

**RE: ANONYMOUS COMPLAINT AGAINST JUDGE CORPUS B. ALZATE,
PRESIDING JUDGE, BRANCH 2, REGIONAL TRIAL COURT, BANGUED,
ABRA.**

A.M. No. RTJ-19-2574 [Formerly A.M. No. 17-11-14-SC]. June 23, 2021

Ponente: ZALAMEDA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-17-11-14/>

ZALAMEDA, J.:

"While people perceive judges to be above the ordinary run of men, they know that a perfect judge, like a perfect priest, exists only in fantasy." [1]

On 20 November 2017, the Office of Associate Justice (later Chief Justice) Lucas P. Bersamin received an anonymous letter[2] from a group claiming to be the Concerned Citizens of Abra for Good Government, Inc. (CCAGGI). The letter reads:

October 30, 2017

HON. MA. LOURDES SERENO
Chief Justice
Supreme Court of the Philippines
Manila

Through: Hon. Lucas P. Bersamin
Associate Justice
Supreme Court
Dear Chief Justice:

We are writing to you, Honorable Chief Justice, in our hope that the acts of bullying, harassment and power play by one of the trial judges in Abra be mitigated or totally eradicated if the actual happenings are brought to your attention.

We are the Concerned Citizens of Abra for Good Governance (CCAGG), a non-government organization committed to serve the Province of Abra and the country by our active involvement and participation in electoral concerns, socio-cultural, eco-political and environmental issues and problems.

Our complaint is about Hon. Corpus B. Alzate, Presiding Judge of Branch 2, RTC Bangued, Abra and the Acting Presiding Judge of Branch 21, Vigan City, Ilocos Sur (may we refer to him in this letter as either "Judge Corpus", "Judge Alzate" or "Judge"). For the longest time, we have been receiving complaints and information about his endless tirades, insults, bullying and harassment against other court employees, litigation lawyers and the public as well. In his obvious thirst for power as he continued to accumulate more years as a trial judge, he seems to have developed an ego much bigger than himself and an insatiable desire for control. For us, these despicable acts of Judge Corpus are totally beyond limit and are now causing extreme inconvenience, undue fear and stress to those affected, not to mention seriously undermining the integrity of the judiciary and ruining the trust of the public in our courts. The following acts brazenly display Judge Corpus Alzate's unsuitability to further discharge his duties as trial judge;

1. He has five (5) administrative cases for resolution pending before the 3rd Division of the Supreme Court. For unknown reasons, these cases are not yet resolved despite the passage of time. These were filed by different persons and they bear serious accusations against the judge, and we are asking the Honorable Chief Justice to urge the 3rd Division to promptly act on these cases.
2. Hon. Justice Lucas Bersamin, who is from Abra himself, is fully aware of the acts of Judge Corpus who often brags that Justice Bersamin is the bestfriend of his brother-in-law. In fact, we have information that Justice Bersamin himself has been receiving complaints against Judge Corpus from various people of Abra.
3. Mr. Medimar Balaoro, the utility worker of Branch 2, has become the personal slave of Judge Corpus, and the farmer's services extend to the household of Judge Corpus and his family. Once, while serving at the house of Judge Corpus, the utility worker encountered an accident which caused his right eye to go blind. He also serves at the farm of Judge Corpus where the judge's fighting cocks are reared, kept and conditioned. However, it has become a public knowledge that because of Judge Corpus' "medieval" point of view, the utility worker is treated practically as a slave. In court, the utility worker is often shamed by Judge Corpus in front of court employees and other persons, telling that he (utility worker) is useless, inept, and indolent. The utility worker act as the driver of Judge Corpus and his family, and although we are not certain if he is being paid aside from his salary as utility worker, the way he is being treated by Judge Corpus is just inhumane. Despite the services being rendered by the poor utility worker who cannot even complain for fear of losing his job, Judge Corpus still acts as if the former is of no use to him. He always blames the utility worker if something is destroyed, severely scolding him in front of other people over simple mistakes.
4. Judge Corpus is a gambler. He regularly bets in jueteng and has in fact won Php700, 00 in one winning number combination. Further, he is one of the biggest aficionados of cockfighting in the province. He has an extensive array of game cocks. While gambling may not be a big issue to ordinary citizens, it becomes significant for judges because they are supposed to uphold the integrity of the judiciary and if the public sees him betting and associating with fellow cockfighting enthusiasts, this could create a bad impression not only on the judge himself but to the judiciary as well. We may not be too familiar with judicial ethics but just be seeing a judge inside the cockpit arena betting and associating with bettors make us seriously question his character and reputation as a judge. This could likewise affect the way he dispenses justice especially if one of the cockpit aficionados is a party to a case brought before him.
5. Judge Corpus is oppressive and tyrannical. This is especially true to two of his employees, Samson Sanchez, Legal researcher and OIC-Clerk of Court, and Alma Bosque, Docket Clerk. The way Judge Corpus treats Mr. Sanchez is no secret to the public because he is being shamed even in open court, in front of lawyers, parties and the public. Mr. Sanchez, according to information, is a graduate of law but did not pass the bar. Because of this, if he commits mistakes, Judge Corpus would utter shameful words against him and utter words like, "that is why you cannot pass the bar" or words of the same import. He also would tell Mr. Sanchez to file a leave and attend seminar before the Branch Clerk of Court in his other Court in Vigan City, Ilocos Sur in order for him (Mr. Sanchez) to learn. During hearings, Judge Corpus does not even think twice in putting Mr. Sanchez to shame and does not seem to consider what the lawyers and the public will think Mr. Sanchez is being harassed and victimized. We also constantly receive information that Mr. Sanchez sometimes cries over how he is being treated by Judge Corpus, but like the utility worker, Mr. Balaoro, he could not complain for fear of further antagonizing his boss and losing his job. With the way he is being mistreated and maltreated by Judge Corpus, Mr. Sanchez is no longer getting the respect he deserves from those who know how his status is being reduced to a level lower than animal existence. For us, it is ok for the boss to reprimand an employee but if it this happens every day over trivial matters and goes to the extent of insulting the employee in front of the public during hearing of cases, questioning his intelligence, is simply an unacceptable manner for a judge. He is abusing his authority and his position as a judge by not only encouraging but in fact leading the offense and mockery against Mr. Samson "[Sanchez]", and out of, perhaps, fear that not reacting or laughing would offend Judge Corpus, the lawyers and the people present in court could only sneer and laugh in apparent agreement to

his insults towards Mr. Sanchez. Mr. Sanchez is a professional and even if he did not pass the bar examinations, he does not deserve to be treated as an object of ridicule and insult by Judge Corpus or by any other judge for that matter.

