

LETTER DATED AUGUST 25, 1993 OF SECRETARY FRANKLIN DRILON ON THE ALLEGED PARTICIPATION OF JUDGE GERONIMO BALDO, MTC, CALAUAN, LAGUNA IN THE GOMEZ-SARMENTA CASE.

A.M. No. 93-9-741-0. November 07, 1997

Ponente: MENDOZA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-93-9-741-0/>

MENDOZA, J.:

Then Secretary of Justice Franklin N. Drilon referred this case to the Court in a letter dated August 23, 1993 for possible disciplinary action against Judge Geronimo A. Baldo in view of a sworn statement given by Luis Corcolon, one of the accused in the rape and murder of Eileen Sarmenta and the murder of Allan Gomez, both students of the University of the Philippines, Los Baños, that Judge Baldo had ordered the cleaning of a vehicle in which the bodies of the victims were found, in order to destroy evidence of the crime.

Judge Baldo is judge of the Municipal Trial Court of Calauan, Laguna. In his “Sinumpaang Salaysay,” dated July 28, 1993, Corcolon stated:

26. T - :Matapos na makuha ang patay doon sa may pinangyarihan ano ang nangyari?

S - : Matapos na makuha ang mga patay at iyon ay nakilala na nga ang Tamaraw ay dinala sa may Police Station at hindi ko mawari ay inutosan ni Judge Ubaldo [sic] ang hepe nang pulisiya na linisin ang sasakyang Tamaraw.

27. T - :Sino ang naglinis sa sinasabing sasakyan?

S - : Ang mga piniresa na kinuha ni George sa may piitan ng Station at ang nakaharap sa may Tamaraw habang nililinis ay sina George Medialdia, Vevencio Malabanan, Zoilo Ama, si Mele na imbestigador at si Umali.[1]

Upon receipt of the report, the Court on September 14, 1993 directed Judge Baldo to comment and, in the meantime, to go on leave immediately. On October 18, 1993, Judge Baldo submitted his comment, stating the following:[2]

. . . [T]he allegation of Luis Corcolon is unfounded and without basis, the truth of the matter being that I have never had any conversation with Chief Caño on the day the body of Allan and Eileen were found regarding the conduct of his investigation, neither have I seen Luis Corcolon within the premises of the Municipal building on that day. Even when I left the Municipal Building on that day to take my lunch, I have never talked with Chief Caño. It was when I returned to the Municipal Building in the afternoon on the same day when I noticed the Tamaraw Van was already washed and that blood remained stagnant in the gutter just below my office causing the Municipal employees to complain about the abnoxious [sic] odor emitted by the blood. I was in a bad mode [sic] when I confronted people around asking them who ordered the cleaning of the Tamaraw Van and why it was cleaned, but no one answered. When I saw a person holding a broom, I asked him to clean the gutter NOT THE VAN, because the employees were complaining.

Judge Baldo stated that, based on the same sworn statement of Corcolon, he was included as a respondent in the preliminary investigation of the murder case, but the panel of state prosecutors found the statement insufficient and, accordingly, dismissed the case as to him. Judge Baldo claimed that Corcolon had said in the preliminary investigation that his statement had been extracted through torture and that, in fact, in an earlier statement made on July 12, 1993, Corcolon made no mention of Judge Baldo's alleged involvement in the case.

Judge Baldo submitted the affidavit dated July 30, 1993 of Chief Inspector Robin M. Caño of the Laguna PNP Command, denying that Judge Baldo had ordered him or his men to wash the vehicle. The statement of PO1 Arnulfo Umali was also submitted. Umali stated that he was the front guard and jailer of the station on June 29, 1993; that when Judge Baldo left for lunch on that day, the bodies of the victims were still inside the van, but, in the afternoon, after returning from lunch and finding that the van had been cleaned, Judge Baldo got angry, even as he ordered a detention prisoner to remove the blood that had accumulated in the gutter. Manolito H. Replan, an errand boy in the Calauan police station, said in his affidavit that he was at the station the whole day on June 29, 1993 but he never saw Judge Baldo or Luis Corcolon inside or anywhere near the police station.

