

RE: REPORT ON THE JUDICIAL AUDIT CONDUCTED IN THE REGIONAL TRIAL COURTS OF KIDAPAWAN, BRANCHES 17 AND 23, KABACAN, BRANCHES 16 AND 17, NORTH COTABATO

A.M. No. 96-5-169-RTC. May 09, 2003

Ponente: YNARES-SANTIAGO, J.

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YNARES-SANTIAGO, J.:

For resolution before us are the following: (1) A.M. No. 96-5-169-RTC entitled "Re: Report on the Judicial Audit Conducted in the RTCs of Kidapawan and Kabacan, North Cotabato;" and (2) "Report on the Judicial Audit Conducted in the RTC, Branch 17, Kidapawan City."

Pursuant to the report of the Judicial Audit Team of the Office of the Court Administrator, the Court issued a Resolution: (1) requiring Judge Rodolfo Serrano of the Regional Trial Court of Kidapawan City, Branch 17 to explain the delay in the disposition of the Criminal Cases Nos. 1644 and 2179 and Civil Case No. 0271; (2) requiring Branch Clerk of Court Gary V. Vergara of the same court to comment on the withholding of the true status of Special Civil Action No. SCA-091; and (3) directing the Office of the Court Administrator to send a Judicial Audit Team to conduct another audit and physical inventory of cases at the RTC, Branch 17, Kidapawan City.

In his letter-compliance, Judge Serrano explained that since his branch was designated as a special court for heinous crimes pursuant to Administrative Order No. 104-96, it was physically impossible for him to promptly dispose of Criminal Cases Nos. 1644 and 2179 and Civil Case No. 0271, which were, moreover, inherited from his predecessors.

Branch Clerk Vergara also filed a letter-compliance, informing the Court that he did not withhold the true status of Special Civil Action No. SCA-091. In fact, in his letter dated October 30, 2000, he attached a copy of the decision of the said case. He further averred that if ever the said case was reported as decided on a date earlier than its actual rendition, it was simply due to inadvertence for which he sincerely apologized.

The Office of the Court Administrator found respondent Judge guilty of delay in the disposition of Criminal Cases Nos. 496, 726 and 1890 and Civil Cases Nos. 0246 and 0824, and recommended that he be fined the amount of Five Thousand Pesos (P5,000.00), with a stern warning that a commission of the same or similar offense in the future would be dealt with more severely. On the other hand, the OCA recommended that respondent Branch Clerk be absolved from any wrongdoing.

We agree with the OCA that the explanation of respondent Branch Clerk of Court is well-taken. It appears that he had no intention to withhold or mislead the Court as to the actual date of the judgment in Special Civil Action No. SCA-091. In the absence of malice or bad faith, no administrative sanctions may be imposed on him.

We likewise agree with the OCA that respondent was guilty of gross inefficiency for delay in the disposition of cases.

Rule 1.02.— Canon 1 and Rule 3.05, Canon 3 of the Code of Judicial Conduct provide:

Rule 1.02. — A judge should administer justice impartially and without delay.

Rule 3.05. — A judge shall dispose of the court's business promptly and decide cases within the required periods.

The unreasonable delay of a judge in resolving a pending incident is a violation of the norms of judicial conduct and constitutes a ground for administrative sanction against the defaulting magistrate.[1] Justices and judges alike, being paradigms of justice, have been exhorted time and again to dispose of the court's business promptly and to decide cases within the required periods.[2] Delay not only results in undermining the people's faith in the judiciary from whom the prompt hearing of their supplications is anticipated and expected; it also reinforces in the mind of the litigants the impression that the wheels of justice grind ever so slowly.[3]

Inability to decide a case within the required period is not excusable and constitutes gross inefficiency[4] warranting the imposition of administrative sanctions on them.[5] A judge should, at all times, remain in full control of the proceedings in his branch and should adopt a firm policy against improvident postponements — more importantly, he should follow the time limit set for deciding cases.[6] If he feels that he could not decide the case within the reglementary period, he should ask for a reasonable extension of time to dispose of the case.[7]

In the case at bar, there is no showing that respondent Judge requested for an extension of time to decide the cases. In fact, it was only after receipt of this Court's June 25, 1995 Resolution that he asked for an extension. The said request was belatedly filed because more than a year had passed from the time the ninety-day reglementary period elapsed.