6. Regarding Alma Bosque, it has come to our knowledge that she is treated as an "outcast" at Branch 2, RTC together with Mr. Sanchez. Whenever Judge Corpus treats his staff lunch or snacks in the office or outside, or whenever he holds celebrations, Ms. Bosque and Mr. Samson [Sanchez] are not invited even if they are inside the room. In fact, according to sources, upon the instructions of Judge Corpus, the table of Ms. Bosque had been moved inside the room office of Mr. Sanchez apparently-because the judge does not want to see her whenever he is out of his chamber. Worst, instead of pacifying things, the other staff who are close to judge Corpus seem to delight in this "outcast scenario" inside their office. If Ms. Bosque insists to go with them, they will tell her, "Haan, madini Judge ngaumayka: ("No, Judge does not like you to come.") Granting that it is the prerogative of the Judge to choose the staff he wants to be with, the treatment of Ms. Bosque (and Mr. Sanchez) is going overboard. If it is true that Ms. Bosque is not doing her work well, there is a proper and professional way to deal with this and we do not think that she should be treated inhumanely as if she is invisible. Further, Judge Corpus is abusing the rating of employees when he threatened to rate Ms. Bosque "Unsatisfactory" unless she pays her loan to him within the day. It is reported that Ms. Bosque owed Judge Corpus Php50,000.00 and in order to have it paid, he gave Ms. Bosque less than 8 hours to raise the amount, lest she'll be rated "Unsatisfactory." During hearing and in the presence of many people, Judge Corpus also told Mr. Sanchez that he will also get a rating of "Unsatisfactory" together with Ms. Bosque. The acts of Judge Corpus towards his three "disfavored" employees are not the acts of a professional, especially unbecoming of a judge. Even if [they] cannot themselves complain perhaps because of fear of the consequences, the employees, Mr. Balaoro, Mr. Sanchez and Ms. Bosque, deserve to be vindicated or at least to feel once again their self-worth

7. Still according to reliable sources, most criminal cases in Branch 2 which are dismissed are those cases where the accused posted cashbond. It is likewise common knowledge outside the court, based on the narratives of accused and bondsmen themselves who are personally known to some members of the CCAGG[I], that Judge Corpus dismisses criminal cases in exchange of the bailbond put up for the provisional liberty of the accused. Rumor has it that one the bondsmen receive the money posted as bond after the dismissal of the cases, they immediately and reluctantly give the money to Jerry Calayoan, the Process Server of Branch 2, and the bagman of Judge Corpus. Surely, the cash goes straight to the pockets of Judge Corpus and his bagman. Those cases where the bond put up are properties are not usually dismissed but they continue to trial.

8. The court (Branch 2) is in disarray. Justice Bersamin himself saw how the records of Judge Corpus are not in order. This is because instead of working in the office as he is supposed to do, the utility worker Medimar Balaoro spends most of his time (office hours) serving in the household of Judge Corpus.

9. It is also of public knowledge that Judge Corpus decides his cases unfairly and in exchange of material and monetary considerations. In the Facebook pages "Abra Elections" and "Abrenian.com," Judge Corpus is depicted by netizens as a corrupt judge who always needs money for his excessive cockfighting. It is also alleged in the social media that he only decides a case favorably and swiftly if he is paid for it.

10. A perfect illustration of Judge Corpus' corrupt ways is when he accepted the amount of Php2,000,000.00 from a litigant in an election case. The witness, whose affidavit was taken and now forms part of the records of the case which is pending appeal before he Court of Appeals, attests that the amount was delivered to Judge Corpus by a certain Atty. Pichay.

11. Judge Corpus Alzate is a notorious, bully, vulgar, and conceited judge. His lack of Morality and professionalism is unbecoming of a judge. He should not be allowed to abuse his position in the judiciary and use his authority to gain undue power and exert undue influence at the expense of morality and ethics.

12. The acts of Judge Corpus Alzate are neither commendable, proper, ethical nor moral, as a lawyer and as a judge. x xx Judge Corpus Alzate continues to violate the canons of judicial ethics which he is supposed to uphold as a magistrate.

Honorable Chief Justice, as people of Abra, we care a lot for our fellow Abrenians and we feel that as a non-government organization, it is our duty to help in whatever legal means we can. We see the courts as the embodiment of justice and the judges as protectors of our rights. While we do not have personal grudges against Judge Corpus Alzate, we are quite alarmed with the information that are being reported to us. We cannot just stay indifferent and unmindful of the corrupt, intimidating and demoralizing ways of Judge. Corpus Alzate because we are apprehensive that this could totally destroy the trust of the people of Abra in the judiciary, and who knows what could happen if people no longer trust our courts and no longer believes in justice.

That is why we are asking Your Honor to please intervene in this situation. We place our trust in the better judgment of the Supreme Court, Your Honor. We will greatly appreciate it if our complaint is promptly acted upon by the Highest Court of the land.

Thank you Chief Justice and more power!

Sincerely yours,

CONCERNED CITIZENS OF ABRA FOR GOOD GOVERNANCE

Justice Bersamin, in a letter dated 22 November 2017,[3] requested for the anonymous letter to be docketed as an administrative matter for prompt investigation by the Court. Thus, in the Resolution dated 28 November 2017,[4] the Court resolved to note the letter of Justice Bersamin and refer the same to the Office of the Court Administrator (OCA) for investigation, report, and recommendation.

