

RODOLFO B. BAYGAR, SR., COMPLAINANT, VS. JUDGE LILIAN D. PANONTONGAN AND PROCESS SERVER ALADINO V. TIRAÑA, BOTH OF THE MUNICIPAL TRIAL COURT, BINANGONAN, RIZAL, RESPONDENTS.

A.M. No. MTJ-08-1699 (Formerly OCA IPI No. 04-1610-MTJ). March 13, 2009

Ponente: CHICO-NAZARIO, J.

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CHICO-NAZARIO, J.:

This is an administrative complaint for violation of Republic Act No. 3019 filed by complainant Rodolfo B. Baygar, Sr., against respondents Judge Lilian D. Panontongan (Judge Panontongan) and Process Server Aladino V. Tiraña (Process Server Tiraña), both of the Municipal Trial Court (MTC) of Binangonan, Rizal.

On 11 August 2002, complainant and a certain Arsenio Larga (Larga) were apprehended for violation of Presidential Decree No. 449 (Cockfighting Law of 1974), in relation to Presidential Decree No. 1602 (Prescribing Stiffer Penalties on Illegal Gambling), by three policemen, namely, Senior Police Officer 1 (SPO1) Arnel Anore, Police Officer (PO) Oligario Salvador, and Ian Gatchalian Voluntad. The criminal complaint against complainant was docketed as Criminal Case No. 02-0843 and raffled to MTC, Branch 1 of Binangonan, Rizal.

Complainant and Larga were brought to the Police Precinct of Binangonan, Rizal, for detention. Larga was released in the morning of 12 August 2002 allegedly after payment of bail in the aggregate amount of P2,300.00 to PO Reynaldo Gonzaga.[1] Complainant was released only in the afternoon of the same day after his wife Wilfreda Baygar (Wilfreda), upon the instructions of PO Joaquin Arcilla (Arcilla), paid P3,020.00[2] to respondent Process Server Tiraña.

It so happened that in the afternoon of the same day, 12 August 2002, respondent Judge Panontongan already promulgated her Decision in Criminal Case No. 02-0843, the dispositive portion of which reads:

WHEREFORE, finding accused Rodolfo Bactol Baygar guilty beyond reasonable doubt and appreciating in his favor voluntary plea of guilt, accused is hereby sentenced to pay a fine of THREE HUNDRED (P300.00) PESOS each and the Jail Warden of Binangonan Municipal Jail, Binangonan, Rizal is hereby directed to release the accused, Rodolfo Bactol Baygar unless he should be detained further for some other legal cause/s.[3]

Following his release from police custody, complainant filed on 17 September 2002 before the Office of the Ombudsman a complaint for arbitrary detention and violation of Section 3(e) of Republic Act No. 3019, against five police officers; Atty. Fernando B. Mendoza, a lawyer from the Public Attorney's Office (PAO); and respondents Judge Panontongan and Process Server Tiraña of the MTC. The complaint was docketed as OMB-P-C-02-0984-I.

In a Memorandum[4] dated 14 April 2004, the Office of the Ombudsman held in abeyance the filing of criminal charges against all the respondents in OMB-P-C-02-0984-I pending the determination by this Court of the

administrative liability of respondents Judge Panontongan and Process Server Tiraña. The Office of the Ombudsman then referred certified true copies of the case records of OMB-P-C-02-0984-I to this Court.

On 9 August 2009, complainant filed a final complaint against Presiding Judge Lilian G. Dinulos-Panontongan for illegal, improper and unethical conduct.

According to complainant, respondents Judge Panontongan and Process Server Tiraña of the MTC, in conspiracy with PO Arcilla and Atty. Mendoza of PAO, "orchestrated and made it appear that he pleaded guilty to a crime for which he was detained, during the simulated arraignment in the sala of [respondent Judge Panontongan], when in truth and in fact he did not attend any proceeding." Complainant further averred that his wife Wilfreda gave P3,020.00 to respondent Tiraña in what they understood to be bail for his temporary liberty; only to find out later that he was released because respondent Judge Panontongan had already rendered a Decision dated 12 August 2002 in Criminal Case No. 02-0843 finding him guilty beyond reasonable doubt, appreciating in his favor his voluntary plea of guilt, and sentencing him to pay a fine in the amount of P300.00.

