OFFICE OF THE COURT ADMINISTRATOR, PETITIONER, VS. JUDGE FLORENTINO V. FLORO, JR., RESPONDENT.

A.M. NO. RTJ-99-1460. July 12, 2007

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PER CURIAM:

On 31 March 2006, the Court En Banc promulgated its Decision in the above-entitled case, the dispositive of which reads –

> WHEREFORE, premises considered, the court resolves to:
>
> 1) FINE Judge Florentino V. Floro, Jr., in the total amount of FORTY THOUSAND (P40,000.00) PESOS for seven of the 13 charges against him in A.M. No. RTJ-99-1460;
>
> 2) RELIEVE Judge Florentino V. Floro, Jr., of his functions as Judge of the Regional Trial Court, Branch 73, Malabon City and consider him SEPARATED from the service due to a medically disabling condition of the mind that renders him unfit to discharge the functions of his office, effective immediately;
>
> 3) As a matter of equity, AWARD Judge Florentino V. Floro, Jr., back salaries, allowances and other economic benefits corresponding to three (3) years;
>
> 4) DISMISS the charge in A.M. No. RTJ-06-1988 (Luz Arriego v. Judge Florentino V. Floro, Jr.) for LACK OF MERIT; and
>
> 5) DISMISS the charge in A.M. No. 99-7-273-RTC (Re: Resolution Dated 11 May 1999 of Judge Florentino V. Floro, Jr.) for MOOTNESS.

Subsequent thereto, on three separate dates,[1] Judge Floro filed three Partial Motions for Reconsideration as well as supplements thereto.

In a signed Resolution dated 11 August 2006 by the Court En Banc, the foregoing motions and supplements were denied for lack of merit. It was also stated therein that from then on, no other pleadings will be entertained by the Court.[2]

In obvious disregard of the aforementioned directive, Judge Floro filed several more pleadings, i.e., "Verified Letter/Omnibus Motion for Leave of Court to Admit and Grant the (a) Second Motion for Partial Reconsideration of the Court's Decision dated 31 March 2006 and (b) Conjunctive Omnibus Motion; Verified Complaint/Letter-Affidavit with Memorandum of Law/Authorities, and Urgent Prayer for Immediate Docketing and Early Resolution dated 25 August 2006;" and "Verified Another/Supplemental Complaint/Letter-Affidavi with Memorandum of Law/Authorities, and Urgent Prayer for Immediate Docketing and Early Resolution dated 1 September 2006."

In a Resolution dated 26 September 2006, the Court En Banc resolved to treat the Verified Complain/Letter Affidavit and Verified Another/Supplemental Complaint/Letter-Affidavit as separate matters from the subject case.

In another Resolution, this time an extended one, dated 10 October 2007, the Court En Banc resolved to NOTE WITHOUT ACTION the aforequoted Verified Letter/Omnibus Motion for Leave of Court to Admit and Grant the (a) Second Motion for Partial Reconsideration of the Court's Decision dated 31 March 2006 and (b)Conjunctive Omnibus Motion filed by Judge Floro. In the same resolution, the Court further considered the present case closed and terminated and accordingly ordered the issuance of an entry of judgment in due course.[3]

Yet again, in obvious disdain of the Court's prior Resolutions, Judge Floro incessantly filed pleading after pleading, viz:

> - MOTION FOR LEAVE OF COURT TO ADMIT AND GRANT a) this Third Motion for Partial Reconsideration [of par. 2], page 74, of the Decision (in this case) to Reinstate Judge Floro [under Sonia vs. Villegas, allowing 2[nd]/3[rd] Motions for Reconsideration of Dismissal of Judges, 11-18, 2004 A.M. No. RTJ-3-1812); and b) Alternative Motion to Expunge from the Rollo this Pleading/Paper if Judge Floro will not be reinstated, and to mail the expunged copy to Judge Floro in accordance with Truth and his religion Prayer and Imprecation-Psalm 109;[4]
>
> - VERIFIED MOTIONS/LETTER WITH ALTERNATIVE OMNIBUS MOTION TO DECLARE NULL AND VOID AB INITIO – a) The August 11, 2006 and March 31, 2006 Decision and Resolution (in A.M. No. RTJ-99-1460) Separating Judge Floro from Service; b) The December 12, 2006 JBC published Announcement (P.D. Inquirer, 12-14-2006), opening Branch 73, RTC, Malabon for Application; and c) To Re-Open, Re-Investigate it and Reinstate Judge Floro with Motion for Leave of Court to Admit/Grant these Extraordinary, Omnibus Motions;[5]
>
> - LETTER asking the Court to reinstate him based on Soria vs. Villegas, November 2004 Chief Justice Davide decision permitting 3 or more appeals, and stating that he is willing to be detailed as Judge and to work under the Offices of Justice Gutierrez, Justice Nazario and/or the Office of the Chief Justice, by way of reconciliation;[6]
>
> - 2[nd]MOTION/LETTER WITH LEAVE OF COURT [For Reconsideration of the Denial Resolution Dated December 11, 2006] with alternative Omnibus Motions;[7] and Omnibus Motion/Letter praying to declare null and void ab initio the December 12, 2006 JBC published Announcement (P.D. Inquirer 12-14-2006) opening Branch 73, RTC, Malabon for application;[8]