In a Memorandum dated 15 May 20018[5], addressed to then Senior Associate Justice Antonio T. Carpio, the OCA recommended the imposition of a six-month. preventive suspension on respondent Judge and for a judicial audit to identify the cases in which he allegedly dismissed in exchange for the bail bonds. Further, the OCA found:

Acting on the said letter, the OCA formed a team to conduct the initial investigation to verify the allegations in the said letter and the alleged infractions of Judge Alzate.

During the investigation, the team xxx went to the office of the CCAGG to confirm if the letter really came from their office.

On 8 January 2017, the team met Ms. Pura Sumangil, Chairperson of the CCAGG, who was shown a copy of the said letter and she was asked if the said letter was from their office Ms. Sumangil together with other officers, said that they did not send such letter to the court. Ms. Sumangil averred that each time they send a letter complaint they always affix their signatures to prove [that] their intent is good.

The team requested Ms. Sumangil if she can give a letter/manifestation attesting to what they stated during the meeting. The CCAGG gave a letter dated 9 January 2018 signed by Ms. Sumangil disowning the letter against Judge Corpus B. Alzate.

On 8 January 2018, the team went to the place where the house of Judge Corpus Alzate is located. At around 9:30 a.m. to 10:00 a.m. the team noticed that a certain individual came cut of the vicinity of the house of Judge Corpus Alzate and later on was identified as Mr. Balaoro, utility worker, Branch 2, RTC, Bangued, Abra. The incident was documented by pictures taken and transferred to a CD which forms part of the records of this case.

Being the Acting Presiding Judge of Branch 21, RTC, Vigan City, Ilocos Sur, Judge Alzate conducts his hearings in the said court every Monday and Tuesday. On 9 January 2018, the team went to Vigan City, Ilocos Sur to see if Judge Alzate is attending his hearings thereat and to verify if he is really using his staff as a personal driver. Judge Alzate arrived at the Hall of Justice of Vigan City, Ilocos Sur together with his driver. The said driver was later on identified as Mr. Jerry Calayoan, Process Server, Branch 2, RTC, Bangued, Abra. The incident was recorded and this was transferred to a CD that also forms part of the records of the case.

x x x

As to the allegation that Judge Alzate is involved in cockfighting, the team met with a concerned citizen who did not want to reveal his identity but nonetheless he gave a copy of a video clip of Judge Alzate together with his process server Mr. Calayoan inside a cockpit arena. A copy of the video clip was transferred to a CD and again forms part of the records of this case.

During the initial investigation this Office believes that some of the allegations in the letter are true and that there is sufficient basis to continue the investigation to verify the other infractions committed by Judge Alzate. The investigation made by this Office has established that Judge Alzate is treating Mr. Balaoro as his household helper. Likewise, the incident in Vigan City, Ilocos Sur confirms that Judge Alzate is using his court staff (process server), Mr. Calayoan, as his driver.

Also, a verification with the OCA, Office of Administrative Services (OAS) regarding the Daily Time records (DTR) of Mr. Balaoro and Mr. Calayoan for the month of January 2018 was made. Based on the DTR submitted by Mr. Balaoro he was present on 8 January 2018 and arrived at 6:00 a.m. and departed at 12:00 a.m. According to the DTR of Mr. Calayoan, he was also present on 9 January 2018, arriving at 7:10 a.m. and departing at 12:00 a.m. These entries are contrary to what the investigation disclosed as earlier discussed above.

Clearly, the act of Mr. Balaoro and Mr. Calayoan in falsifying the entries in their DTRs cannot be done without the knowledge of Judge Alzate and his clerk of court. This Office is convinced that such practice is with their consent."^[6]

Finding merit in the recommendation, the Court, in its Resolution dated 19 June 2018,^[7] preventively suspended Judge Alzate for six (6) months and directed the conduct of judicial audit in his court.

Judge Alzate filed his Very Respectful Motion for Reconsideration,^[8] which the Court referred to the OCA for evaluation, report, and recommendation.^[9] The OCA, in its Memorandum dated 29 October 2018^[10] to then Senior Associate Justice Carpio, recommended the denial of the motion.

In his Most Respectful Manifestation dated 16 January 2019,^[11] Judge Alzate informed the Court that his preventive suspension is about to expire on 25 January 2019, a Friday. Thus, he will be reassuming his duties on 28 January 2019.

On 22 January 2019, the OCA requested for an extension of Judge Alzate's preventive suspension for another six (6) months or until further orders of the Court.^[12] In the Resolution dated 12 February 2019,^[13] the Court granted the request, effective immediately, and directed the OCA to inform Judge Alzate of the extension of his preventive suspension. Meanwhile, the Court denied Judge Alzate's Very Respectful Motion for Reconsideration (of the Resolution dated 19 June 2018).

Judge Alzate filed a Motion for Reconsideration dated 12 March 2019,^[14] which the Court denied in its Resolution dated 02 April 2019.^[15]

In his Most Respectful Manifestation dated 15 August 2019,^[16] Judge Alzate informed the Court that his preventive suspension is to expire on 26 August 2019, and notified the Court that he will reassume his duties on

27 August 2019. The OCA, however, requested another extension, this time for three (3) months.[17] The Court, in its Resolution dated 03 September 2019,[18] again granted the request. At the same time, the Court noted without action the Most Respectful Manifestation dated 15 August 2019 filed by Judge Alzate.

Judge Alzate filed a Motion for Reconsideration,[19] which the Court, in its Resolution dated 05 November 2019,[20] referred to OCA evaluation, report and recommendation. In its Memorandum dated 16 January 2020,[21] the OCA recommended the denial of the Motion for Reconsideration, which this Court approved in its Resolution dated 11 February 2020.[22]

Meanwhile, in its Memorandum dated 02 October 2019[23] addressed to then Chief Justice Bersamin, the OCA submitted its Judicial Audit Report, with the recommendation that this administrative case be re-docketed as a regular administrative matter, and that Judge Alzate be furnished a copy of the judicial audit report for his comments. In addition, the OCA recommended for a separate administrative complaint to be filed against Process Server Jerry G. Calayoan and Court Stenographer Estrelita B. Billedo for posting bail bonds in favor of the detainees whose cases were pending in Branch 2, RTC, Bangued, Abra.

