

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
EDILBERTO N. CRUZ, STENO-GRAPHIC REPORTER, BRANCH 9,
REGIONAL TRIAL COURT OF DIPOLOG CITY, RESPONDENT.***Adm. Matter No. P-91-538. November 25, 1993*Read online (full-text search, related cases, audio case brief): <https://batas.org/library/8bc06e3cdbca/>**PER CURIAM:**

This case originates from the letter of Executive Judge Jesus O. Angeles of the Regional Trial Court (RTC) of Dipolog City, dated 5 December 1990, addressed to the Office of the Court Administrator (OCA) informing it that at his instance the National Bureau of Investigation (NBI) in Dipolog City had conducted an investigation on at least three incidents involving the falsification of court orders and the forgery of signatures of Judge Pelagio R. Lachica of Branch 8, Judge Daniel B. Bernaldez of Branch 9, Judge Wilfredo C. Martinez of Branch 10, and Branch Clerk of Court Eyahiya S. Malon of Branch 10 of the RTC of Dipolog City by the respondent, a Stenographic Reporter of Branch 9 of the said court. Judge Angeles also transmitted to the OCA the memorandum of the NBI, with annexes, which states that there is sufficient basis to hold the respondent criminally and administratively liable, and recommending that formal charges be filed against the respondent and that a copy of the NBI memorandum be referred to the Ombudsman for the prosecution of the respondent.

In the Resolution of 8 June 1992, this Court authorized the OCA to file the appropriate administrative complaint against the respondent and directed it to furnish the Ombudsman with a copy of the NBI memorandum.

On 4 August 1992, the OCA filed the administrative complaint charging the respondent "with three acts of falsification" committed as follows:

"First, respondent made it appear that an Order, dated July 6, 1990, was issued in Branch 9 of the RTC of Dipolog City by now retired Judge Pelagio R. Lachica in connection with Civil Case No. 2184, entitled 'Numeriana Vda. de Balladares, et al. v. Heirs of Artemio Adasa, et al.' by falsifying the signature of Judge Lachica;

Second, respondent made it appear that an Order, dated November 20, 1989, was issued in Branch 10 of the RTC of Dipolog City by Judge Wilfredo C. Martinez in connection with Misc. SP Proc. No. 6812 ostensibly entitled 'In Re: Petition for Issuance of New Owner's Copy of TCT No. (T-20001)-2872 in Lieu of the Lost Copy; Renee B. Dalaguete, petitioner' by falsely representing that Judge Martinez signed the original of the Order where in truth and in fact Judge Martinez did not do so sign the order and by forging the signature of the branch clerk of court of Branch 10;

Third, respondent made it appear that an Order, dated August 30, 1985, was issued in Branch 9 of the RTC of Dipolog City by Judge Daniel B. Bernaldez in connection with Misc. SP Proc. No. 6713 ostensibly entitled 'In Re: Petition for Issuance of New Owner's Copy of TCT No. (T-26081)-4253 in Lieu of the Lost Copy; Quirino Tagapan, petitioner,' by falsely representing that Judge Bernaldez signed the original of the Order where in truth and in fact Judge Bernaldez did not do so sign the Order."

and praying that after investigation the proper administrative sanction be made upon the respondent.

In the Resolution of 17 August 1992, this Court required the respondent to file his Answer to the complaint and on 13 October 1992 the respondent filed his Answer wherein he alleges that "he did not, directly or indirectly, participate in the alleged falsification" of the questioned documents; that the alleged Order of 30 August 1985 purportedly issued by Judge Daniel B. Bernaldez in Misc. Sp. Proc. No. 6713 and the alleged Order dated 6 July 1990 issued by Judge Pelagio R. Lachica in Civil case No. 2184 are non-existent, fictitious and/or absolutely simulated, hence they are mere scraps of paper; that he had no hand in the preparation of the Order allegedly issued by Judge Wilfredo Martinez on 20 November 1989 in Misc. Sp. Proc. No. 6812; and that as court stenographer of the RTC of Zamboanga del Norte for more than 27 years, he "has performed his duties and functions with the highest degree of responsibility, integrity, honesty, and efficiency" and "has dedicated his time and efforts to his work x x x with utmost diligence, befitting a true employee of the judiciary."