On 9 September 2004, the Office of the Court Administrator (OCA) required[5] respondents Judge Panontongan and Process Server Tiraña to file their comment on the complaint within 10 days from receipt of notice.

In her Counter-Affidavit,[6] respondent Judge Panontongan substantially denied the allegations of complainant and his wife, averring that they were false and untrue and intended only to harass her. The arraignment of complainant actually took place on 12 August 2002 and Atty. Mendoza of PAO, complainant's counsel, participated therein. Respondent Judge Panontongan, together with co-respondent Process Server Tiraña, were at a loss as to why they were impleaded in OMB-P-C-02-0984-I considering that complainant was questioning only his alleged illegal detention by the arresting police officers after he was apprehended for engaging in illegal cockfighting. Respondent Judge Panontongan's only involvement was the exercise of her official function as judge in entertaining complainant's plea of guilt and imposing upon the latter the penalty of a fine.

Respondent Process Server Tiraña in his Comment adopted the afore-mentioned Counter-Affidavit of his co-respondent Judge Panontongan. He also categorically denied the allegation that he received P3,020.00 as bail of complainant.

After initial evaluation of the pleadings filed by the parties, the Court referred[7] the administrative matter against respondents Judge Panontongan and Process Server Tiraña to the Executive Judge of the Regional Trial Court (RTC) of Rizal for investigation, report, and recommendation.

Investigating Judge Bernelito R. Fernandez (Judge Fernandez) reported:

During the initial hearing of the Complaint before the undersigned, both parties agreed that they would just submit the matter for resolution considering that there were no new matters that need to be ventilated and that all documents and pleadings already form part of the records of this complaint. x x x.[8]

So without further hearings, Investigating Judge Fernandez evaluated the pleadings, affidavits, and other documents submitted by the parties, as well as the findings of the Office of the Ombudsman, and found that respondents Judge Panontongan and Process Server Tiraña should be held administratively accountable for what happened to complainant. Investigating Judge Fernandez submitted the following recommendations[9]:

WHEREFORE, IN VIEW OF THE FOREGOING, the undersigned Investigating Judge hereby respectfully recommends the following ---

For respondent Judge Lilian G. Dinulos-Panontongan - a REPRIMAND and to pay a fine of Twenty Thousand Pesos (P20,000.00); and,

For respondent Process Server Aladino Tiraña - DISMISSAL from the service. Further, let the appropriate Criminal Information be filed against said respondent for violation of Section 3(e) of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act.[10]

On 21 January 2008, the OCA submitted its Report[11] affirming the administrative liability of respondents Judge Panontongan and Process Server Tiraña, recommending thus:

In view thereof, it is respectfully recommended for the consideration of the Honorable Court that:

- Judge Lilian G. Dinulos-Panontongan, Acting Presiding Judge, MTC, Branch 1, Binangonan, Rizal, be SUSPENDED from office for one (1) month with a STERN WARNING that a similar infraction in the future shall be dealt with more severely;
- Aladino Tiraña, Process Server, MTC, Branch 1, Binangonan, Rizal be DISMISSED from the service with forfeiture of all retirement benefits, except accrued leave credits and with prejudice to re-employment in any branch or instrumentality of the government, including government-owned or controlled corporations;
- Call the attention of Agnes S. Mechilina, Clerk of Court of the Municipal Trial Court, Branch 1, Binangonan, Rizal (1) for being too lax in the supervision of court personnel in their failure to complete the entries required of (sic) in the Minutes of the hearing and other court records; and (2) failure to ensure the reliability of court records reflecting court proceedings with a STERN WARNING that a similar infraction in the future shall be dealt with more severely.
- As requested, the Office of the Ombudsman be furnished with a copy of the Decision in this administrative matter for its information and appropriate action.[12]

On 27 February 2008, the Court directed[13] the parties to manifest within ten days from notice if they were willing to submit the administrative matter for resolution based on the pleadings filed. Complainant submitted such a manifestation[14] on 25 April 2008; while respondents Judge Panontongan and Process Server Tiraña failed to file their manifestations despite receipt of the notices sent to them and were deemed to have waived the filing of the same.[15] Resultantly, the matter was submitted for decision based on the pleadings previously filed by the parties.

After an examination of the records, the Court affirms the findings and conclusions of the OCA, but modifies the recommended penalties.