The Judicial Audit Report reads:

I. ORDER OF RELEASE PREMATURELY ISSUED

In the regular course of proceedings, the Order of Release of the Detainee shall only be issued by the judge once the bond, in whatever form, is already posted and subsequently approved by the court. However, this is not the case in the following cases which have been identified during the judicial audit to be highly irregular:

Date of Official Receipt for the Bond Fee Date of Release Order Other observations

Criminal Case No. 2015-039, entitled People vs. Regunton April 13, 2015 April 7, 2015 Property Bond was notarized, being subscribed and sworn to before Atty. Elpidio C. Siaga, on April 10, 2015

Criminal Case No. 2010-133, entitled People vs. Villamor October 27, 2010 October 12, 2010 Property Bond was notarized, being subscribed and sworn to before Atty. Benedicto F. Alvarado, Clerk of Court VI & Ex-Officio Notary Public on October 12, 2010.

Criminal Case No. 2010-125, entitled People vs. Langgi September 12, 2013 September 11, 2013 Assessment Form and Payment Order issued on September 12, 2013 by the Registry of Deeds of Bangued, Abra, over the unregistered land posted as Property Bond.

Please note that the orders of release from detention in the foregoing cases were issued by Judge Alzate days PRIOR to the actual posting of the property bonds by the accused. The fact that the signatures of Judge. Alzate in the bail bonds (for his approval) and the release orders were affixed thereto only shows that these were voluntarily made by him and with knowledge of the circumstances therein.

II. COURT EMPLOYEES SERVING AS BONDSMEN FOR THE ACCUSED.

"Court personnel, from the lowliest employee to the clerk of court or any position lower than that of a judge or justice, are involved in the dispensation of justice, and parties seeking redress from the courts for grievances look upon court personnel as part of the Judiciary."

This duty, nevertheless, does not extend to giving assistance to parties in cases by using their respective positions, which is beyond the functions mandated to them by law.

Such was the case in Branch 2, RTC, Bangued, Abra when two (2) of its court staff personally acted as bondsmen for the accused in the following criminal cases:

A. Elmer Jerry G. Calayoan

Case Number and Title Kind of Bond

Criminal Case No. 2011-141, entitled People vs. Pacsa Cash Bond posted November 22, 2011

Criminal Case No. 2011-143, entitled People vs. Langbayan Cash Bond posted on November 22, 2011

Criminal Case No. 2011-144, entitled People vs. Asia Cash Bond posted on November 22, 2011

Criminal Case No. 2010-188, entitled People vs. Banayos Cash Bond posted on October 12, 2010

B. Estrelita B. Billedo

Case Number and Title

Kind of Bond

Criminal Case No. 2011-008, entitled People vs. Salazar

Cash Bond posted on July 13, 2011

Upon verification with the Office of Administrative Services, OCA, Elmer Jerry G. Calayoan was appointed as Process Server in Branch 2, RTC, Bangued, Abra on February 14, 1996, while Estrelita B. Billedo has been a Court Stenographer in the said court since July 12, 1995. Thus, during the time that they posted the bail bond in favor of then detainees, they were already personnel of Branch 2, RTC, Bangued, Abra.

I. DELAY IN RESOLVING CASES

The judicial audit and inventory of the pending cases of Branch 2, RTC, Bangued, Abra likewise reveals numerous cases which have remained unresolved beyond the 90-day period from the day the cases were submitted for decision, to wit:

i. Criminal Cases

Case Number Accused Nature Date Submitted for Decision

1 2008-121 Lazano Theft November 9, 2017

2 2011-030 Layugan Attempted Murder January 17, 2018

3 2011-029 Layugan Murder January 17 2018

4 2014-075 Aquino Violation of RA 1059 October 25, 2017

5 2013-024 Azurin COMELEC Gun Ban January 17, 2018

6 2013-123 Bosque, et al Violation of RA 9165 January 10, 2018

7 2017-076 Neri Acts of Lasciviousness January 19, 2018

8 2013-216 Romero Violation of Sec. 11 of RA 9165 August 10, 2017

9 2013-217 Romero Violation of Sec. 12 of RA 9165 August 10, 2017

10 2003-232 Puruganan Violation of RA 9165 April 12, 2018

11 - 15 2008-072 to 076 Doral Violation of RA 7610 May 11, 2017

- 16 2016-258 Tandingan Murder January 17, 2018
- 17 2014-036 Arcena Murder/Carnapping/Theft April 25, 2018
- 18 2014-090 Castro Violation of RA 10591 May 4, 2017
- 19 2011-097 Pilar Violation of RA 7610 August 2, 2017
- 20 - 22 2011-014 to 016 Buenafe, et al. Attempted Murder March 23, 2017
- 23 2011-149 Florendo Violation of RA 8294 January 25, 2017
- 24 2011-150 Cariño Violation of RA 8294 January 24, 2017
- 25 - 27 2008-023 to 025 Rodillo Rape June 10, 2017
- 28 - 29 2008-021 to 022 Millare Rape June 10, 2017
- 30 2017-243 Barbosa Violation of RA 10591 January 18, 2017
- 31 2008-121 Lozano Theft December 9, 2017
- 32 2016-234 Bodona Violation of RA 10591 January 31, 2018
- 33 2007-047 Lizardo Violation of COMELEC Resolution No. 7764-A January 18, 2018
- 34 2012-038 Icaonapo Murder October 4, 2017
- 35 2010-075 Pasiguen Violation of COMELEC Resolution No. 8714 January 18, 2016
- 36 2010-076 Bersamira Violation of COMELEC Resolution No. 8714 April 26, 2017
- 37 2011-133 Cidillo Reckless Imprudence Resulting in Serious Physical Injuries May 10, 2017
- 38 2010-143 Bona Homicide April 16, 2017

ii. Civil Cases

Case Number Title Date Submitted for Decision

1

1932 Roman Catholic Bishop of Bangued vs. Heirs of Julio Balingao, et al.
May 16, 2011

2

N-234 Application for Registration of Title to Land (Jendricks Luna, Applicant)
January 17, 2018