On 22 March 1993, this Court referred this case for investigation, report, and recommendation to Executive Judge Wilfredo G. Ochotorena of Branch 11 of the Regional Trial Court of Sindangan, Zamboanga del Norte.

Judge Ochotorena conducted a full-blown investigation. Called to the witness stand to testify for the complainant were Atty. Friolo R. Icao, Jr., NBI Agent on the case, Atty. Aleth Hamoy-Velasco, Judge Pio Velasco, Delia Cabilin, Eyahiya S. Malon, Elizabeth Embrado, and Maura Dinawanao Atay. Respondent testified pro se.

On 23 July 1993, the OCA received the Report and Recommendation of the Investigating Judge dated 12 July 1993. He summarizes therein in detail, with references to the transcript of the stenographic notes, the evidence for the parties.

Based on the records and the transcripts of the stenographic notes, the following facts are preponderantly established:

Re the First Count

On 24 September 1990, the respondent issued a Certificate of Finality reading as follows:

"CERTIFICATE OF FINALITY

TO WHOM IT MAY CONCERN:

This is to certify that this Order in Civil Case No. 2184 has long become FINAL AND EXECUTORY as of this date.

Dipolog City, September 24, 1990.

(SGD) EDILBERTO N. CRUZ

(TYP) EDILBERTO N. CRUZ"

Stenographic Reporter"

which is written below a purported Order dated 6 July 1990 of Judge Pelagio R. Lachica in Civil Case No. 2184 of Branch 9 of the Regional Trial Court of Dipolog City. A signature appears over and above the name of the Judge, and the Order purports to read as follows:

"O R D E R

This treats of the motion filed by the defendants, thru counsel, praying for issuance of new owner's copy of Original Certificate of Title No. P-12551 in the name of Gregorio Balladares in view of the lost [sic] of the same, presumably in the course of the hearing of the above-entitled case. It appearing also that this case has long become final and executory and in fact, a writ of execution in favor of the defendants had long been

issued.

Records show that efforts have been exerted to locate the missing title, but the search only proved fruitless and hence it was thus considered to have been totally lost, hence the motion filed by the defendants.

WHEREFORE, the motion is granted and the Register of Deeds of Zamboanga del Norte is directed to issue a new owner's copy of Original Certificate of Title No. P-12551, after payment of the required fee(s) therefor.

SO ORDERED.

Given at Dipolog City, this 6th day of July 1990.

(SGD) PELAGIO R. LACHICA

(TYP) PELAGIO R. LACHICA

Judge."

(see copy at Rollo, 19)

Atty. Aleth Hamoy de Velasco, Clerk of Court of Branch 9 of the RTC at Dipolog City, who affirmed her affidavit taken by NBI agent Icao on 17 October 1990 (Rollo, 21-22), testified that Civil Case No. 2184 pertains to Branch 8, not 9, of the said court; that the questioned Order was never issued by Branch 9; that she is familiar with the signature of Judge Lachica and that what purports to be his signature on the questioned Order is not Judge Lachica's as he had already earlier retired; and that she is familiar with the signature of the respondent and that the signature appearing on the Certificate of Finality is that of the respondent. (TSN, 4 May 1993). The Order was presented to the Register of Deeds by the respondent, registered, and given an entry number. Mrs. Embrado, Records Officer, Office of the Register of Deeds of Zamboanga del Norte, who affirmed her affidavit taken by NBI Agent Icao on 24 October 1990 (Rollo, 37--39), brought to the attention of Atty. Hamoy de Velasco this particular order, after it was registered by the respondent, by showing him a photocopy of the document. After verifying from Atty. de Velasco that the Order is non-existent, Mrs. Embrado returned to her office and had the registration cancelled. Thereafter, the document was returned to the respondent. (TSN, 18 May 1993, 15-17). Per the testimony of Maura Atay, Cash Clerk of the Office of the Registry of Deeds, who also affirmed her affidavit taken by NBI Agent Icao on 24 October 1990 (Rollo, 40-42), it was the respondent who paid the sum of P35.00 for the registration fees of the document and the issuance of a new owner's duplicate copy of the certificate of title; however, the receipt therefor was placed in the name of Margarita Milla. (Rollo, 23-24).