On November 11, 1993, Judge Baldo submitted the "sinumpaang salaysay" of Arnold Barredo, another detention prisoner, who claimed it was he who had cleaned the van and who was later asked by Judge Baldo to clean the gutter of blood. Barredo stated that Judge Baldo did not ask him to wash the van of blood, that when he cleaned it at 1 p.m., Judge Baldo was not present, the latter having left earlier for lunch, and that when Judge Baldo returned, he (Barredo) had already finished cleaning the vehicle.

The case was referred to Executive Judge Norberto Y. Geraldez of the Regional Trial Court of Calamba, Laguna for investigation. In the investigation, Chief Inspector Robin Caño, PO1 Arnulfo Umali and Manolito Replan affirmed their affidavits absolving Judge Baldo of responsibility for the cleaning of the van on June 29, 1993. On the other hand, Luis Corcolon, on October 3, 1995, executed a statement at the National Bilibid Prison, where he was detained, retracting his July 28, 1993 statement. Corcolon claimed he had been tortured and forced to make the statement by agents of the Presidential Anti-Crime Commission.

On January 22, 1996, Judge Geraldez submitted his report, recommending that the complaint against Judge Baldo be dismissed. The case was, however, returned to Judge Geraldez with a directive to him to examine the witnesses presented by Judge Baldo.

Accordingly, Judge Geraldez summoned the witnesses to a hearing. At the hearing held on September 18, 1996, Luis Corcolon reiterated his claim that he had been tortured to make him sign the July 28, 1993 statement. He identified a certain Col. Paclivar of the PACC and a Mayor Aquino as the persons who had allegedly forced him to sign the statement in question.[3] He denied that he had been assisted by counsel at the PACC investigation.[4] The others who testified in the reinvestigation were Chief Inspector Robin Caño, then assigned to Catarman, Samar, Manolito Replan, PO2 Arnulfo Umali and Judge Baldo himself. Judge Geraldez failed to investigate Arnold Barredo as the latter could not be located. On February 12, 1997, Judge Geraldez submitted a report, this time recommending the dismissal of Judge Baldo for grave misconduct. Judge Geraldez thought that between the allegation that Corcolon had been tortured to obtain his statement and the presumption that official duties had been regularly performed in securing such statement, the presumption must prevail in the absence of other evidence to the contrary.[5] He rejected Corcolon's retraction as a mere afterthought without much probative value.[6]

On the other hand, Deputy Court Administrator (DCA) Bernardo P. Abesamis, on June 18, 1997, recommended that the case against Judge Baldo be dismissed on the ground that the statement "Hindi ko mawari ay inutosan ni Judge Ubaldo [sic] ang hepe nang pulisya na linisin ang sasakyang Tamaraw" was ambiguous and could mean

either that Corcolon was not sure if Judge Baldo had ordered the cleaning of the van, or that he could not recall if it was Judge Baldo who had ordered the cleaning of the Tamaraw van, or that he could not understand why Judge Baldo had ordered the cleaning of the vehicle.

The Court finds no ambiguity in the statement of Corcolon: he said he could not understand why Judge Baldo had ordered the Chief Inspector to have the Tamaraw cleaned. That this was what Corcolon meant is shown by the fact that he later retracted it. Thus, in his statement of October 3, 1995, Corcolon said:

Na noong ika-28 ng Hulyo, 1993, samantalang ako ay nasa kamay ng imbestigador ng PACC, at kasalukuyang pinahihirapan, ay pilit akong pinapirma sa isang salaysay na yari na at sinasabi na “HINDI KO MAWARI AY INUTOSAN NI JUDGE UBALDO NG HEPE NG PULISYA NA LINISIN ANG SASAKYANG TAMARAW”:

Na ang nabanggit na salaysay ay walang katotohanan, kung kaya’t nang wala na ako sa kamay ng malulupit na mga imbestigador ay binawi ko at pinawalang saysay sa DOJ at sa Regional Trial Court sa Pasig, sa sala ni Judge Demetriou;

Na mapapatunayan ko na hindi ko salaysay ang pagsasangkot kay Judge Baldo sa dahilang binanggit na pangalan ay Judge Ubaldo sa halip na Judge Baldo na siya niyang tunay na pangalan na kilalang-kilala ko;