As to the liability of respondent Process Server Tiraña:

There is no reason for this Court to disturb the findings of Investigating Judge Fernandez, affirmed by the OCA, as regards respondent Process Server Tiraña.

Respondent Process Server Tiraña's plain denial of the acts imputed to him cannot overcome the categorical and positive declarations made by complainant and his wife, Wilfreda, that said respondent demanded money from Wilfreda with the promise that he would assist in facilitating complainant's release from jail.

In her Affidavit,[16] Wilfreda clearly established the participation of respondent Process Server Tiraña in the corrupt scheme. To quote:

- Na pagkaraan nito, na sinabi sa akin ni Police Officer Joaquin Arcilla na puwede daw na P3,000.00 na lamang ang aking ibayad, at matapos na ako ay pumayag, kaagad nilang ginawa and ilang papel at ito ay ipinadala niya sa akin sa Municipal Trial Court ng Binangonan Branch 1 at doon ko daw ibayad and pera;
- Na pagdating ko sa korte mga bandang alas 11:30 ng umaga, pinakita ko kay G. Allan Terana ang papel na ibinigay sa akin ni Police Officer Joaquin Arcilla at ako ay bumalik na lang sa hapon dahil wala pa ang

kanilang clerk of court.

- Na pagbalik ko ng hapon, hiningi na ni Allan Terana ang pera na may halagang P3,000.00. Bukod pa dito, ako ay hiningian pa niya ng karagdagang P20.00 kung kayat P3,020.00 ang kabuuang perang naibigay ko sa kanya.

- Na matapos kong maghintay na may dalawang oras, binigay na sa akin ni Allan Terana ang kopya ng Desisyon na dapat kong dalhin sa jail para makalabas na ang aking mister ko.[17]

The statements made by complainant and his wife, Wilfreda, in their Affidavits present a consistent and coherent narration of the events which immediately preceded complainant's release from jail. These constitute substantial evidence against respondent Process Server Tiraña. In an administrative proceeding, such as this case, only substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to support a conclusion, is required.[18]

In comparison, respondent Process Server Tiraña merely denied the allegations against him but failed to set forth in his Comment[19] the substance of the matters upon which he relies to support his denial. It is settled that denial is inherently a weak defense. To be believed, it must be buttressed by strong evidence of non-culpability; otherwise, such denial is purely self-serving and is with nil evidentiary value.[20]

Respondent Process Server Tiraña clearly stepped beyond the bounds of propriety when he asked for and received from complainant's wife, Wilfreda, the amount of P3,020.00, and then gave her the assurance that complainant would be released from jail. In so doing, respondent Process Server Tiraña created the impression that he had the power and authority to discharge complainant from detention. Worse still, the MTC Decision, which declared complainant guilty after entering a plea of guilty during the arraignment, merely imposed a fine of P300.00 against complainant. The said decision was handed down in the afternoon of 12 August 2002. When respondent Process Server Tiraña asked complainant's wife to return after two hours, he actually knew that a decision would be released on that day; thus, there was really no need for bail and complainant was actually free to leave the prison already. Complainant reasonably concluded that respondent Process Server Tiraña merely pocketed the money. The latter's claim that he did not benefit from the transaction does not exculpate him from administrative liability. At the very least, he should have known that, as a court employee, the mere act of asking for and receiving money from a party to a pending case to facilitate the issuance of a court process would be inappropriate and highly suspect.

The Court cannot overemphasize that the conduct required of court personnel must always be beyond reproach and circumscribed with the heavy burden of responsibility as to free them from any suspicion that may taint the judiciary. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage. As a court employee, it therefore behooves respondent Process Server Tiraña to act with more circumspection and to steer clear of any situation which may cast the slightest suspicion on his conduct.

Respondent Process Server Tiraña's solicitation of money from complainant and his wife Wilfreda in exchange for complainant's liberty violates Canon I of the Code of Conduct for Court Personnel which took effect on 1 June 2004 pursuant to A.M. No. 03-06-13-SC. Sections 1 and 2, Canon I of the said Code, expressly provide that:

SECTION 1. Court personnel shall not use their official position to secure unwarranted benefits, privileges or exemption for themselves or for others.

SECTION 2. Court personnel shall not solicit or accept any gift, favor or benefit based on any explicit or implicit understanding that such gift, favor or benefit shall influence their official actions." (Underscoring supplied.)