Judge Pio Velasco, who was then the Branch Clerk of Court of Branch 8 of the RTC of Dipolog City, also affirmed his affidavit taken by NBI agent Icao on 23 October 1990 (Rollo, 27--28); he further confirmed that the so-called 6 July 1990 Order is fabricated or fictitious because it was issued in the case which pertains to Branch 8; no motion for the issuance of a new duplicate copy of the title was in fact filed; Judge Lachica, who allegedly issued the Order on 6 July 1990, could not have issued it because he retired on 30 June 1990 and that a certification could only be issued by the Clerk of Court. (TSN, 4 May 1993, 21--23).

Re the Second Count

It was made to appear that on 12 December 1989 EYAHYIA S. MALON, Branch Clerk of Court of Branch 10 of the RTC of Dipolog City had issued the following:

"CERTIFICATE OF FINALITY AND CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the original copy of this Order has been duly signed by the Presiding Judge of this Court and that it has already become FINAL and EXECUTORY as of this date.

Dipolog City, December 12, 1989.

(SGD) EYAHIIYA S. MALON

(TYP) EYAHIIYA S. MALON

Branch Clerk of Court"

at the bottom of the purported Order of Judge Wilfredo C. Martinez of Branch 10 in Misc. Sp. Proc. No. 6812, a petition of one Renee B. Dalaguete for the "Issuance of New Owner's Copy of TCT No. (T-20001)-2872 In Lieu of the Lost Copy," reading as follows:

"O R D E R

FINDING the verified petition for issuance of a new owner's duplicate copy in order, and considering that the owner's duplicate copy of TCT No. (T-20001)-2872 which was not the subject to (sic) a conveyance or encumbrance was lost and could not be located, as prayed for, the petition is GRANTED.

Upon payment of the requisite legal fee(s), the Register of Deeds of Dipolog City is directed to issue a new owner's duplicate copy of TCT No. (T-20001)-2872 which shall be accorded like faith and credit as the original duplicate.

Let a memorandum of the loss be entered.

SO ORDERED.

Given this 20th day of November, 1989, in Dipolog City, Philippines.

ORIGINAL SIGNED

WILFREDO C. MARTINEZ

Judge"

(see copy, Rollo, 20)

Branch Clerk of Court Malon testified that he has not certified any order to that effect; the signature appearing thereon and purporting to be his is not his signature and therefore it is "imitated, fabricated and forged"; moreover, Misc. Sp. Proc. No. 6812 does not exist in Branch 10 of the court, no hearing was ever conducted thereon and Judge Martinez had no participation whatsoever in the issuance of any order therein. It is therefore falsified and he believes that the author of the forgery and the falsification is the respondent, for which reason he had filed a case against the respondent with the Office of the City Prosecutor. (TSN, 18 May 1993, 11-13). Delia Cabilin, Acting Register of Deeds of Dipolog City, who affirmed her affidavit taken by NBI agent Icao on 24 October 1990 (Rollo, 44-48), declared that she was approached by Renee Dalaguete on how to go about a deed of sale of a parcel of land executed by the owner who had lost his duplicate copy of the certificate of title. She told Renee that if it is a voluntary transaction, she should have the reconstitution of the owner's duplicate copy of the title through court proceedings and recommended that she see the respondent. She assumed that Renee did because the latter kept on calling her by phone to ask whether an order had already been issued by the court. Finally, after several months, Renee brought to the Office of the Register of Deeds the necessary documents for the issuance of a new owner's duplicate copy of the certificate of title. (TSN, 18 May 1993, 2-3). One of the documents is the questioned Order of 20 November 1989. On the faith thereof and upon compliance by Renee

with certain requirements and procedure, new owner's duplicate copies of the certificates of title were issued to Renee. (Page 3, Affidavit of Cabilin, 3-4).

Re the Third Count

On 2 September 1985, the respondent issued the following:

"CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the original copy of this Order has been duly signed by the Presiding Judge of this Court.

Dipolog City, September 2, 1985

(SGD) EDILBERTO N. CRUZ

(TYP) EDILBERTO N. CRUZ

Stenographic Reporter"

at the bottom of an alleged order purportedly issued by Judge Daniel B. Bernaldez of Branch 9 of the RTC of Dipolog City in Misc. Sp. Proc. No. 6713, which is purportedly a petition of one Quirino Tagapan for the issuance of a new owner's copy of TCT No. (T-26081)-4253 in lieu of the lost copy. It reads:

"O R D E R

Acting on this verified petition filed by petitioner, thru counsel, seeking for issuance of another new owner's copy of Transfer Certificate of Title No. (T-26081)-4253 in lieu of its lost copy for reasons therein alleged which are well-taken, the Court finds it well-taken and thus it is hereby GRANTED.