3

2060 Balingao vs. DECS, Reconveyance of Real Property, Nullification of Documents
April 19, 2017

4 2674 Annulment of Deed of Sale May 18, 2017

5 3409 Sps. Tadeo vs. Baauiran June 17, 2017

6 1395 Heirs of Felissa Valera vs. Partas Trans June 15, 2017

7 3065 Pagui vs. Abbago, et al. October 27, 2017

8 3290 Bernal vs. Bernal December 8, 2017

9 3333 Bandayrel vs. Trinidad January 4, 2018

10 3387 Baula vs. Office of Municipal Civil Registrar of Tineg, Abra 01/10/18

11 3423 Heirs of Jose Villamor vs. Tuazon February 21, 2018

12 3425 Change of Name of Jesus Madrigal February 22, 2018

13 3451 Cancellation of Entries of Certificate of Live Birth of Jean Lorraine Gasmen April 4, 2018

I. JUDGE ALZATE ENGAGED IN COCKFIGHTING.

Further, in the Memorandum dated May 15, 2018 submitted by this Office in compliance with the Resolution dated November 28, 2017 of the Court, the investigation conducted therein revealed that Judge Alzate is one of the biggest aficionados of cockfighting in the province and personally joins derbies in and out of the province. A compact disc was attached therein containing a video clip of Judge Alzate, together with Process Server Elmer Calayoan, while inside a cockpit arena.[24]

Comment of Judge Alzate

Judge Alzate submitted his Compliance[25] and gave his comments to the Judicial Audit Report.

On the Prematurely issued Orders of Release

With respect to the prematurely issued orders of release, he explained that in his twenty-six (26) years as judge, he has adopted the procedure followed by then Judge Francisco O. Villarta, Jr., which he learned when he worked as a legal researcher in 1985. Assuming that the procedure is wrong, he argues that he cannot be faulted for such in the absence of fraud, dishonesty, or corruption.[26]

On his staff serving as bondsmen

As to allegations that his court employees served as bondsmen for the accused, he claims that they only spent a few seconds of official time to help people who have concerns with the court. Specifically, in the case of Estrelita Billedo where the accused was Municipal Trial Court Judge Rosita Salazar. She had earlier posted a property bond but the bondsmen withdrew the property bond. Consequently, Judge Salazar came to the court to post a cash bond. She asked who among the staff can sign the cash bond as surety, and he in turn asked her who among them she trusts. Judge Salazar chose Estrelita Billedo.[27]

Meanwhile, respondent Judge explained that Elmer Jerry Calayoan only provided the downloaded cash bond form and signed his name as surety in the consolidated cases of People vs. Pacsa (Criminal Case No. 2011-141), People vs. Langbayan (Criminal Case No. 143), and People vs. Asia (Criminal Case No. 144). Then in People vs. Banayos (Criminal Case No. 2010-188, the cash bond was returned to the accused after the case has been dismissed.[28]

On the delay in resolving cases

Respondent Judge attributes the delay in resolving cases to the heavy caseload in three (3) branches – RTC Branch 2, Abra (his own court), RTC Branch 1, Abra, where he was designated as Acting Presiding Judge due to the inhibition of Judge Raphael Alzate, and RTC Branch 21 (Vigan City). His court has a caseload of around 969

cases, while Branch 2 has around 87 criminal cases. RTC Branch 21 in Vigan City, on the other hand, has a caseload of around 554 cases.[29]

In addition, his own court is understaffed. According to him, he did not get the invaluable help of his clerks of court. Thus, he has to push himself really hard. Consequently he developed health issues. He became hypertensive and diabetic. As a hypertensive person, he gets irritated and annoyed by mistakes of other people around him. He has been advised to undergo stress management.[30]

On Cockfighting

Judge Alzate characterizes cockfighting as a national sport, second only to basketball. He sees it as an opportunity to breed potential battle cocks for commercial purposes. He avers that relatives and friends have graciously and gratuitously lent him their tested derby winners along with some pullets from the same winning line. He then records the bloodlines that produce the best winning percentage, which he then propagates. As he is still in the trial-and-error stage, he resorts often to cross-breeding with the hope of producing the best all-around fighting stance.

He claims to be a member of the Northern Luzon Game-fowl Breeders Association (NLGBA) and joins promotional derbies in order to showcase his stock. If he wins, his reputation as a breeder would grow and then his stock would command a better price.

Since his intention is merely to showcase his stock to the buying public, he only bets the minimum allowed by the organizer, which ranges anywhere from Php1,000.00 for two stags or cocks as entry fee and the same bet for each stag or cock to Php3,300 for three stags or cocks.

Judge Alzate claims that he personally knows some of his colleagues and some officers of the Philippine Judges Association who also engage in the sport.[31] His action was done in good faith as he relied upon the "off the record" opinion of an officer of the Court as well as the conduct of some officers of the PJA.

When he learned that cockfighting one of the issues he had to face, he started selling his stocks at bargain price in order to recover his investment. Moreover, the sale of the stocks became a financial necessity as a consequence of his preventive suspension. However, he maintains a few breeders for future stocks to sell and in order to preserve the bloodlines which have just started to earn the prestige of being spectacular warriors.

If given another chance Judge Alzate expressed his willingness to let go of the remaining stocks, content in the knowledge that his stocks will perform well in the hands of the buyers.[32].

Ruling of the Court

The Court, as early as in the 1949 case of *People vs. Bedia*,[33] emphasized that the administration of justice is a lofty function, viz:

"xxx The administration of justice is a lofty function and is no less sacred than a religious mission itself. Those who are called upon to render service in it must follow that norm of conduct compatible only with public faith and trust in their impartiality, sense of responsibility, exercising the same devotion to duty and unction done by a priest in the performance of the most sacred ceremonies of a religious liturgy."

Under the doctrine of *res ipsa loquitur*, the Court may impose its authority upon erring judges whose actuations, on their face, would show gross incompetence, ignorance of the law or misconduct.[34]

On the prematurely issued Orders of Release

By his own admission, respondent Judge issued the Order of Release on the same day the bond was approved.

