and Ramil aka Ramil Doe*. The RTC found Judge Tomarong guilty of the crime of murder, for the death of Judge Reymar L. Lacaya (Judge Lacaya).

The dispositive portion of the RTC Judgment stated:

WHEREFORE, judgment is hereby rendered finding accused OSCAR DESTACAMENTO TOMARONG and accused ROGER DESTACAMENTO SALDIA "GUILTY" BEYOND REASONABLE DOUBT of MURDER as Principal by inducement and Accessory to the commission of Murder, respectively, and sentencing each accused as follows:

1. Accused OSCAR DESTACAMINTO TOMARONG – to suffer the penalty of reclusion perpetua without eligibility for parole. He is ordered to pay the heirs of the late Judge Reymar L. Lacaya [PHP] 90,000.00 as civil indemnity, [PHP] 90,00.00 as moral damages, [PHP] 90,000.00 as exemplary damages and [PHP] 9,262,479.60 as actual damages for loss of earning capacity.
2. Accused ROGER DESTACAMINTO SALDIA – to suffer an indeterminate penalty of imprisonment ranging from four (4) years of prison correccional medium as minimum to Eight (8) years and One (1) [day] of prison mayor medium as maximum. He is ordered to pay the heirs of the late Judge Reymar L. Lacaya [PHP] 10,000.00 pesos as civil indemnity, [PHP] 10,00.00 pesos as moral damages, [PHP] 10,000.00 as exemplary damages and [PHP] 1,029,164.40 as actual damages for loss of earning capacity.
3. Both accused shall pay interest of six percent (6%) per annum on the aggregate amount of the monetary awards computed from the time of finality of this Decision until full payment.

SO ORDERED.[2] (Emphasis and underscoring in the original)

In convicting Judge Tomarong, the RTC relied on the testimony of Juliber[3] Cabating (Cabating) who served as a state witness. This testimony was corroborated by other witnesses and evidence.

The relevant facts, as narrated in the RTC Judgment, are as follows:

Judge Tomarong was the presiding judge of the RTC while Judge Lacaya was the presiding judge of Branch 11 of the Regional Trial Court of Sindangan, Zamboanga del Norte (RTC Branch 11).[4]

The Supreme Court issued Administrative Circular No. 54-2019, dated March 11, 2019, which swapped the stations of Judge Tomarong and Judge Lacaya. Thus, on March 12, 2019, Judge Lacaya became the presiding judge of the RTC while Judge Tomarong served as the presiding judge of RTC Branch 11.[5]

On May 9, 2019, Judge Lacaya reported for duty and conducted hearings in the RTC. After his hearing in the afternoon, he left the court premises and went to his vehicle which was parked at the back of the court building. After he left, gunshots were heard in the building. Judge Lacaya was later found dead beside his vehicle. He died from gunshot wounds.[6]

Cabating was a job order employee of the Department of Public Works and Highways (DPWH), Second Engineering District, Labason, Zamboanga del Norte. He was assigned as a utility worker in the field office compound of the DPWH in Baybay, Liloy, Zamboanga Del Norte, where the RTC was also located. Apart from maintaining the cleanliness of the compound, Cabating also served as Judge Tomarong's errand boy for both the judge's office work and his personal chores.[7]

Cabating testified that Judge Tomarong ordered him to look for a killer for Judge Lacaya and a certain Pia Arances (Arances). Judge Tomarong wanted to have Arances killed because she helped his live-in partner find a lover.[8] As for Judge Lacaya, Cabating stated:

Q-Who is your boss?

A-Judge Oscar Tomarong, sir;

Q-You mean to say that Judge Oscar Tomarong was the one who ordered to look for hired killers?

A-Yes Sir;

Q-What is the purpose why you were instructed to look for hired killers?

A-In order to kill Judge Reymar L. Lacaya sir.

Q-Why did he want Judge Reymar L. Lacaya dead?

A-According to him sir, "TA TABANGI KO, PANGITAI KO UG MUPATAY KAY JUDGE LACAYA KAY NAPUNO NAKO, SOBRA NA (Ta help me look for someone to kill Judge Lacaya, this is excessive.)

Q-When was that if you can recall?