By demanding and receiving P3,020.00 from complainant's wife, Wilfreda, respondent committed an act of impropriety which immeasurably affects the honor and dignity of the judiciary and the people's confidence in it.

A public office is a public trust, public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice and lead modest lives. Indeed, the image of the court of justice is necessarily mirrored in the conduct even of minor employees; thus, they must preserve the judiciary's good name and standing as a true temple of justice. This Court has often reminded its personnel of the high norm of public service it requires:

[W]e condemn and would never countenance any conduct, act, or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and diminish or even just tend to diminish the faith of the people in the Judiciary. Every one connected in the task of delivery of justice, from the lowliest employee to the highest official, must at all times be fully aware of the sacramental nature of their function.[21]

Respondent Process Server Tiraña clearly failed to observe the standard of conduct and behavior required of an employee in the judiciary, and he cannot avoid responsibility for his acts. However, the Court finds the recommendation of dismissal by the OCA to be too harsh, it appearing that this is respondent Process Server Tiraña's first offense in his 21 years in government service. Suspension for one year without pay is already sufficient penalty given the circumstances.

Liability of Respondent Judge Panontongan

The Court likewise agrees in the conclusion made by both Investigating Judge Fernandez and the OCA that respondent Judge Panontongan had no direct participation "in what appears to be manipulation or misrepresentation of the records of proceedings during the session of 12 August 2000 other than merely preparing the Decision which eventually resulted in the release of complainant."

Asserting that Judge Panontongan was also in on the scheme, complainant presented (1) the Counter-Affidavit of Atty. Mendoza, the PAO lawyer assigned to represent complainant in Criminal Case No. 02-0843, in which he attested that he had no personal knowledge of the alleged arraignment of complainant held on 12 August 2002; (2) Atty. Mendoza's copy of the 12 August 2002 court calendar which showed that Criminal Case No. 02-0843 was not included among those scheduled for arraignment; and (3) Certification[22] of the Jail Warden of the Bureau of Jail Management and Penology, Region IV, stating that he escorted seven detainees to their court hearings on 12 August 2002 but complainant was not one of them. Complainant also pointed out that Criminal Case No. 02-0843 appeared to have been merely added on the third (3rd) page of the calendar of cases for hearing on 12 August 2002.

Respondent Judge Panontongan, however, asserted that complainant's arraignment did take place on 12 August 2002 and offered the following explanation as to why such fact was not properly supported by court documents:

[J]udicial notice can be had to the effect that Trial Calendars were usually prepared and distributed to the Prosecutor's Office and Public Attorney's Office day(s) ahead of the scheduled hearings, and if there be any case(s) omitted thereto or been requested to be included in the court calendar for the day, all the same were naturally included/inserted by handwritten note in the type written court calendar.

Criminal Case No. 02-0843 x x x was filed in the morning of August 12, 2002, and therefore, it was naturally not among those typewritten cases scheduled for hearing on that day because the court calendar has already been prepared, and its inclusion x x x was merely prompted by the request made. Thus, x x x the absence of the same in the trial calendar in the possession of the Public Attorney's Office x x x which has already been given day ahead thereof.

x x x x

[T]hat judicial notice can also [be] had to the effect that Minutes of Hearing were likewise prepared ahead of the scheduled date of hearing, and were based on the already typewritten court calendar. Thus, as the said case against complainant below was merely and urgently included in the court calendar as requested, the Minutes of Hearing for the same must hurriedly be prepared and of course, any variance will be observable.

[N]ot in all instances had counsels been able to sign minutes of hearing nor certificates of arraignment, for any reason, and such omission which may have also been happening in other places cannot and should not be a cause to hold the court at fault.[23]

The burden of substantiating the charges in an administrative proceeding against court employees falls on complainant, who must be able to prove the allegations in the complaint with substantial evidence. Complainant failed to substantiate the allegation in his complaint that respondent Judge Panontongan maneuvered and orchestrated the proceedings including, but not limited to, the proceedings resulting in the release of complainant from detention. Complainant did not present any proof directly connecting respondent Judge Panontongan to the demand for and receipt of money in exchange for complainant's release from jail. The basic rule is that mere allegation is not evidence, and is not equivalent to proof.[24]

Complainant's presentation of Atty. Mendoza's copy of the 12 August 2002 court calendar which did not include complainant's arraignment on said date is not sufficient evidence that no such arraignment took place. As explained by respondent Judge Panontongan, the court calendar was prepared and distributed to the Prosecutor's Office and the PAO days ahead; and, upon request, complainant's arraignment was merely included and inserted in the schedule of the court for 12 August 2002. Moreover, the Minutes of Hearing and Certificate of Arraignment dated 12 August 2002 were signed by complainant; and complainant did not refute his signature thereon. This would mean that complainant was present during his arraignment on 12 August 2002.