While we agree with the findings of the OCA, we find the recommended fine of Five Thousand Pesos (P5,000.00) to be an inadequate sanction considering the enormity of respondent Judge's misfeasance. His infraction is aggravated by his lack of candor in his disclosure of the actual status of the cases assigned to his branch, and also by the fact that this case is not respondent's first offense. In *Atty. Daniel O. Osumo v. Judge Rodolfo M. Serrano*,^[8] respondent Judge was sanctioned and warned that any subsequent transgression he commits would be dealt with more severely. Hence, we hold that a fine of Twenty Thousand Pesos (P20,000.00) is a more commensurate penalty.

The judicial audit conducted in the branch of respondent Judge pursuant to the Court's Resolution dated April 2, 2001 showed that respondent Judge failed to decide and act on the following cases and incidents:

- 1) Criminal Case No. 1398
- 2) Criminal Case No. 2123
- 3) Criminal Case No. 2151
- 4) Criminal Case No. 2216
- 5) Criminal Case No. 2306
- 6) Criminal Case No. 2320
- 7) Criminal Case No. 2338
- 8) Criminal Case No. 2339
- 9) Criminal Case No. 2343
- 10) Criminal Case No. 2350
- 11) Criminal Case No. 2353
- 12) Criminal Case No. 2402
- 13) Criminal Case No. 2414
- 14) Criminal Case No. 2427
- 15) Criminal Case No. 2444

- 16) Criminal Case No. 2452
- 17) Criminal Case No. 2453
- 18) Criminal Case No. 2467
- 19) Criminal Case No. 2470
- 20) Criminal Case No. 2475
- 21) Criminal Case No. 2518
- 22) Criminal Case No. 2545
- 23) Criminal Case No. 2546
- 24) Criminal Case No. 2568
- 25) Criminal Case No. 2630
- 26) Criminal Case No. 2637
- 27) Criminal Case No. 2737
- 28) Criminal Case No. 2738
- 29) Criminal Case No. 2754
- 30) Criminal Case No. 2773
- 31) Criminal Case No. 2787
- 32) Criminal Case No. 2846
- 33) Criminal Case No. 01-96
- 34) Criminal Case No. 09-96
- 35) Criminal Case No. 17-96
- 36) Criminal Case No. 75-96
- 37) Criminal Case No. 139-96
- 38) Criminal Case No. 140-96
- 39) Criminal Case No. 147-96
- 40) Criminal Case No. 10-97
- 41) Criminal Case No. 12-97
- 42) Criminal Case No. 25-97
- 43) Criminal Case No. 26-97
- 44) Criminal Case No. 30-97
- 45) Criminal Case No. 43-97
- 46) Criminal Case No. 44-97
- 47) Criminal Case No. 89-97
- 48) Criminal Case No. 90-97
- 49) Criminal Case No. 99-97
- 50) Criminal Case No. 100-97
- 51) Criminal Case No. 151-97
- 52) Criminal Case No. 03-98
- 53) Criminal Case No. 06-98
- 54) Criminal Case No. 39-98
- 55) Criminal Case No. 41-98
- 56) Criminal Case No. 51-98
- 57) Criminal Case No. 52-98
- 58) Criminal Case No. 55-98
- 59) Criminal Case No. 57-98
- 60) Criminal Case No. 72-98
- 61) Criminal Case No. 73-98
- 62) Criminal Case No. 75-98
- 63) Criminal Case No. 80-98
- 64) Criminal Case No. 124-98
- 65) Criminal Case No. 126-98