A-It was sometime April, sir.[9]

Cabating claimed that he could not say no to Judge Tomarong because he thought of the judge as his boss and he feared that Judge Tomarong might cause him to lose his employment.[10] Thus, Cabating found a hitman for Arances. After Arances' death, Cabating hired killers for the murder of Judge Lacaya. Judge Tomarong, through Cabating, paid PHP 50,000 for the death of Arances and PHP 250,000 for the murder of Judge Lacaya.[11]

After Judge Lacaya's murder, Judge Tomarong called Cabating informing him about problems related to the killing of Arances and Judge Lacaya. He then told Cabating that it would be better if Cabating went to jail for these crimes instead of him. Cabating was shocked. Cabating eventually surrendered to the National Bureau of Investigation (NBI) where he made his extrajudicial confession. He later confirmed his statements in this extra-judicial confession during his testimony in open court as a state witness.[12]

In his Report and Recommendation,[13] dated November 4, 2022, James D.V. Navarrete (Atty. Navarrete), Acting Executive Director of the JIB, informed the JIB that he obtained a copy of the RTC Judgment. Moreover, he recommended that the JIB take cognizance motu proprio of the RTC Judgment and that his memorandum be considered a formal complaint against Judge Tomarong.[14]

The JIB approved Atty. Navarrete's report and recommendation in a Resolution,[15] dated January 25, 2023. The

JIB also directed the Office of the Executive Director (OED) to furnish Judge Tomarong with a copy of the report and recommendation and require him to file a Comment.[16]

Judge Tomarong was personally served a copy of the formal Complaint and the order for him to file his Comment in the Bureau of Corrections, Muntinlupa City. To date, Judge Tomarong has yet to file any pleading.[17]

The Report and Recommendation of the OED

After evaluating the formal Complaint, the OED issued its Report and Recommendation,[18] dated November 28, 2023, stating that Judge Tomarong should be dismissed from the service and disbarred for committing a crime involving moral turpitude.

Thereafter, the OED issued a second Report and Recommendation (OED Report and Recommendation),[19] dated May 2, 2024, reiterating its earlier recommendation that Judge Tomarong be dismissed from the judiciary and disbarred as a lawyer.

The OED Report and Recommendation stated:

In view of the foregoing, it is respectfully submitted for the consideration of the Honorable Board that the following recommendations be made to the Supreme Court:

1. Respondent (former) Judge Oscar D. Tomarong, Branch 28, Regional Trial Court, Liloy, Zamboanga Del Norte, be found GUILTY of commission of a crime involving moral turpitude and accordingly DISMISSED from the service, with forfeiture of his retirement and other benefits except accrued leave credits, and perpetual disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporation;
2. the instant matter be TREATED as a complaint against respondent Judge as a member of the Philippine Bar; and
3. respondent Judge Tomarong be found liable for conviction of a crime involving moral turpitude under Section 33(e), Canon VI of the Code of Professional Responsibility and Accountability and be DISBARRED.[20] (Emphasis in the original)

The Report and Recommendation of the JIB

The JIB adopted the OED recommendations in its own Report,[21] dated July 30, 2024, submitted to the Court.

The JIB report recommended:

ACCORDINGLY, we respectfully RECOMMEND to the Honorable Supreme Court that:

(1)

the case be RE-DOCKETED as a regular administrative matter against respondent Presiding Judge Oscar D. Tomarong, Branch 28, Regional Trial Court, Liloy, Zamboanga del Norte;

(2)

Respondent Judge Tomarong be found GUILTY of commission of a crime involving moral turpitude, and be DISMISSED from the service, with FORFEITURE of all or part of the benefits as the Supreme 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; and

(3)

Respondent Judge Tomarong be DISBARRED for violation of Section 33(e) Canon VI of the Code of Professional Responsibility and Accountability, and his name be ORDERED STRICKEN from the Roll of Attorneys.[22] (Emphasis in the original)

The JIB also reported that Judge Tomarong had a number of disciplinary cases in the Court.

In particular, the Court found Judge Tomarong guilty of gross ignorance of the law and fined him in the amount of PHP 110,000.00 in A.M. No. RTJ-21-017 titled Marilou Casas Usama v. (Ret.) Hon. Oscar D. Tomarong, Branch 28, Regional Trial Court, Liloy, Zamboanga Del Norte. Significantly, in its resolution, the Court stated that Judge Tomarong filed an application for optional retirement effective April 1, 2019 and that it would have suspended Judge Tomarong had he not retired from the service. However, the records show that Judge Tomarong's application for optional retirement was docketed as A.M. No. 17733-Ret (Re: Application for Optional Retirement under Republic Act No. 910, as amended by Republic Act Nos. 5095 and 9946 of Hon. Oscar D. Tomarong, Presiding Judge, Branch 28, RTC, Liloy, Zamboanga del Norte). In the Resolution dated July 9, 2019, the Supreme Court deferred action on the application pending the resolution of Judge Tomarong's other pending administrative cases.[23]