There is no real issue here, except that payment is usually expected to be made later; more commonly, sometime between the approval and the release order. Ideally, the procedure should be to approve the bond, ask the party to pay the bail bond fee and then issue the order of release. Judge Alzate himself admitted that his practice was to sign the approval and the order of release together, and then require the parties to pay to the bail bond fee.

The problem with following this decades-long, self-imposed procedure is the probability, no matter how remote, that the accused will fail to pay the bail bond fee as what happened in *People vs. Teresita Villamor* and *People vs. Elmer Ianggi*.

In any event, We do not find bad faith or corrupt motive on the part of Judge Alzate as would make him administratively liable.

On his staff serving as bondsmen

Section 14 of Rule 114 of the Revised Rules of Criminal Procedure specifically designates the persons with whom a cash bail bond may be deposited:

"Sec. 14. Deposit of Cash as Bail. – The accused or any person acting in his behalf may deposit in cash with the nearest collector of internal revenue or provincial, city or municipal treasurer the amount of bail fixed by the court, or recommended by the prosecutor who investigated or filed the case. Upon submission of a proper certificate of deposit and of a written undertaking showing compliance with the requirements of section 2 of this Rule, the accused shall be discharged from custody. The money deposited shall be considered as bail and applied to the payment of fine and costs while the excess, if any, shall be returned to the accused or to whoever made the deposit." (Emphasis supplied)

The established norm of conduct for court employees is to maintain a hands-off attitude in dealings with party-litigants. This is indispensable to maintain the integrity of the courts, and to free court personnel from suspicion of misconduct, an unacceptable behavior that transgresses the established rules of conduct for public officers.[35]

Respondent Judge's actions, however, run contrary to this norm and practically encourages his staff to commit infractions. Though they may be motivated by good intentions, such actions serve to frustrate and betray the public trust in the system and should not remain unchecked. The interest of the individual must give way to the accommodation of the public – *Privatum incommodumpublico bono pensatur*. [36]

On the delay in resolving cases

A judge is mandated to render a decision within ninety (90) days from the time a case is submitted for decision. Judges are to dispose of the court's business promptly and decide cases within the period specified in the Constitution, that is, three (3) months from the filing of the last pleading, brief or memorandum.[37]

Failure to observe said rule constitutes a ground for administrative sanction against the defaulting judge, absent sufficient justification for his noncompliance.[38] Delay in the disposition of cases is a major culprit in the erosion of public faith and confidence in the judicial system, as judges have he sworn duty to administer justice without undue delay.[39]

Parenthetically, heavy workload, lack of sufficient time, and poor health, among other things, cannot justify the delay.[40] These are the same reasons cited by Judge Alzate for the delay in his case disposition. However, We find that the proximate cause was his preventive suspension. Based on his explanation, he had already prepared the decisions or orders for the cases enumerated, but these were not promulgated due to his preventive suspension.

On Cockfighting

Judge Alzate admitted that he breeds fighting cocks. He would go to derbies where he places bets of anywhere from Php1,100 to Php3,300 in order to showcase his fighting cocks. Unfortunately for respondent Judge, he cannot rely on the "off the record" opinion of an unnamed court official and the actions of his colleagues at the PJA. In *City Government of Tagbilaran vs. Judge Agapito Hontanosas, Jr.*,^[41] this Court, speaking through then Chief Justice Davide, explained:

"Respondent is also administratively liable for going to cockpits and placing bets in cockfights. The fact that the cockpits where he used to go were licensed and the cockfights were conducted on authorized days will not absolve him. While such gambling was not illegal, he openly and deliberately disregarded and violated Paragraph 3 of the Canons of Judicial Ethics quoted in Circular No. 4. Verily, it is plainly despicable to see a judge inside a cockpit and more so, to see him bet therein. Mixing with the crowd of cockfighting enthusiasts and bettors is unbecoming a judge and undoubtedly impairs the respect due him. Ultimately, the Judiciary itself suffers therefrom because a judge is a visible representation of the Judiciary. Most often, the public mind does not separate the judge from the Judiciary. In short, any demeaning act of a judge or court personnel demeans the institution he represents."

Moreover, the New Code of Judicial Conduct for the Philippine Judiciary^[42] provides:

CANON 4 PROPRIETY

Propriety and the appearance of propriety are essential to the performance of all the activities of a judge.

SEC. 1. Judges shall avoid impropriety and the appearance of impropriety in all of their activities.

SEC. 2. As a subject of constant public scrutiny, judges must accept personal restrictions that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly. In particular, judges shall conduct themselves in a way that is consistent with the dignity of the judicial office.

Attending promotional derbies and placing bets in the tourneys undoubtedly violates this Canon.

With respect to his business of breeding fighting cocks, the pronouncement of the Court in *Anonymous vs. Judge Rio C. Achas*^[43] is instructive:

Regarding his involvement in cockfighting, however, there is no clear evidence. Judge Achas denied engaging in cockfighting and betting. He admitted, however, that he reared fighting cocks for leisure, having inherited the practice from his forefathers. While gamecocks are bred and kept primarily for gambling, there is no proof that he goes to cockpits and gambles. While rearing fighting cocks is not illegal, Judge Achas should avoid mingling with a crowd of cockfighting enthusiasts and bettors as it undoubtedly impairs the respect due him. As a judge, he must impose upon himself personal restrictions that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly.

Respondent Judge is not prohibited from continuing in this line of business. However, he must be held administratively liable for gambling, which he admits to engaging in, and improper behavior. Attending cockfights in arenas and mingling with bettors, even outside of the cockpits, falls short of the high standard set for judges' conduct. Judges must always be mindful not only to avoid improper behavior, but also the appearance of improper behavior. Whatever behavior that would give the public even a speck of doubt in a magistrate's integrity must be avoided at all costs.