Na matagal ko nang kilala si Judge Baldo at sa haba ng kaniyang panunungkulan bilang Hukom ng Calauan ay ni hindi siya nasangkot sa ano mang katiwalian maging sa kaniyang pribadong pamumuhay;

Na nais ko ring ipaabot kay Judge Baldo ang paghingi ng paumanhin at kapatawaran, bagaman at ang mga pangyayari ay hindi ko kagagawan.[7]

The question, therefore, is how much weight can be given to the statements of Corcolon. Corcolon claimed that he had been forced to sign the July 28, 1993 statement in which he implicated Judge Baldo in an effort to destroy evidence of the crime. But although the veracity of the statement in question has been somewhat placed in doubt as a result of his retraction, the statements of witnesses presented by Judge Baldo to counter the statement in question tend to confirm parts of it. They confirm that at least Judge Baldo was present at the municipal building of Calauan early in the morning (about 7 a.m.) of June 29, 1993, when the vehicle in which the bodies of the slain students were loaded arrived, and that Judge Baldo did in fact talk with Chief Inspector Robin Caño on that occasion. The evidence also shows that Luis Corcolon was present at the place where the bodies were recovered. Although it appears from the statements of these witnesses that George Medialdea, the deputy chief inspector, was the one who ordered the van cleaned and that the cleaning was actually done by a detention prisoner, Chief Inspector Caño could not tell who had ordered Medialdea to have the vehicle washed. Medialdea was eventually found to be one of those who had raped and killed Eileen Sarmenta and killed Allan Gomez. The other parties found guilty of the crimes were Luis Corcolon, Mayor Antonio Sanchez and four others.

Judge Baldo claimed in his comment that he never spoke with Caño on June 29, 1993 when the Tamaraw van arrived at the Calauan municipal hall bearing the bodies of the victims. He later modified this, saying that although he and Caño saw each other on that day, the Tamaraw van had not yet arrived, and Caño was just then going to the scene of the crime to investigate. Thus Judge Baldo testified:

Q Do you affirm in your statement, specifically par. 3 thereof that you never talked to Chief Caño, that you never had any conversation with Chief Caño on June 29, 1993?

A Yes, your Honor. That is when the body of the victims were already brought to the Municipal Building but I remember that in the early morning while they were still going to the scene of the crime. I met him near the gate of the building that is why he informed me that “sir pupunta po kami sa Mabacan may aksidente roon.” That is the only time we talked to each other, your Honor.[8]

His testimony was, however, belied by Caño, who testified that the Tamaraw van bearing the remains of the victims had been brought to the municipal building of Calauan very early in the morning, at 7 a.m. and that he saw Judge Baldo then. It would be unnatural if he and the judge did not talk about the case then. Caño testified:

Q And you do have one common parking space, is that correct?

A Yes, sir.

Q And the “tamaraw” van you were referring to was inside the parking space of the Municipal Hall?

A Yes, sir.

Q And you said you saw the “tamaraw” van as early as 7:00 o’clock in the morning?

A Yes, sir.

Q What time did you see Judge Baldo at that time?

A The same time during office hours, sir.

Q How about Luis Corcolon, did you get to see him at that time?

A I did not see him at the office. I saw him at the crime scene.[9]

The testimonies of Judge Baldo’s own witnesses likewise belie his claim that when the van was cleaned Judge Baldo was not present. Judge Baldo claims that he returned to the municipal hall from lunch at 1:00 p.m. and found the van already cleaned. But Arnold Barredo, who had cleaned the van, said that he had washed the van at around 1:00 p.m., although he was careful to add that when Judge Baldo arrived, he (Barredo) had already finished the job.[10]

Barredo could not be examined concerning his affidavit as he could not be found. But, given the time when he said he cleaned the van – at around 1 p.m. of June 29, 1993 – it is apparent that Barredo was trying to make it appear that Judge Baldo was not yet back from lunch when he (Barredo) began cleaning the van. That this was not so, however can be inferred from the fact that when another witness, PO2 Arnulfo Umali, said that at noon of June 29, 1993, the bodies of the victims were still in the van, Umali was practically forced by Judge Baldo to change his testimony. Under questioning by the investigating judge, Umali testified:

COURT:

Q You also mentioned that the body of Eileen Sarmenta was still on the van when Judge Baldo left for lunch, is that right?

