

CESAR G. OTERO, COMPLAINANT, VS. MUN. JUDGE JUAN G. ESGUERRA, RESPONDENT.

A.M. No. 655-MJ. May 23, 1974

Ponente: CASTRO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-655/>

CASTRO, J.:

The respondent municipal judge Juan G. Esguerra of Taytay, Rizal, is here charged with gross ignorance of the law as well as conduct unbecoming a judicial magistrate. The complainant Cesar G. Otero alleged in his verified complaint that on November 8, 1971, at about 2:00 o'clock in the afternoon, he appeared as counsel for Liberal Party mayoralty candidate Benjamin Esguerra before the respondent to oppose a petition for inclusion filed in behalf of one Natalia M. Austria; that the respondent immediately granted the petition after hearing the argument of Austria's lawyer, whereupon Otero moved for reconsideration; that the respondent's temper rose and he shouted at Otero, saying, "I told you to stop talking. I do not like to hear anything more from you! You get out of this courtroom! Sino ka dito?"; that Otero was then ousted from the courtroom on orders of the respondent; and that the respondent likewise arbitrarily dismissed Otero's appeal from the order granting the petition for inclusion.

The complaint was referred on December 7, 1971 by the then Undersecretary of Justice Estelito P. Mendoza to the Executive Judge, Court of First Instance, Pasig, Rizal for investigation, report and recommendation.

Answering the complaint, the respondent states that he granted the petition for inclusion over Otero's opposition because the petitioner, among other things, possessed a voter's ID card; that he disapproved the appeal taken by the complainant Otero so as not to disenfranchise Austria, considering that it was then 2:50 o'clock in the afternoon and the elections were only up to 3:00 o'clock; and that he ordered a policeman to oust complainant from the courtroom in order to end Otero's heated verbal argument which, in the presence of many persons, imputed to him gross ignorance of the law.

The CFI judge assigned to investigate set the case for hearing; before the investigation could commence, however, Otero filed a "Manifestation" withdrawing his complaint. In view of this development, the complaint stands unsubstantiated.

ACCORDINGLY, the administrative complaint against the respondent judge is dismissed. He is admonished, nevertheless, to refrain, at all times, from any official conduct that may well be regarded as not entirely free from the appearance of impropriety or intemperateness.

Makalintal, C.J., Teehankee, Makasiar, Esguerra, and Munoz Palma, 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.