which the Court En Banc, in essence, expunged[9] from the records of the case at bar in view of its signed Resolution dated 11 August 2006 wherein it already resolved to deny with finality Judge Floro's Partial Motions for Reconsideration as well as the Supplements thereto, for lack of merits.

Despite the resolute denunciation of his attempts to evade the interdictions issued by the Court En Banc, Judge Floro once more filed the following:

> - ORIGINAL PETITION/LETTER WITH LEAVE OF COURT [For Re-Opening of Judge Floro's Separation Case based on "G.R. No. 72670 September 12, 1986-Saturnina Galman vs. Sandiganbayan] with Conjunctive Omnibus Motions;[10]
>
> - VERIFIED SUPPLEMENT TO THE ORIGINAL PETITION/LETTER, WITH LEAVE OF COURT [For Re-Opening of Judge Floro's Separation case based on G.R. No. 72670 September 12, 1986 Saturnina Galman vs. Sandiganbayan] with Alternative Urgent Petition to assign i) a New Docket Number to this Original Petition, and ii) to Designate Acting Chief Justice Leonardo A. Quisumbing or S.C. Associate Justice Gregory S. Ong, as New Ponente of this New Case.[11]

The Court had already thoroughly studied the present case. Likewise, it had meticulously reviewed each and every evidence on record when it rendered its 31 March 2006 Decision and 11 August 2006 Resolution. Seeing that Judge Floro failed to present, and continuously fails to present, any meritorious argument or substantial evidence

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in support of the various pleadings he has filed thereafter, We were constrained to deny them.

In this Resolution, We wish to remind Judge Floro that the Court cannot be swayed to modify or reverse its Decision and various Resolutions by inundating the ponente with numerous pleadings avowing ungodly reprisal as well as personal letters/telephone calls seeking audience with the latter, if, as in this case, they are only in furtherance of repeating issues and arguments already passed upon by the Court En Banc's earlier Decision and Resolution. Otherwise stated, only meritorious arguments and substantial evidence can convince Us to modify or reverse our previous ruling.

Basic is the rule in our judicial system that litigations must end and terminate at some point, and in the oft-quoted case of Li Kim Tho v. Sanchez,[12] this Court had explained that –

> Litigation must end and terminate sometime and somewhere, and it is essential to an effective and efficient administration of justice that once a judgment has become final, the winning party be not, through a mere subterfuge, deprived of the fruits of the verdict. Courts must therefore guard against any scheme calculated to bring about that result. Constituted as they are to put an end to controversies, courts should frown upon any attempt to prolong them.

In Ortigas and Company Limited Partnership v. Judge Velasco,[13] this Court expounded on the interpretation of the following phrases, used by the courts in their judgments or resolutions, and explicitly found in this Court's Resolution, dated 11 August 2006 concerning respondent's Motion for Reconsideration –

