OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS. JUDGE UYAG P. USMAN, PRESIDING JUDGE, SHARI’A CIRCUIT COURT, PAGADIAN CITY, RESPONDENT.

A.M. No. SCC-08-12 (FORMERLY OCA I.P.I. NO. 08-29-SCC). October 19, 2011

Ponente: MENDOZA, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/916e32c82d53/

MENDOZA, J.:

This administrative proceeding stemmed from a letter-complaint dated April 23, 2008 filed before the Office of the Ombudsman, Mindanao, requesting for a lifestyle check on respondent Judge Uyag P. Usman (respondent), Presiding Judge, Shari'a Circuit Court, Pagadian City, in connection with his acquisition of a Sports Utility Vehicle (SUV) amounting to P1,526,000.00.

In his letter,[1] complainant alleged that respondent acquired a brand new SUV, specifically a Kia Sorento EX, Automatic Transmission and 2.57 CRDI Diesel for P1,526,000.00; that he paid in cash the total down payment of P344,200.00; and that the remaining balance was payable in 48 months with a monthly amortization of P34,844.00 to the Philippine Savings Bank (PS Bank), Ozamis City Branch.

Complainant further averred that respondent had just been recently appointed as a judge and since he assumed his post, he seldom reported for work and could not be located within the court's premises during office hours. Moreover, he was only receiving a very small take home pay because of his salary and policy loans with the Supreme Court Savings and Loan Association (SCSLA) and the Government Service Insurance System (GSIS), many of which he incurred when he was still a Clerk of Court of the Shari'a Circuit Court in Isabela City, Basilan. Complainant attached photocopies of his pay slips to prove his allegation.

Respondent's financial capability to acquire said vehicle has been questioned because he is the sole bread winner in his family and he has seven (7) children, two (2) of whom were college students at the Medina College School of Nursing, a private school.

On May 26, 2008, the Office of the Ombudsman forwarded the complaint to the Office of the Court Administrator (OCA). In turn, the OCA, in its Letter dated April 22, 2009, directed respondent to comment on the letter [2] within 10 days from receipt thereof.

In his Comment,[3] respondent explained that he acquired the Kia Sorento vehicle in 2008 but it was a second-hand, and not a brand new, vehicle; that he had no intention of buying the said vehicle but his friend, who was a manager of KIA Motors, Pagadian City, convinced him to avail of their lowest down payment promo of P90,000.00 to own a second-hand demo unit vehicle; that he was hesitant to avail of the promo but his mother, a U.S. Veteran Pensioner receiving a monthly pension of US$1,056.00, persuaded him to avail of it; that it was his mother who paid the down payment of P90,000.00 and the monthly installment of more than P30,000.00; that when his mother got sick, her pensions and savings were used to buy medicines, thus, he defaulted in the payment of the said vehicle for four (4) months; and that PS Bank foreclosed the mortgage on the said vehicle.

Respondent denied the allegation that all his seven (7) children depended on him for support. He claimed that only three of his children, all in the elementary level and studying in public schools, were under his care; that his mother financially helped him in the education of his two daughters who were in college; and that his other two children were already married and gainfully employed.

Respondent also refuted the charges that he seldom reported for work and could not be located within the court's premises. He, instead, asserted that there was never a single day that he failed to report for work; that he often arrived ahead of his staff considering that he lived near the court; and that his conduct as a judge was beyond reproach and this could be attested to by his staff and employees at the Sangguniang Panlunsod of Pagadian City. To support his claim, respondent submitted the Joint Affidavit of his staff and the affidavit of Mohammad Basher Cader, a member of a religious group in Pagadian City, attesting to his diligence and dedication in the performance of his function as a judge.

Respondent bared that, at present, he is receiving a monthly take home pay of more than ?40,000.00 including his salary and allowances plus honorarium from the local government.

In its Report[4] dated March 16, 2011, the OCA found the explanation of respondent meritorious.

The OCA, however, held respondent liable for violation of Section 8 of Republic Act (R.A.) No. 6713 otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees and of Section 7 of R.A. No. 3019, known as the Anti-Graft and Corrupt Practices Act, for failing to file his Statement of Assets, Liabilities and Net Worth (SALN) for the years 2004-2008. Thus, the OCA recommended that respondent be fined in the amount of P10,000.00

The Court agrees with the finding of the OCA that the charges against respondent were not fully substantiated. The evidence adduced in the case, consisting of documents submitted by respondent are sufficient to prove that it was, indeed, his mother who paid the down payment and the monthly amortizations for the subject vehicle.

The Court also agrees with the OCA that respondent is guilty of violating Section 7 of R.A. No. 3019 and Section 8 of R.A. No. 6713.