In this regard, the JIB submitted to the Court its Consolidated Report, dated June 18, 2024, in A.M. No. RTJ-20-2580, titled Office of the Court Administrator v. Judge Oscar D. Tomarong and Marilyn A. Adriatico, Legal Researcher II, in her capacity as the former Officer-in-Charge/Acting Clerk of Court, both of Branch 28, Regional Trial Court, Liloy, Zamboanga del Norte (formerly A.M. No. 19-05-127-RTC – Re: Report on the Judicial Audit Conducted in Branch 28, Regional Trial Court, Liloy, Zamboanga del Norte) and JIB FPI No. 23-291-P, titled Mary Jane Doe, Mariah Doe, Kathlyn Doe and More Doe v. Marily A. Adriatico, Legal Researcher II, in her capacity as the former Officer-in-Charge/Acting Clerk of Court, Branch 28, Regional Trial Court, Liloy, Zamboanga del Norte. In the consolidated report, the JIB recommended to the Court that Judge Tomarong be found guilty of gross ignorance of the law, gross misconduct, and gross neglect of duty and that, consequently, he be dismissed from the service and disbarred as a member of the Philippine Bar.[24]

Thus, the report stated:

In the event that respondent has already been dismissed from the service and disbarred in A.M. No. RTJ-20-2580 and JIB FPI No. 23-291-P, in the instant case, in lieu of dismissal from the service and disbarment, we respectfully recommend that respondent be fined in the amount of PHP 200,000.00 for the commission of a crime involving moral turpitude pursuant to Sec. 14(f) in relation to Sec. 17(1) of Rule 140, as further amended, and another PHP 200,000.00 pursuant to Section 33(e) in relation to Section 37(a), Canon VI, CPRA, payable within three months from the time the decision or resolution of the Supreme Court is promulgated, if unpaid, such amount be deducted from the salaries and benefits, including accrued leave credits, due to respondent.[25]

The Court directed the JIB, the Office of the Administrative Services (OAS) and the Office of the Court Administrator (OCA) to confirm the status of Judge Tomarong's application for optional retirement. In compliance with this directive, the OAS, in a Certification dated May 20, 2025, the JIB, in an Amended Report dated June 5, 2025, and the OCA, in a Memorandum dated May 20, 2025, all reported that Judge Tomarong's application for optional retirement had not yet taken effect and has not been processed because of the pendency of administrative complaints against him.

The Issue

Whether respondent should be dismissed from the service and disbarred.

The Ruling of the Court

At the outset, the Court notes that respondent's application for optional retirement is pending. Thus, he remains subject to the Court's disciplinary authority as a member of the Judiciary. In any event, Section 2(2) of Rule 140 of the Rules of Court, as amended, states that the supervening retirement of a respondent in a pending disciplinary proceeding does not preclude or affect the continuation of the proceeding.

The Court shall now rule on the substantive question raised in this administrative case. The Court approves and adopts the recommendations in the JIB report. Respondent is dismissed from the service with his retirement benefits forfeited. He is also barred from the practice of law.

Rule 140, Section 14 of the Rules of Court provides that the commission of a crime involving moral turpitude is a serious offense, thus:

SECTION 14. Serious Charges. — Serious charges include:

- (a) Gross misconduct constituting violations of the Code of Judicial Conduct or of the Code of Conduct for Court Personnel;
- (b) Bribery, direct and indirect, and violations of the Anti-Graft and Corrupt Practices Act (Republic Act No. 3019);
- (c) Serious dishonesty;
- (d) Gross neglect of duty in the performance or non-performance of official functions;
- (e) Knowingly rendering an unjust judgment or order;
- (f) Commission of a crime involving moral turpitude;
- (g) Falsification of official documents, including making untruthful statements in the certificates of service;
- (h) Borrowing money or property from lawyers and/or litigants in a case pending before the court;
- (i) Gross immorality;
- (j) Gross ignorance of the law or procedure;
- (k) Partisan political activities;
- (l) Grave abuse of authority, and/or prejudicial conduct that gravely besmirches or taints the reputation of the service;
- (m) Sexual harassment;
- (n) Gross insubordination; and
- (o) Possession and/or use of illegal drugs or substances. (Emphasis supplied)

The JIB noted in its report that respondent's conviction is on appeal in the Court of Appeals. Nonetheless, the Court agrees with the JIB that the finality of respondent's conviction is not a requisite before he may be found liable for committing a crime involving moral turpitude under Rule 140, as amended.