WHEREFORE, as prayed for, the Register of Deeds of Dipolog City is hereby directed to issue, in substitution of its lost copy, a new owner's duplicate copy of Transfer Certificate of Title No. (T-26081)-4253 which shall be, in all aspects, entitled to like faith and credit as the lost one, after payment by petitioner of the requisite legal fee(s) therefor.

SO ORDERED.

In Chambers, Dipolog City, Philippines, this 30th day of August, 1985.

ORIGINAL SIGNED

DANIEL B. BERNALDEZ

Judge"

(see copy, Rollo, 18)

There is, however, no evidence that this document was presented to the Office of the Register of Deeds to secure the issuance of the new owner's duplicate copy. When confronted by NBI agent Icao about it, Delia Cabilin declared that it was not presented to her office, and that TCT No. (T-26081)-4253 is intact in her office; however, it is in the name of Mercedes vda. de Sevilla. (Affidavit of Cabilin, page 2, Rollo, 45).

The Investigating Judge summarized the evidence for the respondent as follows:

"EDILBERTO N. CRUZ testifying in his behalf declared as follows: that he was connected with the judiciary as Court Stenographer III, RTC Br. 9, Dipolog City since March 29, 1965 up to the present; that this is the first time an administrative case was filed against him; that the signature appearing above his typewritten name on

Court Order dated August 30, 1985 is not his signature; that the signature appearing above his name on Court Order dated July 6, 1990 likewise is not his signature; that he had no knowledge in the preparation of Court Order dated August 30, 1985; and that upon receipt of the complaint he immediately filed his answers with annexes to show that he have [sic] not participated directly and/or indirectly in the preparation of Court Orders involved in the instant administrative case.

On cross-examination he said:

Q Your signature appearing in your answer is your genuine signature?

A Yes, Your Honor, that is my genuine signature. (emphasis supplied)

Q Appearing below the verification is your genuine signature?

A Yes, sir. In my answer.

Q In Annex 'A' of your answer there appears in the left hand margin a signature, is this your signature?

A Yes, sir. (emphasis supplied)

x x x

Q In Annex "1" there appears a signature above the typewritten name Edilberto N. Cruz, what can you say about this signature?

A My signature, Your Honor in Annex "1" now marked as Exh. "1" for the Respondent. (emphasis supplied)

Q In Annex "2" of your answer there is a signature?

A That is my signature in Annex "2" of my answer as Exh. "2" for the Respondent. (emphasis supplied)

Q Now, comparing your signature in the alleged Order, fake Order dated August 30, 1985 with your signature here in your answer, what is your comment?

A My comparison of signature appearing in the alleged falsified order that signature appearing in the verification, we could not fully determine whether that is my signature, while the other one is written over the typewritten name which is an original copy, the other signature appearing in the mentioned order is written only on a mere xerox copy, Your Honor.

Q But in your observation that has a semblance in your signature appearing in the Order and signature appearing in the verification of your answer?

A There seems a semblance, similarity. (emphasis supplied)

Q Likewise, signature appearing in the Order dated July 6, 1990 it has similarity, there is semblance of your genuine signature?

A It is mere xerox copy and there seems a similarity, Your Honor. (emphasis supplied)

Q As you testified a while ago that you are connected with Br. 9 since 1965 until present, a 28 solid years. By that span of 28 years you are familiar with the signatures of Judges?

A With respect to former Judges wherein I served I am familiar with their signatures, Your Honor.

Q How about the signature of Judge Lachica?

A I am also familiar Your Honor having me under him before.

Q How about signature of Judge Martinez?

A I am also familiar, Your Honor.

Q And there are times being Court Stenographer of Branch 9 an Order for Reconstitution will be authenticated by you?

A By the Branch Clerk of Court, Your Honor.

Q So, you are familiar of the wordings of the Order?

A Before only the Judge dictates Orders with respect to issuance of title by the Register of Deeds but presently the one dictating in the preparation of said Order is our Branch Clerk of Court.

