

SANDRA DUGGER VASQUEZ, COMPLAINANT, VS. MUNICIPAL JUDGE EMMANUEL FLORES OF LIBON, ALBAY, RESPONDENT.

A.M. No. 770-MJ. August 29, 1980

Ponente: AQUINO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-770/>

AQUINO, J.:

Sandra Dugger Vasquez, the twenty-two-year-old American wife of Teofilo Vasquez, Jr., a second class petty officer of the United States Navy, stationed at the Naval Air Station in Lemoore, California and a native of Libon, Albay (he came here as a balikbayan), in her telegram to the President of the Philippines and in her complaint, both dated July 29, 1974, charged respondent judge with conduct unbecoming of a judge ("unbecoming act of lasciviousness") committed against her during the dance held at the municipal pavilion of Libon on July 24, 1974 on the occasion of the town fiesta. Mrs. Vasquez said in her complaint:

"That, while we were dancing this man who was under the influence of liquor tried to draw me closer to him but because I tried to resist by placing my left-hand on his shoulder, he instead opened the back of my dress by pulling down the zipper of my dress and inserted his right-hand inside my dress and mashed my back, and at the same time squeezing my right arm.

"I was bothered by the way this man who was supposed to be a model of a decent man considering that he is a municipal judge of Libon, Albay, and I never (of) course expected to experience such acts from the Filipinos the way my husband projected his countrymen to be such nice people."

The complaint was supported by the joint affidavit of two witnesses, Ricardo Safra and Aproniano Almonte.

Even before she filed her administrative complaint, Mrs. Vasquez on July 25, 1974, or one day after the alleged incident, executed a sworn statement before the chief of police wherein she described the incident in this manner:

"While we were dancing to the tempo of sweet music, this man opened up by saying: 'What a lovely evening' and after saying those words, he tried to hold me close to him, but I also barred his intention by placing my left-hand on his shoulder with enough pressure so as to be at a distance from him. The next thing I noticed, he was mashing the left part of my back and continuously mash my right-hand with his left-hand."

Mrs. Vasquez then allegedly "tried to dance out of tempo" and kept herself at a distance from respondent judge. After the dance piece was ended, she took her seat and, shortly thereafter, she and her husband went home.

On that same day, July 25, respondent judge allegedly told Mrs. Vasquez at the police station that he was sorry for his clumsiness while dancing with her.

Asked by the police investigator what she had to say on that statement of the respondent, Mrs. Vasquez said: "To me, clumsiness is not the thing; it should not mean that when a man is a clumsy dancer, his hands should be free to mash my back and stroke and squeeze my hand."

Respondent judge (he is married, is now forty-three years old and is the incumbent judge of the Polangui-Libon municipal circuit court) in his comment on the complaint, pointed out that in the two statements of Mrs. Vasquez

to the police (one signed and the other unsigned), which were made four days before she filed her complaint herein, she never mentioned that the respondent was drunk and that he unzipped the back of her dress. Hence, according to the respondent, those imputations were concoctions of the complainant.

The respondent further alleged that witness Almonte had an ax to grind against him because he had previously convicted Almonte of slight physical injuries, a conviction which resulted in his dismissal from the police force. Excerpts from respondent's comment are quoted below:

"The assertions of Mrs. Vasquez are truly surprising as they are absurd and untrue. The truth of the matter is that, while I do admit that I am a poor dancer, I also found Mrs. Vasquez rather difficult to dance with. I thought that besides the handicap of her physical build, she also had a poor sense of rhythm. We were out of step with each other most of the time, that in my embarrassment, I wanted to improve the situation by trying to restrain some of her movements to make her jibe with the tempo of the music.

"The most subtle and practical way it could be done was to apply some pressure on her back as well as on her hand x x x in the same way a tango dancer signals to his partner the direction and movement to take.

"I noticed, though, that whenever I tried to manage her, the more offtime she became. As a consequence, I felt myself becoming clumsy and awkward. I could not also tell her frankly about her own clumsiness for it would be rude and a breach of etiquette. And so, in a gentlemanly gesture and to somehow ease our predicament, I carried (on) a conversation with her. That is why I never suspected that in those moments, she was entertaining other thoughts.

"I do not begrudge Mrs. Vasquez for complaining the way she did if she misconstrued and mistook my restraining actions as an act of mashing her. For this I might credit her with an honesty of purpose in mistakenly believing that she (had) a legitimate grievance.

"But for her to claim that I opened the zipper of her dress to insert my hand and mash her back in the middle of a brightly lighted dancehall, within view of a thousand eyes and in the presence of the cream of the town where I enjoy some degree of respect, if not reverence, is something else.

"It numbs me beyond reaction and makes me seem so bestial and maniacal. I am only consoled by my realization that such a preposterous claim is either the product of an afterthought on her part or of the promptings of others whose pleasure it is to see me destroyed.

x x x x x x x x

"She admits having continued to dance with me until the music was over while in the meantime all those things allegedly were being done to her. Could American women, generally known for their frankness and assertiveness, or any woman for that matter, just remain stoic and passive about it and tolerate such liberties without even a whimper?

"I suppose even the most tactful of women would have done something drastic. The orchestra in attendance that night was one of the best in the entire Bicol region. And, usually, good orchestras play their pieces much longer than the ordinary records which take only 2-1/2 to 3 minutes of playing time. So, if we are to believe Mrs. Vasquez, she must be possessed with the ultimate in patience and tolerance."

Respondent judge sought to fortify his denial of having committed any impropriety against Mrs. Vasquez by submitting the affidavits of Rosita Madrid, Bienvenido Ravalo and Rufino S. Nolasco who claimed that they attended the dance and saw the respondent dancing with Mrs. Vasquez and that they did not notice anything unusual being done by the respondent to her.

The case was referred to the Executive Judge of the Court of First Instance of Albay only on June 15, 1977 or nearly three years after the occurrence of the alleged incident. By that time, Mrs. Vasquez had returned to

California. (Mrs. Vasquez in a letter dated August 1, 1974 asked Secretary of Tourism Jose D. Aspiras for assistance in the disposition of her complaint. That letter was referred to this Court by the Secretary of Justice.)

While the respondent and his witnesses appeared at the scheduled hearings, the complainant was absent. The respondent moved for the dismissal of the case. The investigating Judge recommended that the case be dismissed for failure of the complainant to prosecute it.

Considering that the conflicting versions of the parties have rendered the charge highly controversial and that the truth can only be ascertained at a confrontation-hearing which cannot take place because the complainant is sojourning abroad, we find the investigator's recommendation to be well-taken.

WHEREFORE, this case is hereby dismissed. A copy of this resolution should be attached to respondent's personal record.

SO ORDERED.

Barredo, (Chairman), Concepcion, Guerrero,[*] and De Castro,[*] JJ., concur.

[*] Justices Guerrero and De Castro were designated to sit in the Second Division.

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.