That a conviction in a court of law is not required was confirmed by the Court in *Office of the Court Administrator v. Judge Ruiz*.^[26] In said case, the Court dismissed a judge for malversation despite the pendency of the appeal of the judgment of conviction rendered by the Sandiganbayan. The Court explained that in the administrative case before it, its task is not to determine the correctness of the Sandiganbayan's decision, which pertains to a case separately pending and which shall be determined based on the applicable evidentiary rules and

criminal procedure. In the disciplinary case, the Court's function is "limited to the determination of whether substantial evidence exists to hold the respondent administratively liable." [27] Thus, in Ruiz, the Court examined the sufficiency of the evidence presented in the Sandiganbayan and concluded that there is substantial evidence showing that therein respondent committed a crime involving moral turpitude, and thus may be penalized as a member of the Bench.

This is further clarified in the language of Rule 140, Section 14, as amended, which changed "conviction of a crime involving moral turpitude" to "commission of a crime involving moral turpitude." This is explained further in the Court's annotations in Rule 140, Section 14, as amended, which read:

The 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) has the counterpart offense of "Conviction of a crime involving moral turpitude." Here, the term "conviction" is changed to "commission" because the former tends to imply that a final conviction before the criminal courts is required before a respondent may be charged with this offense. The Court has discussed that "to sustain a finding of administrative culpability, only substantial evidence is required. The present case is an administrative case, not a criminal case, against respondent. Therefore, the quantum of proof required is only substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to support a conclusion. Evidence to support a conviction in a criminal case is not necessary, and the dismissal of the criminal case against the respondent in an administrative case is not a ground for the dismissal of the administrative case. We emphasize the well-settled rule that a criminal case is different from an administrative case and each must be disposed of according to the facts and the law applicable to each case." (OCA v. Lopez, 654 Phil. 602 [2011], En Banc)

As such, if there is already substantial evidence to support the finding that a respondent has committed a crime involving moral turpitude, then it should be enough to find him administratively liable for this offense. Besides, the new Section [1(1)] explicitly provides that mere institution of a criminal action against a respondent is sufficient basis to institute motu proprio proceedings against [them]. [28] (Emphasis supplied)

Indeed, as explained above, Rule 140, Section 14 is consistent with Section 1(1) of the same Rule, which states:

SECTION 1. How Instituted. —

(1) Motu Proprio Against those who are not Members of the Supreme Court. — Proceedings for the discipline of the Presiding Justices and Associate Justices of the Court of Appeals, the Sandiganbayan, the Court of Tax Appeals, the Shari'ah High Court, and Judges of the first and second level courts, including the Shari'ah District or Circuit Courts, as well as the officials, employees, and personnel of said courts and the Supreme Court, including the Office of the Court Administrator, the Judicial Integrity Board, the Philippine Judicial Academy, and all other offices created pursuant to law under the Supreme Court's supervision may be instituted, motu proprio, by either the Supreme Court with the Judicial Integrity Board, or by the Judicial Integrity Board itself on the basis of records, documents; or newspaper or media reports; or other papers duly referred or endorsed to it for appropriate action; or on account of any criminal action filed in, or a judgment of conviction rendered by the Sandiganbayan or by the regular or special courts, a copy of which shall be immediately furnished to the Supreme Court and the Judicial Integrity Board. (Emphasis supplied)

The Court applied the foregoing rules in Banzuela-Didulo v. Santizo [29] where it found a municipal trial court clerk liable for committing a crime involving moral turpitude notwithstanding the fact that the criminal complaints for malversation of public funds and falsification were still pending.

The rule is settled, therefore, that the conviction of a judge in a court of law is not required, and that such a judge may be disciplined provided that substantial evidence exists for the Court to conclude that they committed a crime involving moral turpitude.