- 66) Criminal Case No. 133-98
- 67) Criminal Case No. 188-98
- 68) Criminal Case No. 190-98
- 69) Criminal Case No. 191-98
- 70) Criminal Case No. 192-98
- 71) Criminal Case No. 209-98
- 72) Criminal Case No. 214-98
- 73) Criminal Case No. 217-98
- 74) Criminal Case No. 231-98
- 75) Criminal Case No. 242-98
- 76) Criminal Case No. 09-99
- 77) Criminal Case No. 98-99
- 78) Criminal Case No. 128-99
- 79) Criminal Case No. 158-99
- 80) Criminal Case No. 159-99
- 81) Criminal Case No. 170-99
- 82) Criminal Case No. 171-99
- 83) Criminal Case No. 173-99
- 84) Criminal Case No. 241-99
- 85) Criminal Case No. 314-99
- 86) Criminal Case No. 334-99
- 87) Criminal Case No. 385-99
- 88) Criminal Case No. 422-99
- 89) Criminal Case No. 471-99
- 90) Criminal Case No. 472-99
- 91) Criminal Case No. 473-99
- 92) Criminal Case No. 479-99
- 93) Criminal Case No. 487-99
- 94) Criminal Case No. 559-99
- 95) Criminal Case No. 586-99
- 96) Criminal Case No. 587-99
- 97) Criminal Case No. 597-99
- 98) Criminal Case No. 10-2000
- 99) Criminal Case No. 13-2000
- 100) Criminal Case No. 71-2000
- 101) Criminal Case No. 72-2000
- 102) Criminal Case No. 73-2000
- 103) Criminal Case No. 81-2000
- 104) Criminal Case No. 121-2000
- 105) Civil Case No. 0399
- 106) Civil Case No. 0578
- 107) Civil Case No. 0641
- 108) Civil Case No. 0675
- 109) Civil Case No. 0692
- 110) Civil Case No. 0785
- 111) Civil Case No. 0807
- 112) Civil Case No. 0809
- 113) Civil Case No. 0852 (857)
- 114) Civil Case No. 0862
- 115) Civil Case No. 0863

- 116) Civil Case No. 0878
- 117) Civil Case No. 0877
- 118) Civil Case No. 0879
- 119) Civil Case No. 0885
- 120) Civil Case No. 0894
- 121) Civil Case No. 0899
- 122) Civil Case No. 0906
- 123) Civil Case No. 1029
- 124) Civil Case No. 1065
- 125) Civil Case No. 21-99
- 126) Civil Case No. SP-29-97
- 127) Civil Case No. SP-15-98
- 128) Civil Case No. SP-01-2000
- 129) Civil Case No. SP-18-2000
- 130) Civil Case No. MISC-1742
- 131) Civil Case No. MISC-30-99
- 132) Criminal Case No. 2650
- 133) Criminal Case No. 66-96
- 134) Criminal Case No. 131-97
- 135) Criminal Case No. 132-97
- 136) Civil Case No. 898
- 137) Civil Case No. 98-01
- 138) Civil Case No. 02-99
- 139) Civil Case No. 2000-07
- 140) Criminal Case No. 1906
- 141) Criminal Case No. 1907
- 142) Criminal Case No. 2241
- 143) Criminal Case No. 2301
- 144) Criminal Case No. 2625
- 145) Criminal Case No. 2749
- 146) Criminal Case No. 2884
- 147) Criminal Case No. 2954
- 148) Criminal Case No. 2983
- 149) Criminal Case No. 43-96
- 150) Criminal Case No. 102-97
- 151) Criminal Case No. 103-97
- 152) Criminal Case No. 104-98
- 153) Criminal Case No. 238-98
- 154) Criminal Case No. 12-99
- 155) Criminal Case No. 386-99
- 156) Criminal Case No. 387-99
- 157) Criminal Case No. 391-99
- 158) Criminal Case No. 242-2000
- 159) Criminal Case No. 262-2000
- 160) Criminal Case No. 275-2000
- 161) Criminal Case No. 73-2001
- 162) Civil Case No. 2021
- 163) Civil Case No. 1042
- 164) Civil Case No. 1043
- 165) Civil Case No. 97-17

