

GUILLERMO LADRADA, COMPLAINANT VS. ERNESTO B. CACHOLA, MUNICIPAL JUDGE OF LUGAIT, MISAMIS ORIENTAL, RESPONDENT.

A.M. No. 49-J. March 27, 1974

Ponente: FERNANDEZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-49/>

FERNANDEZ, J.:

The respondent is charged with dishonesty, gross ignorance of the law and incompetence, in connection with his decision acquitting the accused in a criminal case for less serious physical injuries (Crim. Case No. 237).

There is no evidence on the charge of dishonesty. With respect to the charge of ignorance of the law and incompetence, We find that respondent had acted improperly in deciding the criminal case, which was wholly tried by then Acting Municipal Judge Noe D. Eballe of Lugait, for he merely relied on the handwritten notes taken during the trial by Judge Eballe and the memorandum submitted for the accused. Respondent should have retried the case considering that his court was then not yet a court of record.

Considering, however, that the respondent was then a newly appointed Judge; that he honestly believed that the notes taken by the former Trial Judge reflect fully and faithfully the material and relevant facts and circumstances of the case; that it was his desire to dispense justice as speedily as possible and save the litigants from further expenses; that the respondent's decision contains an impressive recital of facts and details which may be considered as a proper and substantial basis for his judgment; that his decision has not been assailed by the complainant for lack of evidentiary basis or for being unfair, partial and unjust; and that the complainant himself has submitted an affidavit of desistance which has been affirmed by him in open hearing, We believe that an admonition to the respondent to be more circumspect in the discharge of his official duties in the future, would be sufficient to dispose of this case.

WHEREFORE, the complaint against the respondent is hereby dismissed. He is however, admonished to be more circumspect in the future in the discharge of his official duties. So ordered.

Makalintal, C.J., Zaldivar, Ruiz Castro, Fernando, Teehankee, Barredo, Makasiar, Antonio, Esguerra, Muñoz Palma, and Aquino, JJ., concur.

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.