Section 7 of R.A. No. 3019 provides:

> Sec. 7. Statement of Assets and Liabilities. - Every public officer, within thirty days after assuming office and, thereafter, on or before the fifteenth day of April following the close of every calendar year, as well as upon the expiration of his term of office, or upon his resignation or separation from office, shall prepare and file with the office of the corresponding Department Head, or in the case of a Head of Department or Chief of an independent office, with the Office of the President, a true, detailed and sworn statement of assets and liabilities, including a statement of the amounts and sources of his income, the amounts of his personal and family expenses and the amount of income taxes paid for the next preceding calendar year: Provided, That public officers assuming office less than two months before the end of the calendar year, may file their first statement on or before the fifteenth day of April following the close of the said calendar year.

In the same manner, Section 8, R.A. No. 6713 states:

> SEC. 8. Statements and Disclosure. - Public officials and employees have an obligation to accomplish and submit declarations under oath of, and the public has the right to know, their assets, liabilities, net worth and financial and business interests including those of their spouses and of unmarried children under eighteen (18) years of age living in their households.
>
> (A) Statements of Assets and Liabilities and Financial Disclosure. - All public officials and employees, except those who serve in an honorary capacity, laborers and casual or temporary workers, shall file under oath their

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

> Statements of Assets, Liabilities and Net Worth and a Disclosure of Business Interests and Financial connections and those of their spouses and unmarried children under eighteen (18) years of age living in their households.

The two documents shall contain information on the following:

> (a) real property, its improvements, acquisition costs, assessed value and current fair market value;
>
> (b) personal property and acquisition cost;
>
> (c) all other assets such as investments, cash on hand or in banks, stocks, bonds, and the like;
>
> (d) liabilities, and;
>
> (e) all business interests and financial connections.

The documents must be filed:

> (a)within thirty (30) days after assumption of office;
> (b)on or before April 30, of every year thereafter; and
> (c)within thirty (30) days after separation from the service.

All public officials and employees required under this section to file the aforestated documents shall also execute, within thirty (30) days from the date of their assumption of office, the necessary authority in favor of the Ombudsman to obtain from all appropriate government agencies, including the Bureau of Internal Revenue, such documents as may show their assets, liabilities, net worth, and also their business interests and financial connections in previous years, including, if possible, the year when they first assumed any office in the Government.

Husband and wife who are both public officials or employees may file the required statements jointly or separately.

x x x x x x x x x

From the foregoing, it is imperative that every public official or government employee must make and submit a complete disclosure of his assets, liabilities and net worth in order to suppress any questionable accumulation of wealth.[5] This serves as the basis of the government and the people in monitoring the income and lifestyle of public officials and employees in compliance with the constitutional policy to eradicate corruption, to promote transparency in government, and to ensure that all government employees and officials lead just and modest lives,[6] with the end in view of curtailing and minimizing the opportunities for official corruption and maintaining a standard of honesty in the public service.[7]

In the present case, respondent clearly violated the above-quoted laws when he failed to file his SALN for the years 2004-2008. He gave no explanation either why he failed to file his SALN for five (5) consecutive years. While every office in the government service is a public trust, no position exacts a greater demand on moral righteousness and uprightness of an individual than a seat in the Judiciary. Hence, judges are strictly mandated to abide with the law, the Code of Judicial Conduct and with existing administrative policies in order to maintain the faith of our people in the administration of justice.[8]

Considering that this is the first offense of the respondent, albeit for five years, the Court shall impose a fine of only Five Thousand Pesos (P5,000.00) with warning.

WHEREFORE, the Court finds respondent Uyag P. Usman, Presiding Judge, Shari'a Circuit Court, Pagadian City, GUILTY of violation of Section 7, R.A. No. 3019 and Section 8, R.A. No. 6713 and orders him to pay a

FINE of Five Thousand Pesos (P5,000.00) with a STERN WARNING that a repetition of the same or similar act will be dealt with more severely.

SO ORDERED.

Velasco, Jr., (Chairperson), Peralta, Abad, and Perlas-Bernabe, JJ., concur.

---

[1] Rollo, pp. 4-6.

[2] Id. at 15-16.

[3] Id. at 17-20.

[4] Id. at 57-62.

[5] Ombudsman v. Racho, G.R. No. 185685, January 31, 2011.

[6] Flores v. Montemayor, G.R. No. 170146, August 25, 2010, 629 SCRA 178, 199.

[7] Cavite Crusade for Good Government v. Cajigal, 422 Phil. 1, 9 (2001).

[8] Magarang v. Jardin, Sr., 386 Phil. 273, 284 (2000).

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.