- 166) Civil Case No. 97-23
- 167) Civil Case No. 97-27
- 168) Civil Case No. 98-13
- 169) Civil Case No. 98-17
- 170) Civil Case No. 27-99
- 171) Civil Case No. 2000-06
- 172) Civil Case No. 2000-20
- 173) Civil Case No. 2001-09
- 174) Civil Case No. 2001-11
- 175) Special Civil Action No. SCA-04-2000
- 176) Special Civil Action No. SCA-01-2001
- 177) Civil Case No. SP-31-98
- 178) Civil Case No. SP-19-99
- 179) Civil Case No. SP-21-99
- 180) Civil Case No. SP-51-99
- 181) Civil Case No. SP-06-2000
- 182) Civil Case No. SP-08-2000
- 183) Civil Case No. SP-13-2000
- 184) Civil Case No. SP-14-2000
- 185) Civil Case No. SP-25-2000
- 186) Civil Case No. SP-46-2000
- 187) Civil Case No. SP-08-2001
- 188) Civil Case No. MISC-09-2000
- 189) Civil Case No. MISC-02-2001
- 190) Criminal Case No. 211-2001
- 191) Civil Case No. 132
- 192) Civil Case No. 164
- 193) Civil Case No. 2001-12
- 194) Civil Case No. SP-22-2001
- 195) Civil Case No. MISC-18-2001
- 196) Civil Case No. MISC-26-2001

WHEREFORE, in view of all the foregoing, Judge Rodolfo M. Serrano is found guilty of gross inefficiency and is FINED in the amount of Twenty Thousand Pesos (P20,000.00). He is directed to DECIDE Civil Cases Nos. 0271 and 0875 within Twenty (20) days from receipt of notice, and to DECIDE WITH DISPATCH Criminal Cases Nos. 496, 726, 1890; Civil Cases Nos. 0246 and 0824.

Further, respondent Judge is directed to:

(a) EXPLAIN why no decision was rendered in the following cases which were submitted for decision despite the lapse of the mandatory period to decide them:

- 1) Criminal Case No. 1398
- 2) Criminal Case No. 2123
- 3) Criminal Case No. 2151
- 4) Criminal Case No. 2216
- 5) Criminal Case No. 2306
- 6) Criminal Case No. 2320
- 7) Criminal Case No. 2338
- 8) Criminal Case No. 2339
- 9) Criminal Case No. 2343

- 10) Criminal Case No. 2350
- 11) Criminal Case No. 2353
- 12) Criminal Case No. 2402
- 13) Criminal Case No. 2414
- 14) Criminal Case No. 2427
- 15) Criminal Case No. 2444
- 16) Criminal Case No. 2452
- 17) Criminal Case No. 2453
- 18) Criminal Case No. 2467
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- 20) Criminal Case No. 2475
- 21) Criminal Case No. 2518
- 22) Criminal Case No. 2545
- 23) Criminal Case No. 2546
- 24) Criminal Case No. 2568
- 25) Criminal Case No. 2630
- 26) Criminal Case No. 2637
- 27) Criminal Case No. 2737
- 28) Criminal Case No. 2738
- 29) Criminal Case No. 2754
- 30) Criminal Case No. 2773
- 31) Criminal Case No. 2787
- 32) Criminal Case No. 2846
- 33) Criminal Case No. 01-96
- 34) Criminal Case No. 09-96
- 35) Criminal Case No. 17-96
- 36) Criminal Case No. 75-96
- 37) Criminal Case No. 139-96
- 38) Criminal Case No. 140-96
- 39) Criminal Case No. 147-96
- 40) Criminal Case No. 10-97
- 41) Criminal Case No. 12-97
- 42) Criminal Case No. 25-97
- 43) Criminal Case No. 26-97
- 44) Criminal Case No. 30-97
- 45) Criminal Case No. 43-97
- 46) Criminal Case No. 44-97
- 47) Criminal Case No. 89-97
- 48) Criminal Case No. 90-97
- 49) Criminal Case No. 99-97
- 50) Criminal Case No. 100-97
- 51) Criminal Case No. 151-97
- 52) Criminal Case No. 03-98
- 53) Criminal Case No. 06-98
- 54) Criminal Case No. 39-98
- 55) Criminal Case No. 41-98
- 56) Criminal Case No. 51-98
- 57) Criminal Case No. 52-98
- 58) Criminal Case No. 55-98
- 59) Criminal Case No. 57-98