Penalty to be Imposed

Gambling in public is a light charge under Rule 140 of the Rules of Court, punishable with a fine of not less than P1,000 but not exceeding P10,000, and/or censure, reprimand, or admonition with warning. Impropriety is also a light charge under the same rule.^[44] Taking into consideration the circumstances of this case, we find that a fine

of Php10,000 is proper. The Court is duty-bound to sternly wield a corrective hand to discipline errant employees and weed out those who are undesirable, but it also has the discretion to temper the harshness of its judgment with mercy.[45]

A final word. A judge is the visible representation of the law. Thus, he must behave at all times, a manner that his conduct, official or otherwise, can withstand the most searching public scrutiny. The ethical principles and sense of propriety of a judge are essential to the preservation of the people's faith in the judicial system.[46]

WHEREFORE, in light of the foregoing, the Court finds Judge Corpus Alzate of Branch 2, Regional Trial Court, Bangued, Abra, GUILTY of impropriety and gambling in public. He is hereby FINED in the amount of Ten Thousand Pesos (Php10,000.00) with warning that a repetition of the same or similar acts shall be dealt with more severely. He is likewise ADMONISHED not to socially mingle with cockfighting enthusiasts and bettors and STERNLY WARNED that a repetition of the same or similar acts shall be dealt with more severely.

SO ORDERED.

Gesmundo, C.J. (Chairperson) Caguioa, Carandang, and Gaerlan, JJ., concur.

[*] This case was originally docketed as "Concerned Citizens of Abra for Good Government, Inc. vs. Judge Corpus B. Alzate, Presiding Judge, Branch 2, Regional Trial Court, Bangued, Abra." However, since the group disowned the anonymous complaint, the Court corrected the title of this case.

[1]Office of the Court Administrator vs. Judge Filomena Pascual, 328 Phil. 978 (1996), A.M. No. MTJ-93-783, 29 July 1996 [Per J. Hermosissima, Jr.]

[2]Rollo, pp. 3-7.

[3]Rollo, p. 1.

[4]Id. at 8.

[5]Id. at 10A-15.

[6]Id. at 11-13.

[7]Id. at 18-19.

[8]Id. at 22-31.

[9]Id. at 46.

[10]Id. at 47-48.

[11]Id. at 57.

[12]Id. at 65-66. The OCA ratiocinated:

"Although a judicial audit was already conducted in Branch 2, RTC, Bangued, Abra and there are initial findings that may prove the accusations against Judge Corpu[s] B. Alzate, this Office, however was not able to complete its report on the matter because of the following:

i.

This Office is still awaiting certain documents that are relevant to this case and which may confirm the allegations

stated in the anonymous complaint and the initial findings in the judicial audit;

ii.

There is a need to interview other witnesses who expressed their willingness to give information regarding the supposed anomalous acts of Judge Corpu[s] Alzate; and

iii.

Time constraints in the scheduling of travels for the investigation in view of the need to conduct judicial audit and investigation of equally important administrative cases against erring judges as well as those judges who are about to retire compulsorily or optionally.

x xx

Further in our Memorandum dated December 21, 2018, this Office informed the Honorable Chief Justice about the stabbing incident involving Ms. Alma B. Bosque, Clerk II, Branch 2, RTC, Bangued, Abra on December 19, 2018 and a certain Carlito Jehan Peralta Taberdo. x xx Although still not sufficiently established, Ms. Bosque believes that the incident allegedly arose from her act of cooperating with the investigation being conducted by this Office on Judge Corpu[z] B. Alzate. As such, it is incumbent upon this Office to conduct its own prove therein and determine the involvement and culpability, if any, of Judge Corpuz B. Alzate."

[13]Id. at 70 79.

[14]Id. at 70-78

[15]Id. at 81-82.

[16]Id. at 84.

[17]Id. at 88.

[18]Id. at 89-90.

[19]Id. at 91-94.

[20]Id. at 157-159.

[21]Id. at 177-178.

[22]Id. at 170, 179.

[23]Id. at 105-112.

[24]Id. at 105-110.

[25]Id. at 172-185.

[26]Id. at 172-173. Respondent Judge offered the following "observations."

"A. People of the Philippines vs. Marlon Regunton

x x x

The Order of Release, while it is dated as April 7, 2015, does not bear any signature of the accused or counsel on

the date of the arraignment, which is the standard procedure; further, it is strange that the document does not have a marginal note as to who prepared the order for me to sign. x xx It could not be the case that the order of release was April 7, 2015 because at that time, the bond was still being prepared by the accused. The Court was still unaware that the accused would be posting a bond. x xx The date of order of release may have been inadvertently dated by my staff.

- While the bailbond does not bear any date for the approval of the same, it should be construed as the same date as the notarization thereof, which is April 10, 2015, a Friday.

- It may have happened that the accused and bondsmen may not have been able to pay on time and therefore, the payment was made on April 13, 2015, a Monday.

B. People of the Philippines v. Teresita Villamor

x xx

The date of the order of release is the SAME as the order of approval. As stated above, it is usually the case that the order of release is issued after the approval of the bond. Then the parties are directed to pay the fee at the OCC and the registration fee at the Register of Deeds. It is unfortunate that the payment of the bail bond fee was not complied with accordingly. Had this been discovered earlier, then the bond should have been cancelled. The reason perhaps why the accused failed to do so is because it is of public knowledge that the accused who was an employee of the Provincial Assessor's [Office] was already sickly (cancer) at the time.

C. People of the Philippines v. Elmer Ianggi

x x x

The date of the order of release is the SAME as the order of approval. As stated above, it is usually the case that the order of release is issued after the approval of the bond. Then the parties are directed to pay the fee at the OCC and the registration fee at the Register of Deeds. It is unfortunate that the payment of the bail bond fee was not complied with accordingly. Had this been discovered earlier, then the bond should have been cancelled.

On the issue that the property posted is unregistered, it is noted that there is a certification that taxes for the property have been duly paid for the last five years. x xx"

[27]Id. at 175.

[28]Id. at 175-176A.

[29]Id. at 176A.

[30]Id. at 177-178. He also enumerated the status of the cases identified by the Audit Team:

Criminal Cases

- Case No. 7. People v. Neri

The motion was submitted for resolution on April 19, 2018. I was suspended in July 2018, hence the case was unresolved.

- Case No. 10. People v. Purugganan.

In the last order dated April 12, 2018, the counsel for the accused was given 10 days to file their announced "Demurrer to Evidence." None was filed. Then I was suspended in July 2018, hence the case was no longer returned to active status.

