

**NICOLAS L. LOPEZ, COMPLAINANT, VS. JUDGE REYNALDO M. ALON,
REGIONAL TRIAL COURT, (BRANCH 40), SILAY CITY, NEGROS
OCCIDENTAL, RESPONDENT.**

A.M. No. 95-95-RTJ. February 28, 1996

Ponente: PUNO, J.

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PUNO, J.:

Respondent Judge Reynaldo M. Alon, presiding judge of Branch 40, Regional Trial Court of Silay, Negros Occidental, is charged with willful and unlawful delay in rendering judgment in Criminal Case No. 2422,[1] a murder case, in violation of Section 15, Article VIII of the Constitution.

Complainant is the brother of the victim in Criminal Case No. 2422. He alleges that the case was submitted for decision sometime in November 1993, but the decision was rendered only on August 9, 1995.

Respondent judge attributes the delay to several factors. According to him, several motions for extension of time to file memorandum were filed by counsel for the accused in said criminal case and these were granted by him. While awaiting for the filing of the memorandum, he lost track of the case.

Respondent judge avers, further, that when a pipe from the upper floor leaked in his chamber, his records were transferred to the Office of the Clerk of Court. The disorderly state of his sala was compounded when the chamber (Branch 69) of a fellow judge, Judge Graciano Arinday, was being organized. Judge Arinday's records were also kept at the Office of the Clerk of Court. Meanwhile, they had to share one sala in conducting hearings. In view of this confusing arrangement, respondent judge claims that the records of Criminal Case No. 2422 were misplaced.

Respondent judge maintains that the delay was due to his honest negligence. He faults the complainant for not calling his or private prosecutor's attention on the status of the case and charges that complainant filed the present administrative case because the accused in Criminal Case No. 2422 was acquitted.

We find the complaint meritorious.

Section 15, Article VIII of the Constitution provides that all cases filed before the lower courts must be decided or resolved within three (3) months from the date of submission. Non-observance of this requirement constitutes a ground for administrative sanction against the defaulting judge.[2] In certain meritorious cases, i.e., those involving difficult questions of law or complex issues, a longer period to decide the case may be allowed, but only upon proper application therefor has been made by the concerned judge.

In the case at bar, it took respondent judge more than one and one-half years to finally render the judgment of acquittal in Criminal Case No. 2422. He cannot avoid responsibility for the delay due to the alleged chaotic status of his chamber or the failure of the complainant to follow-up the case. Respondent judge should know that it is his responsibility, not the complainant's, to decide his cases in an organized and orderly manner, and within the required period.[3]

Respondent judge ought to be reminded that the unjustified delay in the dispensation of justice cuts both ways. On the part of the accused, since his liberty was at stake, his suffering was unduly prolonged on account of respondent judge's failure to promptly render the judgment of acquittal. On the part of the relatives of the victim, the offended party, the excruciating pain of waiting for the sentencing of the accused gave them the impression of impropriety that could diminish their trust in the judicial system.

All judges are reminded that, for the common people, justice means the fair and prompt disposition of cases filed in court. Keeping the people's faith in our system should be their cardinal concern.

IN VIEW WHEREOF, we hold Judge Reynaldo M. Alon administratively liable for his failure to render the decision in Criminal Case No. 2422 within the prescribed period of ninety (90) days from the time the same was submitted for decision. He is, therefore, ordered to pay a fine of Ten Thousand Pesos (P10,000.00),^[4] with stern warning that a repetition of the same or similar acts in the future shall be dealt with more severely by this Court. Let a copy of this decision be attached to respondent judge's personal records.

SO ORDERED.

Regalado (Chairman), Romero and Mendoza, JJ., concur.

[1] People of the Philippines vs. Ricarte Hinol alias 'Ric'.

[2] Marcelino vs. Cruz, Jr., No. L-42428, March 18, 1983, 121 SCRA 51,58.

[3] Rule 3.05, Canon 3, Code of judicial Conduct; Castillo vs. Cortes, A.M. RTJ-93-1082, July 25, 1994,234 SCRA 398.

[4] Celino vs. Judge Abrogar, A.M. No. RTJ-95-1 317, June 27, 1995,245 SCRA 304.

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