- 60) Criminal Case No. 72-98
- 61) Criminal Case No. 73-98
- 62) Criminal Case No. 75-98
- 63) Criminal Case No. 80-98
- 64) Criminal Case No. 124-98
- 65) Criminal Case No. 126-98
- 66) Criminal Case No. 133-98
- 67) Criminal Case No. 188-98
- 68) Criminal Case No. 190-98
- 69) Criminal Case No. 191-98
- 70) Criminal Case No. 192-98
- 71) Criminal Case No. 209-98
- 72) Criminal Case No. 214-98
- 73) Criminal Case No. 217-98
- 74) Criminal Case No. 231-98
- 75) Criminal Case No. 242-98
- 76) Criminal Case No. 09-99
- 77) Criminal Case No. 98-99
- 78) Criminal Case No. 128-99
- 79) Criminal Case No. 158-99
- 80) Criminal Case No. 159-99
- 81) Criminal Case No. 170-99
- 82) Criminal Case No. 171-99
- 83) Criminal Case No. 173-99
- 84) Criminal Case No. 241-99
- 85) Criminal Case No. 314-99
- 86) Criminal Case No. 334-99
- 87) Criminal Case No. 385-99
- 88) Criminal Case No. 422-99
- 89) Criminal Case No. 471-99
- 90) Criminal Case No. 472-99
- 91) Criminal Case No. 473-99
- 92) Criminal Case No. 479-99
- 93) Criminal Case No. 487-99
- 94) Criminal Case No. 559-99
- 95) Criminal Case No. 586-99
- 96) Criminal Case No. 587-99
- 97) Criminal Case No. 597-99
- 98) Criminal Case No. 10-2000
- 99) Criminal Case No. 13-2000
- 100) Criminal Case No. 71-2000
- 101) Criminal Case No. 72-2000
- 102) Criminal Case No. 73-2000
- 103) Criminal Case No. 81-2000
- 104) Criminal Case No. 121-2000
- 105) Civil Case No. 0399
- 106) Civil Case No. 0578
- 107) Civil Case No. 0641
- 108) Civil Case No. 0675
- 109) Civil Case No. 0692

- 110) Civil Case No. 0785
- 111) Civil Case No. 0807
- 112) Civil Case No. 0809
- 113) Civil Case No. 0852 (857)
- 114) Civil Case No. 0862
- 115) Civil Case No. 0863
- 116) Civil Case No. 0878
- 117) Civil Case No. 0877
- 118) Civil Case No. 0879
- 119) Civil Case No. 0885
- 120) Civil Case No. 0894
- 121) Civil Case No. 0899
- 122) Civil Case No. 0906
- 123) Civil Case No. 1029
- 124) Civil Case No. 1065
- 125) Civil Case No. 21-99
- 126) Civil Case No. SP-29-97
- 127) Civil Case No. SP-15-98
- 128) Civil Case No. SP-01-2000
- 129) Civil Case No. SP-18-2000
- 130) Civil Case No. MISC-1742
- 131) Civil Case No. MISC-30-

(b) EXPLAIN why the pending matters or incidents for resolution in the following cases remain unresolved despite the lapse of the mandatory period, to wit:

- 1) Criminal Case No. 2650
- 2) Criminal Case No. 66-96
- 3) Criminal Case No. 131-97
- 4) Criminal Case No. 132-97
- 5) Civil Case No. 898
- 6) Civil Case No. 98-01
- 7) Civil Case No. 02-99
- 8) Civil Case No. 2000-07

(c) EXPLAIN why there are no further actions or settings in the court calendar in the following cases despite the lapse of a considerable period of time:

- 1) Criminal Case No. 1906
- 2) Criminal Case No. 1907
- 3) Criminal Case No. 2241
- 4) Criminal Case No. 2301
- 5) Criminal Case No. 2625
- 6) Criminal Case No. 2749
- 7) Criminal Case No. 2884
- 8) Criminal Case No. 2954
- 9) Criminal Case No. 2983
- 10) Criminal Case No. 43-96
- 11) Criminal Case No. 102-97
- 12) Criminal Case No. 103-97
- 13) Criminal Case No. 104-98

- 14) Criminal Case No. 238-98
- 15) Criminal Case No. 12-99
- 16) Criminal Case No. 386-99
- 17) Criminal Case No. 387-99
- 18) Criminal Case No. 391-99
- 19) Criminal Case No. 242-2000
- 20) Criminal Case No. 262-2000
- 21) Criminal Case No. 275-2000
- 22) Criminal Case No. 73-2001
- 23) Civil Case No. 2021
- 24) Civil Case No. 1042
- 25) Civil Case No. 1043
- 26) Civil Case No. 97-17
- 27) Civil Case No. 97-23
- 28) Civil Case No. 97-27
- 29) Civil Case No. 98-13
- 30) Civil Case No. 98-17
- 31) Civil Case No. 27-99
- 32) Civil Case No. 2000-06
- 33) Civil Case No. 2000-20
- 34) Civil Case No. 2001-09
- 35) Civil Case No. 2001-11
- 36) Special Civil Action No. SCA-04-2000
- 37) Special Civil Action No. SCA-01-2001
- 38) Civil Case No. SP-31-98
- 39) Civil Case No. SP-19-99
- 40) Civil Case No. SP-21-99
- 41) Civil Case No. SP-51-99
- 42) Civil Case No. SP-06-2000
- 43) Civil Case No. SP-08-2000
- 44) Civil Case No. SP-13-2000
- 45) Civil Case No. SP-14-2000
- 46) Civil Case No. SP-25-2000
- 47) Civil Case No. SP-46-2000
- 48) Civil Case No. SP-08-2001
- 49) Civil Case No. MISC-09-2000
- 50) Civil Case No. MISC-02-2001

(d) EXPLAIN why no initial action was taken from the following cases from the time it was raffled or assigned to his branch, to wit:

- 1) Criminal Case No. 211-2001
- 2) Civil Case No. 132
- 3) Civil Case No. 164
- 4) Civil Case No. 2001-12
- 5) Civil Case No. SP-22-2001
- 6) Civil Case No. MISC-18-2001
- 7) Civil Case No. MISC-26-2001

(e) DECIDE WITH DISPATCH all the cases enumerated in paragraph (a); RESOLVE WITH DISPATCH the pending matters or incidents in the cases enumerated under paragraph (b); TAKE APPROPRIATE ACTION on

all of the cases enumerated under paragraph (c) and (d); and FURNISH the Court through the Office of the Court Administrator with copies of said decision, order or resolution within Ten (10) days from rendition thereof.