It is also worthy to note that the Decision dated 12 August 2002 of respondent Judge Panontongan recounts that complainant was properly arraigned, to wit:

When arraigned in a language known to him, assisted by counsel de officio Atty. Fernando Mendoza, accused Rodolfo Bactol Baygar entered a plea of guilty to the charge.[25]

In the absence of evidence to the contrary, the presumption that respondent Judge Panontongan regularly performed her duties will prevail. In the absence of cogent proof, bare allegations of misconduct cannot prevail over the presumption of regularity in the performance of official functions.

Administrative complaints leveled against judges must always be examined with a discriminating eye, for their consequential effects are, by their nature, highly penal, such that respondents stand to face the sanction of dismissal and/or disbarment.[26] A judge enjoys the presumption of regularity in the performance of his function no less than any other public officer.[27] The presumption of regularity of official acts may be rebutted by affirmative evidence of irregularity or failure to perform a duty.[28] The presumption, however, prevails until it is overcome by no less than clear and convincing evidence to the contrary. Unless the presumption is rebutted, it becomes conclusive. Every reasonable intendment will be made in support of the presumption and in case of doubt as to an officer's act being lawful or unlawful, construction should be in favor of its lawfulness.[29]

Thus, the Court cannot give credence to charges based on mere suspicion and speculation.

The Court further quotes with approval the following observations of the OCA:

[R]espondent Judge presides over Municipal Trial Court, Branch 1, Binangonan, Rizal merely in an acting capacity, she being the presiding judge of Branch 2, same court. Further, records with the Statistical Reports

Division, this Office, reveal that there were nine hundred twenty-six (926) and six hundred twenty-four (624) cases pending with Branches 1 and 2, respectively, as of August 2002. Taking the workload into consideration, it would be humanely impossible for a judge to remember the respective dates when each of the accused and/or parties to the cases pending before the two (2) salas took place. Corrolarily, a judge will have to rely on the records of the case when signing orders and/or decisions similar to that in issue (i.e., a simple decision issued on the basis of a plea of guilty of the accused appearing on the certificate of arraignment).[30]

Nonetheless, judges must not only be fully cognizant of the state of their dockets; likewise, they must keep a watchful eye on the level of performance and conduct of the court personnel under their immediate supervision who are primarily employed to aid in the administration of justice. The leniency of a judge in the administrative supervision of his employees is an undesirable trait. It is therefore necessary that judges should exercise close supervision over court personnel.[31] Respondent Judge Panontongan must therefore be warned to be more circumspect in her supervision of court personnel, such as respondent Process Server Tiraña.

As to the liability of Clerk of Court Agnes S. Mechilina

The Court deems it imperative to call the attention of Agnes S. Mechilina, Clerk of Court of the MTC, Branch 1, Binangonan, Rizal, for being too lax in the supervision of court personnel which resulted in incomplete entries in the following documents:

- The Certificate of Arraignment lacks the following entries: name of the prosecutor; name and signature of the counsel for the accused; and signature of the Clerk of Court who issued the very Certificate of Arraignment.
- Minutes of August 12, 2002 lacks the following entries: name and signature of the public prosecutor and the private prosecutor; remarks as to what transpired in the proceedings; and signature of the personnel-in-charge who prepared the Minutes [merely typewritten at the bottom of the Minutes is the name of the clerk of court]; and
- Certificate of Notice which does not bear the signature of the prosecutor and the counsel for the accused.

As what happened in this case, incomplete entries in court records and documents can easily cause confusion and raise doubts on the facts contained therein and, consequently, undermine the reliability of said records and documents. Ultimately, it is the Clerk of Court's responsibility to ensure that such records and documents are complete and well-kept.