WITNESS:

A Yes, sir.[11]

Umali was later questioned by Judge Baldo himself, evidently to make him change his testimony. Umali modified his answer:

JUDGE BALDO:

Q Before I left the Municipal Building in that morning of June 29, 1993, was the van carrying the body of Eileen Sarmenta already there?

A Only the van, but the body of Eileen Sarmenta was not there anymore, sir. [12]

The idea was apparently not to show that the bodies of the victims were still in the van at noon when Judge Baldo left for lunch, because if they were still there (as it seems they were) it would stand to reason that the cleaning of the van to remove the blood and possibly fingerprints in the vehicle could have taken long, so that when Judge Baldo returned from lunch the cleaning was still being done.

There is no direct evidence that Judge Baldo had ordered the cleaning of the Tamaraw van. But the following circumstances tend to show that, at the very least, he was present when the van was cleaned and that his presence wittingly or unwittingly conveyed his approval to those who cleaned the vehicle:

- his presence at the municipal building at 7 a.m. on June 29, 1993 when the Tamaraw van bearing the body of Eileen Sarmenta was brought to the municipal hall;
- the fact that he and PNP Chief Inspector Robin Caño met after the arrival of the body;
- the probability that when Judge Baldo came back from lunch at 1 p.m. of the same day Arnold Barredo was still cleaning the van of the blood;
- the fact that Judge Baldo was irked to find some blood still in the gutter for which reason he ordered it removed “from the gutter NOT THE VAN.” In emphasizing that what he ordered cleaned was the blood in the gutter and not when it was still in the vehicle, he gave Corcolon cause to wonder why he (Judge Baldo) had ordered the cleaning of the van. Although Judge Baldo said he did not see Luis Corcolon in the municipal building on June 29, 1993, Corcolon said that he had gone there that morning.[13] In fact, Chief Inspector Caño said he saw Corcolon at the scene of the crime. It is highly probable that, from there, Corcolon went to the municipal building where the bodies were taken and there saw Judge Baldo.

Indeed, it would appear that, contrary to his assertion, Judge Baldo did not even take the trouble to ascertain who had ordered the van washed. He knew that the van had been washed yet he did not ask George Medialdea why he was there as the van was being washed and why he did nothing to preserve the evidence of the crime. He was just concerned with the smell of the blood coming from the canal, that is why he scolded the detention prisoner who had cleaned the van and left a mess. That evidence of the crime had been destroyed did not seem to concern him. As municipal judge, however, it is his duty to conduct preliminary investigation of crimes cognizable by the Regional Trial Court.

The evidence in this case against respondent judge may not be sufficient to establish his guilt in a criminal case, but this is not a criminal prosecution. As we have said in another case, the standards of integrity required of members of the Bench are not satisfied by conduct which barely enables one to escape the penalties of the criminal law.[14]

The record of Judge Baldo shows that after going on leave in 1993, he did not return to the service anymore and that on October 1, 1997, he retired after reaching the compulsory age of 70.

ACCORDINGLY, Judge Geronimo A. Baldo of the Municipal Trial Court of Calauan, Laguna, is hereby FINED P20,000.00 for serious misconduct.

SO ORDERED.

Regalado, Davide, Jr., Romero, Bellosillo, Melo, Puno, Vitug, Kapunan, Francisco, and Panganiban, JJ., concur.
Narvasa, C.J., (Chairman), on leave.

[1] Rollo, p. 6.

[2] Id., 9.

[3] TSN, p. 3, Sept. 18, 1996.

[4] Id.

[5] *People v. Agustin*, 215 SCRA 725 (1992).

[6] *People v. Loste*, 210 SCRA 614 (1992); *Flores v. People*, 211 SCRA 622 (1992).

[7] *Rollo*, p. 58.

[8] TSN, pp. 8-9, Nov. 14, 1996.

[9] TSN, p. 5, Oct. 23, 1996.

[10] *Rollo*, p. 36.

[11] TSN, p. 4, Nov. 14, 1996.

[12] *Id.*, p. 5.

[13] *Rollo*, p. 18.

[14] *Centrum Agri-Business Realty Corp. v. Katalbas-Moscardon*, 247 SCRA 145, 169 (1995).

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.