> Denial "With Finality"
>
> While the denial of a motion for reconsideration of a judgment or final order is normally accompanied by the modifier, "final," or "with finality," there may be a denial not so qualified. That is of no consequence. By no means may it be taken as indicating any uncertainty or indecisiveness on the part of the Court regarding its denial of reconsideration, or an encouragement or expectation of a second motion for reconsideration. The modifier serves simply to emphasize the import and effect of the denial of the motion for reconsideration, i.e., that the Court will entertain and consider no further arguments or submissions from the parties respecting its correctness; that in the Court's considered view, nothing more is left to be discussed, clarified or done in the case, all issues raised having been passed upon and definitely resolved, and any other which could have been raised having been waived and no longer being available as ground for a second motion. A denial with finality stresses that the case is considered closed.
>
> x x x x
>
> Prohibition to File Further Pleadings
>
> Apart from the original directive in its Resolution of March 1, 1995, the Court twice reiterated the admonition that no further pleadings, motions or papers should be filed in these cases, except only as regards issues directly involved in the "Motion for Reconsideration" (Re: Dismissal of Respondent Judge). This it did in its Resolutions dated July 24 and October 25, 1995, respectively.
>
> Evidently, an order of this character is directed to parties who obstinately refuse to accept the Court's final verdict and who, despite such verdict and in defiance of established procedural rules, mulishly persist in still arguing the merits of their cause. They continue to take up the time of the Court needlessly, by filing unauthorized, forbidden, even worthless pleadings, motions and papers, serving no real purpose other than to delay termination of the case.
>
> Evidently, too, the directive against the filing of any further pleadings, motions or papers is one that exacts observance by all parties concerned, such that willful and unjustifiable disregard or disobedience thereof constitutes constructive contempt under Section 3(b), Rule 71 of the Rules of Court. x x x.[14]

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Judge Floro should be guided accordingly by the aforequoted jurisprudence.

NOW, THEREFORE, BE IT RESOLVED, as it is hereby Resolved, Judge Floro's "ORIGINAL PETITION/LETTER WITH LEAVE OF COURT [For Re-Opening of Judge Floro's Separation Case based on "G.R. No. 72670, 12 September 1986 - Saturnina Galman v. Sandiganbayan] with Conjunctive Omnibus Motions"[15] and his "VERIFIED SUPPLEMENT TO THE ORIGINAL PETITION/LETTER, WITH LEAVE OF COURT [For Re-Opening of Judge Floro's Separation case based on G.R. No. 72670, 12 September 1986, Saturnina Galman v. Sandiganbayan] with Alternative Urgent Petition to assign i) a New Docket Number to this Original Petition, and ii) to Designate Acting Chief Justice Leonardo A. Quisumbing or S.C. Associate Justice Gregory S. Ong, as New Ponente of this New Case,"[16] are hereby NOTED WITHOUT ACTION and are ordered EXPUNGED from the records. It is hereby firmly reiterated that NO FURTHER PLEADING/S WILL BE ENTERTAINED in this case. Judge Floro is hereby given a WARNING that he can be held liable for indirect contempt should he persist in disregarding lawful orders of this Court and committing acts which tend to abuse, obstruct, impede, and degrade the administration of justice.

SO ORDERED.

Puno, C.J., Quisumbing, Ynares-Santiago, Carpio, Austria-Martinez, Corona, Carpio-Morales, Azcuna, Tinga, Chico-Nazario, Garcia, Velasco, Jr., and Nachura, JJ., concur.
Sandoval-Gutierrez, J., on leave.

[1] 21 April 2006, 28 April 2006 and 5 May 2006.

[2] WHEREFORE, premises considered, Judge Floro's Partial Motions for Reconsideration as well as the Supplements thereto are hereby DENIED WITH FINALITY there being no merits. No other pleading, however denominated, shall henceforth be entertained by the Court.

[3] WHEREFORE, premises considered, the Court NOTES WITHOUT ACTION the Verified Letter/Omnibus Motion for Leave of Court to Admit and Grant the (a) Second Motion for Partial Reconsideration of the Court's Decision dated 31 March 2006; and (b) Conjunctive Omnibus Motion filed by Judge Florentino V. Floro, Jr.

[4] Dated 3 November 2006.

[5] Dated 27 December 2006.

[6] Addressed to Chief Justice Reynato S. Puno and Associate Justice Angelina Sandoval-Gutierrez, dated 16 January 2007.

[7] Dated 2 February 2007.

[8] Addressed to the JBC and the Supreme Court En Banc, dated 2 February 2007.

[9] In several Resolutions dated 28 November 2006, 30 January 2007, 6 February 2007, and 20 February 2007, respectively.

[10] Dated 4 May 2007.

[11] Dated 1 June 2007.

[12] 82 Phil. 776, 778 (1949).

[13] 324 Phil. 483, 492-493 (1996).

[14] Id. at 495.

[15] Dated 4 May 2007.

[16] Dated 1 June 2007.

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