Branch Clerk of Court Gary B. Vergara is directed to:

(a) EXPLAIN why no report has yet been submitted in Civil Cases Nos. MISC-03-97 and MISC-08-2000 despite the completion of the ex parte presentation of evidence of the petitioners thereon;

(b) SUBMIT a report thereon within Ten (10) days from receipt of notice through Judge Rodolfo M. Serrano of the same court; and

(c) INFORM the Court through the Office of the Court Administrator whether the decision had been rendered in the following cases:

- 1) Criminal Case No. 53-97
- 2) Criminal Case No. 54-97
- 3) Criminal Case No. 55-97
- 4) Criminal Case No. 56-97
- 5) Criminal Case No. 57-97
- 6) Criminal Case No. 58-97
- 7) Criminal Case No. 59-97
- 8) Criminal Case No. 60-97
- 9) Criminal Case No. 61-97
- 10) Criminal Case No. 117-98
- 11) Criminal Case No. 02-99
- 12) Civil Case No. SP-06-200

and whether the pending matters and incidents in the following cases had been resolved, to wit:

- 1) Criminal Case No. 01-97
- 2) Criminal Case No. 118-97
- 3) Criminal Case No. 119-97
- 4) Criminal Case No. 120-97
- 5) Criminal Case No. 148-97
- 6) Criminal Case No. 130-98
- 7) Criminal Case No. 139-98
- 8) Criminal Case No. 140-98
- 9) Criminal Case No. 141-98
- 10) Criminal Case No. 142-98
- 11) Criminal Case No. 143-98
- 12) Criminal Case No. 144-98
- 13) Criminal Case No. 145-98
- 14) Criminal Case No. 192-98
- 15) Criminal Case No. 121-2001
- 16) Civil Case No. 98-32
- 17) Civil Case No. SP-168

of (d) FURNISH the Court through the Office of the Court Administrator with copies of the decision, order or resolution within Ten (10) days from rendition there

SO ORDERED.

Davide, Jr., C.J.,(Chairman), Vitug, Carpio, and Azcuna, JJ., concur.

[1] *Dysico v. Dacumos*, 330 Phil. 834 [1996]; Re: Report on the Audit and Inventory of Cases in RTC, Branch 55, Alaminos, Pangasinan, 331 Phil. 43 [1996]; Re: Report on the Judicial Audit Conducted in the Regional Trial Court, Branches 61, 134 and 147, Makati, Metro Manila, A.M. No. 93-2-1001, 5 September 1995, 248 SCRA 5; Re: Query of Judge Danilo M. Tenerife, 325 Phil. 464 [1996]; Re: Report on the Judicial Audit and Physical Inventory of the Records of Cases in MTCC, Br. 2, Batangas City, A.M. No. 94-10-96-MTCC, 5 September 1995 248 SCRA 36; *Bentulan v. Dumatol*, A.M. No. RTJ-93-999, 15 June 1994, 233 SCRA 168; Re: Letter of Mr. Octavio Kalalo, A.M. No. 93-7-1158-RTC, 24 March 1993, 231 SCRA 403 [1993]; *Longboan v. Polig*, A.M. No. R-704-RTJ, 14 June 1990, 186 SCRA 556.

[2] *Sy Bang v. Mendez*, A.M. No. RTJ-94-1257, 6 March 1998, 287 SCRA 84, 89, citing Rule 3.05, Canon 3, Code of Judicial Conduct.

[3] *Ibid.*, p. 90.

[4] Re: Report on the Judicial Audit Conducted in the Regional Trial Court, Branches 61, 134 and 147, Makati, Metro Manila, *supra*.

[5] *Sanchez v. Vestil*, *supra*, citing *OCA v. Judge Walerico Butalid*, *supra*; see also *Grefaldeo v. Judge Lacson*, *supra*.

[6] *Hernandez v. De Guzman*, 322 Phil. 65 [1996].

[7] *OCA v. Judge Lyliha A. Aquino*, A.M. No. RTJ-00-1555, 22 June 2000, 334 SCRA 179, citing *Casia v. Gestopa*, *supra*, citing Report on the Judicial Audit Conducted in the Municipal Trial Court, Sibulan, Negros Oriental, 347 Phil. 139 [1997].

[8] A.M. No. RTJ-1607, 3 April 2002.

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