- Case No. 16. People v. Tandingan

In the last order dated January 18, 2017, the defense was given ten (10) days to file demurrer to evidence. None was filed. Thereafter I was suspended in July 2018, hence the case was unresolved.

- Case No. 17. People v. Arcena.

In the last order dated April 25, 2018, the parties were given 30 days to file their memoranda and after the thirty-day period has lapsed, the case shall be submitted for resolution. No memorandum was filed. Further, in July 2018 I was already suspended, hence the case was unresolved.

- Case No. 18. People v. Castro.

I have a draft decision on file in my laptop but wasn't able to notify the accused before my suspension.

- Case No. 20. People v. Buenafe.

I have a draft decision on file in my laptop but wasn't able to notify the accused before my suspension.

- Case No. 23. People v. Florendo.

Promulgated February 18, 2019. (After my first six-month suspension)

- Case No. 24. People v. Carino.

Promulgated February 11, 2019. (After my first six-month suspension)

- Case No. 30. People v. Barbosa.

Case decided on February 18, 2019. (After my first six-month suspension)

- Case No. 32. People v. Bodona.

Case decided on September 2, 2019. (after my second suspension)

- Case No. 33. People v. Lizardo. (Branch 1)

Case decided on February 13, 2019. (After my first suspension)

- Case No. 34. People v. Icaopnapo. (Branch 1)

Case decided (on) February 20, 2019. (After my first suspension)

- Cases Nos. 35 and 36. People v. Pasiguen and People v. Bersamira. (Joint hearing at Branch 1)

Case decided on February 13, 2019. (After my first suspension)

- Case No. 37. People v. Cidillo. (Branch 1)

Case decided on February 13, 2019. (After my first suspension)

- Case No. 38. People v. Bona. (Branch 1)

Considering that the accused had not been appearing in Court, the case was submitted. It turns out that he was re-arrested hence the Court ordered the accused to adduce evidence in his behalf.

Thus, the case is still an active case in the calendar of Branch 1.

Civil Cases

(1) Case No. 5. Tadeo v. Baquiran

Decided [on] February 20, 2019 (after my first suspension lapsed) There is an MR but [it's] calendared on January 20, 2020.

(2) Case No. 6. Valera v. Partas.

Inherited case. Lack of TSN for some witnesses.

(3) Case No. 8. Bernal v. Bernal.

Decided on February 18, 2019 (After my first suspension lapsed)

(4) Case No. 10. Baula v. OMCR

Case decided on September 11, 2018 by Judge Raphiel F. Alzate, Pair Judge)

(5) Case No. 11. Villamor v. Tuazon

Case decided on February 19, 2019. (After my first suspension lapsed.)

(6) Case No. 12. Madrigal Change of name.

Decided [on] January 31, 2019. (After my first suspension lapsed.)

(7) Case No. 13. Gasmen Cancellation of entries.

Decided [on] February 4, 2019. (After my first suspension lapsed.)

[31]"I personally know of some colleagues who are also engaged in the sport. Some are even officers of the PJA. In one of our conventions as judges, this topic was opened as a concern and a high ranking officer of the Supreme Court gave the "off the record" opinion that it is alright to join cockfights for as long as the judge concerned maintain a low-profile decorum while at the derby, meaning, that he doesn't show-off by parading big bets and instead, maintain a decent posture."

[32]Rollo, pp. 181-185.

[33]83 Phil. 909 (1949), G.R. No. L-2252, 31 May 1949 [Per J. Perfecto].

[34]Delos Santos vs. Judge Mangino, 453 Phil. 467 (2003), A.M. No. MTJ-03-1496, 10 July 2003 [Per J. Davide, Jr]; see also Office of the Court Administrator vs. Judge Pardo, 576 Phil. 52 (2008), A.M. No. RTJ-08-2109, 30 April 2008 [Per J. Carpio Morales].

[35]Alleged Removal of the Bailbond posted in Criminal Case No. C-67629 committed by William S. Flores, Utility Aide II, Regional Trial Court Branch 123, Caloocan City, 509 Phil. 413 (2005), A.M. No. P-05-1994, 12 October 2005 [Per J. Carpio-Morales].

[36]Id.

[37]This is clear from paragraphs (1) and (2). Section 15 of Article VIII of the Constitution, to wit:

Section 15. (1) All cases or matters filed after the effectivity of this Constitution must be decided or resolved within twenty-four months from date of submission for the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all lower collegiate courts, and three months for all lower courts.

(2) A case or matter shall be deemed submitted for decision or resolution upon the filing of the last pleading, brief, or memorandum required by the Rules of Court or by the court itself.

x xx

[38]Office of the Court Administrator vs. Judge Casalan, 785 Phil. 350 (2016), A.M. No. RTJ-14-2385, 20 April 2016 [Per J. Peralta].

[39]Office of the Court Administrator vs Hon. Marilyn B. Lagura-Yap, A.M. No. RTJ-122337, 23 June 2020 [Per Curiam].

[40]See Office of the Court Administrator vs. Judge Raymundo O. Lopez, 723 Phil. 256 (2013), A.M. No. MTJ-11-1790; 11 December 2013 [Per J. Carpio].

[41]425 Phil. 592 (2002), A.M. No. MTJ-98-1169, 29 January 2002 [Per J. Davide, Jr.]

[42]A.M. No. 03-05-01-SC. It was promulgated on 27 April 2004 and became effective on 01 June 2004.

[43]705 Phil. 17 (2013), A.M. No. MTJ-11-1801, 27 February 2013 [Per J. Mendoza].

[44]See *Josefina M. Ongcuangco Trading Corporation vs. Judge Renato D. Pinlac*, A.M. No. RTJ-14-2402, 15 April 2015; [Per J. Bienvenido Reyes, Jr.].

[45]*Office of the Court Administrator vs. Viesca*, 819 Phil. 582 (2017), A.M. No. P-12-3092, 10 October 2017 [Per Curiam].

[46]*Atty. Raul Correa vs. Judge Medel Arnaldo Belen*, 641 Phil. 131 (2010), A.M. No. RTJ-10-2242, 06 August 2010 [Per J. Nachura]

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.