The Clerk of Court is an essential officer in any judicial system. His office is the nucleus of activities, adjudicative and administrative. As such, he must be reminded that his administrative functions are just as vital to the prompt and proper administration of justice. He is charged with the efficient recording, filing and management of court records, besides having administrative supervision over court personnel. Clerks of Court play a key role in the complement of the court and cannot be permitted to slacken on their jobs under one pretext or another.[32]

WHEREFORE, the Court hereby RESOLVES to:

- SUSPEND for a period of ONE (1) YEAR without pay respondent process server Aladino V. Tiraña, commencing upon notice of this Decision;
- WARN Judge Lilian D. Panontongan to be more circumspect in her duties;
- CALL THE ATTENTION of Agnes S. Mechilina, Clerk of Court of the Municipal Trial Court, Branch 1, Binangonan, Rizal for (1) being too lax in the supervision of court personnel for their failure to complete the entries required in the Minutes of the Hearing and other court records; and (2) failing to ensure the reliability of court records reflecting court proceedings, with a STERN WARNING that a similar infraction in the future shall

be dealt with more severely; and

- FURNISH the Office of the Ombudsman with a copy of the Decision in this administrative matter for its information and appropriate action.

SO ORDERED.

Ynares-Santiago, (Chairperson), Carpio,[*] Nachura, and Peralta, JJ., concur.

[*]Per Special Order No. 568, dated 12 February 2009, signed by Chief Justice Reynato S. Puno, designating Associate Justice Antonio T. Carpio to replace Associate Justice Ma. Alicia Austria-Martinez, who is on official leave under the Court's Wellness Program.

[1] According to complainant, the police officers offered to facilitate his and Larga's bail bonds, requiring them to pay the amount of P1,000.00 each, plus an additional amount of P150.00. Since Larga had no means to pay for his bail, he requested complainant to advance the amount for him, promising that he would reimburse complainant later. Complainant's wife, Wilfreda, then had a certain Feliciano Gaa, complainant's neighbor, deliver the amount of P2,300.00 to the Police Precinct. Complainant was brought by police officers Anore, Salvador, Gonzaga and Arcilla to a room, where complainant handed the money to PO Gonzaga. However, only Larga was released from detention after such payment.

[2] PO Arcilla originally told complainant's wife, Wilfreda, that P4,000.00 was needed, but later agreed to the reduced amount of P3,000.00. When Wilfreda personally brought the P3,000.00 to respondent Process Server Tiraña, the latter asked for additional P20.00.

[3] Rollo, p. 60.

[4] Id. at 45-51.

[5] Id. at 109.

[6] Id. at 114-115.

[7] Id. at 177.

[8] Id. at 246.

[9] Id. at 245-259.

[10] Id. at 259.

[11] Id. at 261-272.

[12] Id. at 272.

[13] Id. at 274.

[14] Id. at 275.

[15] Id. at 291.

[16] Id. at 61-62.

[17] Id. at 61.

- [18] Mamba v. Garcia, 412 Phil. 1, 10 (2001).
- [19] Rollo, pp. 14-15.
- [20] Jugueta v. Estacio, A.M. No. CA-04-17-P, 25 November 2004, 444 SCRA 10, 16.
- [21] Hidalgo v. Magtibay, A.M. No. P-02-1661, 7 October 2004, 440 SCRA 175, 185.
- [22] Rollo, p. 18.
- [23] Rollo, pp. 160-161.
- [24] Navarro v. Cerezo, A.M. No. P-05-1962, 17 February 2005, 451 SCRA 626, 629.
- [25] Rollo, p. 7.
- [26] Dayag v. Judge Gonzales, A.M. No. RTJ-05-1903, 27 June 2006, 493 SCRA 51, 61.
- [27] People v. Belaro, 367 Phil. 91, 100 (1999). See also Rule 131, Section 3(m) of the Rules of Court.
- [28] People v. De Guzman, G.R. No. 106025, 9 February 1994, 229 SCRA 795, 799.
- [29] Magsucang v. Judge Balgos, 446 Phil. 217, 224-225 (2003).
- [30] Rollo, p. 270.
- [31] Dysico v. Judge Dacumos, 330 Phil. 834, 842 (1996).
- [32] In Re: Report on the Judicial and Financial Audit conducted in the Municipal Trial Court in Cities, Koronadal City, A.M. No. 02-9-233-MTCC, 27 April 2005, 457 SCRA 356, 374.

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