In this regard, the term "moral turpitude" is well-defined in jurisprudence. It is defined as an "act of baseness, vileness, or the depravity in the performance of private and social duties that man owes to his fellow man or to society in general." [30] Jurisprudence has categorized the following crimes as crimes involving moral turpitude: "abduction with consent, bigamy, concubinage, smuggling, rape, attempted bribery, profiteering, robbery, murder, estafa, theft, illicit sexual relations with a fellow worker, violation of Batas Pambansa Blg. 22, intriguing against honor, violation of the Anti-Fencing Law, violation of the Dangerous Drugs Act, perjury, forgery, direct bribery, frustrated homicide, adultery, arson, evasion of income tax, barratry, blackmail, bribery, duelling, embezzlement, extortion, forgery, libel, making fraudulent proof of loss on insurance contract, mutilation of public records, fabrication of evidence, offenses against pension laws, perjury, seduction under the promise of marriage, estafa, falsification of public document, and estafa thru falsification of public document." [31] There is certainly no doubt that murder, and one committed by a judge against a fellow judge, is a crime involving moral turpitude.

The Court is convinced that there is substantial evidence proving that respondent hired killers to murder Judge Lacaya.

The evidence implicating respondent consists primarily in the testimony of the state witness Cabating, as corroborated by other witnesses and by other pieces of evidence on record.

Cabating categorically testified that respondent instructed him to look for killers to assassinate Judge Lacaya. Cabating also facilitated the transfer of money as payment from respondent to the hired killers. Another witness also corroborated Cabating's testimony that he was with the hired killers in the morning before Judge Lacaya's murder. This is further strengthened by an eyewitness who saw and identified the hired killers escaping from the court building shortly after Judge Lacaya was shot.

The RTC identified the evidence as follows:

In the case at bar, no one saw the actual shooting of Judge Lacaya that resulted to his instantaneous death but circumstantial evidence points to accused Ramil and Jerry, the "hired killers[.]" as the culprits. Here are the following pieces of circumstantial evidence that were adduced by the prosecution to establish and prove the identities of the culprits:

- Cabating and the gunmen alias Jerry and Ramil had a meeting at the lechon house of Isabelo Tabasa near the Court premises at 10:00 o'clock in the morning of [May 9, 2019] preparatory to the plan to kill Judge Lacaya on that day.
- Alias Jerry and Ramil were seen entering the Court premises as captured by the CCTV installed fronting the compound of the DPWH in the afternoon of [May 9, 2019] where the RTC Court is housed. Said individuals were no longer caught by CCTV coming out from the said compound on that day.
- After Judge Lacaya left the Courtroom gunshots were heard, the dead body of Judge Lacaya was found lying beside his pickup vehicle parked at the back of the Court.
- Wilma Cabatana who was doing her laundry at the creek near the crime scene saw two (2) persons who escaped from the crime scene immediately after the shooting of Judge Lacaya in which she heard uttering incriminating statement "DALI, DALI, KAY WALAY NAGSUNOD NATO" meaning "Faster, Faster no one is following us";
- Certain CCTV FOOTAGES (Exh. Y) were captured by the CCTV System of the LGU of Liloy[.] Zamboanga Del Norte[.] Wilma Cabatana identified the two persons captured in the CCTV FOOTAGE with time 2:49:45 as the same persons who escaped from the crime scene.
- Isabelo Tabasa identified the two persons captured in the CCTV FOOTAGE with time 2:49:45 as the same

persons who were with Cabating in the morning of [May 9, 2019] at his lechon house.

- Cabating identified the persons captured in the CCTV FOOTAGE with time 2:49:45 as the hired killers and the same persons who were having a meeting with him at the place of Isabelo Tabasa in the morning of [May 9, 2019][.][32]

Against the positive testimonies of the witnesses, respondent could offer nothing but bare denial and baseless attempts to weaken the credibility of the witnesses.

The Court cannot but rule that substantial evidence exists showing that respondent committed murder as a principal by inducement.

Respondent's conduct, as found by the very same RTC over which he used to preside, exemplifies one of the worst violations of the duties that judges are expected to embody. The crime involved is a patent breach of the very essence of what it means to be a judge who carries the obligation and privilege of serving the people. At a time when the rise in the attacks against judges has even necessitated the adoption of measures to protect judges, a judge committing the murder of a fellow judge must be punished swiftly and severely.

Under Rule 140, Section 14 of the Rules of Court, as amended, commission of a crime involving moral turpitude is a serious charge. In this regard, Section 17 imposes the following penalties:

"SECTION 17. Sanctions. —

(1) If the respondent is guilty of a serious charge, any of the following sanctions shall be imposed:

(a) Dismissal from service, forfeiture of all or part of the benefits as the Supreme 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;

(b) Suspension from office without salary and other benefits for more than six (6) months but not exceeding one (1) year; or

(c) A fine of more than [PHP] 100,000.00 but not exceeding [PHP] 200,000.00..."