Q During the span of 28 years, have you not in one occasion brought an Order to the Register of Deeds to facilitate issuance of Title?

A I could not remember of any instance.

Q You impress this Court that for the span of 28 years this is the first time you are charged administratively?

A In my 28 long years of service in the government solely under judiciary, this is the first time I have been charged administratively, Your Honor and the Complainant is no less than Judge Jesus Angeles, there is no private party, nor there was no private complainant involving this case.

x x x

Q So, your defense is a general denial, you have nothing to do with those question (sic) Orders?

A I have no participation nor have a hand in preparation of the said triple question (sic) Orders, Your Honor. (t.s.n. pp. 16-20 hearing on June 17, 1993)"

The investigating Judge then concluded:

"The acts committed by Respondent Edilberto N. Cruz constitute grave misconduct in Office which would justify dismissal from the service. If he (Judge) is disposed to impose a lighter penalty, it is simply because the personal records of the Respondent shows [sic] that this is the first offense, that Edilberto N. Cruz has more than 28 solid years of service in the government to his credit.

IN falsification of a public document the falsification need not be made on an official form. It is sufficient that the document is given the appearance of, or made to appear similar to, the official form. (People vs. Tupasi, C.A. G.R. 290-292, March 22, 1937).

THE simulation of Public Official document or mercantile document is also contemplated in falsification of these documents. (People vs. David, C.A. G.R. No. 44368, Nov. 27, 1936).

HENCE, one of the ways of committing falsification is by fabricating a document so that it may be easily mistaken for a genuine one. (U.S. vs. Corral, 15 Phil. 383).

UNDER paragraph 1 of Article 171, of the Revised Penal Code the mere drawing up of a false document is not sufficient to constitute the crime of falsification. The signature, handwriting or mark of another person must be signed or made by the offender, without authority to do so. (U.S. vs. Paraiso, 1 Phil. 66).

IN the case at bar even if the signature of Judge Bernaldez, Judge Lachica and Judge Martinez had not been imitated on the Court Orders in question, the fact that they were signed thereon in order to make it appear that they intervened in the execution thereof, when they did not in fact intervene, is sufficient to constitute falsification.

THE Respondent[s] contention that the signatures appearing on the question [sic] Orders were not his genuine

signatures is not impressed with merit. Under Sec. 22, Rule 132 of the Revised Rules on Evidence, the handwriting of a person may be proved by any witness who 'has seen writing purporting to be his upon which the witness acted or been charged, and has thus acquired knowledge of the handwriting of such person.' Otherwise stated, any witness may be called who has, by sufficient means, acquired knowledge of the general character of the handwriting of the party whose signature is in question. Section 22, Rule 132 of the Rules on Evidence further provides that 'evidence respecting the handwriting may also be given by comparison, made by the witness or the Court, with the writing admitted or treated as genuine by the party against whom the evidence is offered, or proved to be genuine to the satisfaction of the judge'. Pursuant thereto, the Investigating Judge compared the signature of the certification with the signature of the Respondent on documents filed with the Court, and which were proved to be genuine.

THE record of this case contains documents bearing signatures of the Respondent which have been proved to be genuine or treated by him to be so. The Investigating Judge refers, among many others, to two full signatures undisputably [sic] affixed by the Respondent on the answer. There is no doubt that these two signatures strikingly resemble that on question [sic] orders not only in general but also in the manner the illegible letters were formed. Even the Respondent himself reluctantly admitted that the challenged signatures really looks [sic] like my [sic] signature and is almost the same.

AFTER making the comparison, the Investigating Judge was satisfied that the signatures on the certifications are truly the signatures of the respondent. (see *Layno vs. People, et al.*, G.R. No. 93842, September 7, 1992)."

The Investigating Judge found the respondent "guilty of grave misconduct in Office," and recommends that he be "suspended from Office for a period of six (6) MONTHS without pay, x x x with a warning of a graver penalty for any succeeding misconduct in Office."

The culpability of the respondent in all three counts has been established by the evidence.

As regards the alleged Order of 6 July 1990, he made it appear that Civil Case No. 2184 pertained to Branch 9 of the RTC of Dipolog City, that the Order was issued on 6 July 1990 by Judge Lachica, and that the signature appearing thereon is that of Judge Lachica when in truth the case pertained to Branch 8, Judge Lachica never signed it, and could not have validly issued the Order because he had earlier retired on 30 June 1990. The respondent's claim that he had no part in its preparation was not rebutted by expert testimony; on the contrary, the finding of the Investigating Judge who compared the signature thereon with the respondent's genuine signatures, and the testimony of witness Elizabeth Embrado. (Note: her testimony is hearsay) that the respondent brought the document to the Office of the Register of Deeds, had it registered therein, paid for the required fees and got back the document after the registration was cancelled prove beyond cavil that he had forged the signature of Judge Lachica and signed the certification.

Anent the questioned Order of 20 November 1989, there is no doubt that the signature of Clerk of Court Malon was forged, that the Order was not issued, and that Judge Martinez did not sign any Order to that effect, and that the said case does not pertain to Branch 10 of the court. That this was, however, prepared by the respondent is evident from the testimony of Delia Cabilin that she had recommended Renee Dalaguete to the respondent and that she was repeatedly asked by Dalaguete if an order of reconstitution had already been released. Because of all these, Malon filed a criminal case against the respondent with the Office of the City Prosecutor of Dipolog City.

The Order of 30 August 1985 does not appear to have been presented to the Office of the Register of Deeds of Dipolog City, but as found by the Investigating Judge the signature of the respondent therein is genuine and authentic. The "semblance [and] similarity" of the said signature to that of the respondent's signature in the verification of his answer is, as adverted to above, admitted by him.

Whether he benefited from the acts he committed is entirely irrelevant. By his misdeeds, he made it appear that

Judges Lachica, Martinez, and Bernaldez had issued the orders in due course, made it appear that these were lawful orders of the court and gave them the appearance of authenticity which would lead the public to accord it not only full faith and credit, but respect and obedience. He thus made a mockery of the trial court, tarnished the integrity of the Judges concerned and deliberately made untruthful narrations of facts on papers he passed off as public documents emanating from the courts of justice.

Independently of whether he is criminally liable for falsification -- a matter yet to be resolved by the Sandiganbayan in Criminal Cases Nos. 17949, 17950 and 17951 for falsification of public documents involving the questioned orders of 30 August 1985, 20 November 1989 and 6 July 1990 -- there can be no doubt that the respondent's proven misdeeds constitute grave misconduct, gross dishonesty, and conduct prejudicial to the administration of justice and the best interests of the public service. He displayed moral turpitude making him unfit for public trust.

In *Sy vs. Academia* (198 SCRA 705 [1991]), we stated:

"The administration of justice is a sacred task. By the very nature of their duties and responsibilities, all those involved in it must faithfully adhere to, hold inviolate, and invigorate the principle solemnly enshrined in the 1987 Constitution that a public office is a public trust; and all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, and act with patriotism and justice, and lead modest lives. (Sec. 1, Article XI).

This Court condemns 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 would diminish or even just tend to diminish the faith of the people in the Judiciary. In *Jereos, Jr. vs. Reblando, Sr.* (71 SCRA 126, 131-132), We laid down the rule that the conduct and behavior of everyone connected with an office charged with the dispensation of justice, like the court below, from the presiding judge to the lowliest clerk, should be circumscribed with the heavy burden of responsibility. His conduct, at all times, must not only be characterized by propriety and decorum but above all else must be above suspicion.

Indeed, every employee of the judiciary should be an example of integrity, uprightness and honesty. (*Ablanida vs. Intia*, Adm. Matter No. R-770-P, May 17, 1988)."

Respondent was unfaithful to his trust and, by choice, refused to be an example of integrity, uprightness and honesty. He should not be allowed to serve a minute longer in the Judiciary.

WHEREFORE, in the light of the foregoing, the Court resolved to DISMISS from the service respondent EDILBERTO N. CRUZ for grave misconduct, gross dishonesty and conduct prejudicial to the administration of justice and the best interests of the public service, with forfeiture of all benefits, and with prejudice to re-employment in any branch or service of the Government, including government-owned or controlled corporations. This decision shall take effect upon the respondent's receipt of a copy hereof.

SO ORDERED.

Narvasa, C.J., Cruz, Feliciano, Padilla, Bidin, Regalado, Davide, Jr., Romero, Nocon, Melo, Quiason, Puno, and Vitug, JJ., concur.

Bellosillo, J., on official leave.

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