Considering the gravity of the offense, the Court imposes the penalty of dismissal from the service. Further, the Court orders the forfeiture of all of respondent's benefits, except accrued leave credits, and his disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations.

The Court also approves and adopts the JIB's recommendation to disbar respondent.

Respondent, as a lawyer, has the obligation to abide by the Code of Professional Responsibility and Accountability (CPRA). In this regard, Canon II, Section 1 of the CPRA states that lawyers must not engage in "unlawful, dishonest, immoral, or deceitful conduct." Corollary to this, Canon VI, Section 33 of the CPRA identifies as a serious offense "[g]rossly immoral conduct, or an act that is so corrupt or false as to constitute a criminal act, or so immoral as to be reprehensible to a high degree." Murder certainly constitutes grossly immoral conduct of the worst kind. A lawyer who manifests an utter disregard for the sanctity of human life is not fit to practice law. In accordance with Canon VI, Section 37 of the CPRA, the proper penalty is disbarment.

Respondent's case is a reminder that no one, not even members of the Bench, is above the law. Judges are the embodiment of law and justice. This responsibility is no small matter. Judges are held to the highest standards, both as to their grasp of, as well as their respect for, the law. Judges must not only exhibit competence in their duties but must also inspire obedience to the law and faith in the Judiciary's ability to render justice. This is a

difficult task to which the Judiciary is committed. The Judiciary's task of maintaining the people's trust is undermined whenever judges neglect their duties, and worse, violate the laws that they are supposed to uphold. This case is the Court's proof of its commitment to the public that no judge who so callously breaches the law and perpetrates an injustice will go unpunished.

Finally, in order to ensure that erring judges and court personnel are penalized swiftly, the Court reminds all courts of their duty under Rule 140, Section 1(1) as amended, to furnish the Court and the JIB copies of judgments of conviction which they rendered against justices of the Court of Appeals, the Sandiganbayan, the Shari'ah High Court, and the judges of first and second level courts, as well as their officials and employees.

WHEREFORE, the Court finds respondent Judge Oscar D. Tomarong GUILTY of commission of a crime involving moral turpitude under Rule 140 of the Rules of Court, as amended. He is DISMISSED from the service with FORFEITURE of all his retirement benefits, except accrued leave credits. He is also DISQUALIFIED from being re-employed in the government, including government-owned and controlled corporations.

Judge Oscar D. Tomarong is also found GUILTY of gross immorality under the Code of Professional Responsibility and Accountability and is DISBARRED.

SO ORDERED.

Gesmundo, C.J., Leonen, SAJ., Hernando, Lazaro-Javier, Inting, Zalameda, Gaerlan, Rosario, Lopez, Dimaampao, and Kho, Jr., JJ., concur.

Caguioa,[*] J., on official business.

Marquez[***] and Villanueva,[***] JJ., no part.

Singh,**] J., on leave.

[*] On official business.

[**] On leave.[]

[***] No part.

[1] Rollo, pp. 7-42. Penned by Acting Presiding Judge Anthony D.T. Isaw.

[2] Id. at 41-42.

[3] Juliver in some parts of the rollo.

[4] Rollo, p. 8.

[5] Id.

[6] Id.

[7] Id. at 10-11.

[8] Id. at 11.

[9] Id. at 21

[10] Id. at 11.

[11] Id. at 21.

[12] Id. at 12-13.

[13] Id. at 2-6.

[14] Id. at 5.

[15] Id. at 45-47.

[16] Id. at 45-46.

[17] Id. at 59.

[18] Id. at 48-54.

[19] Id. at 58-65.

[20] Id. at 64-65.

[21] Id. at 66-77.

[22] Id. at 76.

[23] Id. at 68-69.

[24] Id. at 75.

[25] Id. at 75-76.

[26] 780 Phil. 133 (2016) [Per Curiam, En Banc].

[27] Id. at 154.

[28] A.M. No. 21-08-09-SC (Re: Further Amendments to Rule 140 of the Rules of Court, Annotated Version), pp. 11-12.

[29] A.M. No. P-22-063 & 18-09-85-MTC, 935 Phil. 496 (2023) [Per J. Kho, Jr., En Banc].

[30] Office of the Court Administrator v. Judge Ruiz, 780 Phil. 133, 152 (2016) [Per Curiam, En Banc].

[31] Id.

[32] Rollo, pp. 29-30.

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