

ATTY. VICENTE B. DE ASIS, COMPLAINANT, VS. JUDGE ARTURO G. DORONILA, PRESIDING JUDGE OF THE MUNICIPAL CIRCUIT TRIAL COURT OF JORDAN- BUENAVISTA-NUOVA VALENCIA, GUIMARAS, RESPONDENT.

A.M. NO. MTJ-04-1542. March 30, 2006

Ponente: CARPIO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/b607e565e898/>

CARPIO, J.:

The Facts

On 3 September 2002, this Court issued Administrative Order No. 128-2002 (AO 128-2002)[1] designating Judge Ronaldo P. Melliza, Jr. ("Judge Melliza") of the 10th Municipal Circuit Trial Court, Calinog-Bingawan, Iloilo, as Assisting Judge of the Municipal Circuit Trial Court of Jordan-Buenavista-Nueva Valencia, Guimaras ("MCTC-Guimaras") in addition to Judge Melliza's duties in his own court. The designation was to take effect immediately and to continue until further orders from the Court. AO 128-2002 also directed Judge Melliza to try and decide newly filed cases at the MCTC-Guimaras as of the date of the issuance of the order. On the other hand, in the same AO 128-2002 the Court directed respondent Judge Arturo G. Doronila ("respondent Judge Doronila") to try and decide pending cases including those cases submitted for decision.

On 7 February 2003, a criminal case for Arson docketed as Criminal Case No. 6024-B was filed against Atty. Vicente B. De Asis ("De Asis") before the MCTC-Guimaras. Respondent Judge Doronila conducted an examination, in writing and under oath, of the complainant and the witnesses. Later, respondent Judge Doronila issued a warrant of arrest against De Asis.

De Asis filed the instant administrative Complaint for violation of AO 128-2002. De Asis claims that respondent Judge Doronila acted without authority and with grave abuse of discretion amounting to lack or excess of jurisdiction in hearing the criminal case and in issuing the warrant of arrest in violation of AO 128-2002.

In his Comment to the Complaint, respondent Judge Doronila argues that because of the inability of Judge Melliza to act as Assisting Judge of MCTC-Guimaras and the absence of a substitute, respondent Judge Doronila acted on the new cases despite AO 128-2002. Respondent Judge Doronila points out that there was no one to act on these new cases until the designation of Judge Domingo C. Diamante as Assisting Judge to substitute for Judge Melliza. Respondent Judge Doronila asserts that he could be subjected to administrative complaints if he did not act on new cases filed with the MCTC-Guimaras.

In his Reply to Comment, De Asis contends that there was no immediate and pressing need for respondent Judge Doronila to conduct a preliminary investigation and to issue hastily the warrant of arrest without even informing De Asis of the criminal complaint against him.

Respondent Judge Doronila filed his Rejoinder to Reply stating that Judge Melliza reported only on the 6th and 27th of February 2002 [sic] while the arson case was filed on 7 February 2002 [sic].[2]

On 31 March 2004, the Court issued a Resolution requiring the parties to manifest if they were willing to submit the case based on the pleadings filed. In the same resolution, the Court directed Judge Domingo C. Diamante, Assisting Judge of MCTC-Guimaras, to decide Criminal Case No. 6024-B.

Meanwhile, both parties filed their respective Manifestation submitting the case for resolution based on the pleadings already filed.

The OCA Report and Recommendation

The Office of the Court Administrator (OCA) recommended that respondent Judge Doronila be fined P5,000 for committing an infraction classified as less serious charge under Rule 140, with a stern warning that a similar infraction in the future will merit a more severe penalty.

The OCA stated that respondent Judge Doronila was not divested of his jurisdiction over Criminal Case No. 6024-B. However, the OCA believed that Judge Melliza was the one authorized to try and decide the case pursuant to AO 128-2002. The existence of the memorandum order of Executive Judge Tito Gustilo further designating Judge Melliza as Acting Presiding Judge of MCTC, Branch 4 of Iloilo City did not revoke Judge Melliza's designation as Assisting Judge of respondent Judge Doronila. Neither did the request of Judge Melliza to be relieved as Assisting Judge of MCTC-Guimaras automatically revoke his designation in this Court's administrative order. Respondent Judge Doronila should have referred the matter to his executive judge for appropriate action.

The Court's Ruling

We agree with the OCA. Respondent Judge Doronila was not authorized to try and decide Criminal Case No. 6024-B. AO 128-2002 clearly designated Judge Melliza to try and decide the criminal case. Respondent Judge Doronila knew of the administrative order and still defied the order. The fact that Judge Melliza reported for work only on the 6th and 27th of February 2003 is of no moment. Even the Memorandum Order of Executive Judge Tito Gustilo designating Judge Melliza as acting presiding judge of MCTC, Branch 4 of Iloilo City, did not revoke the latter's designation as Assisting Judge of respondent Judge Doronila.

The language of AO 128-2002 is clear and simple. Judge Melliza shall try and decide newly filed cases while respondent Judge Doronila shall continue trying and deciding pending cases including those cases submitted for decision. The criminal case against De Asis was a newly filed case which should have been tried by Judge Melliza and not by respondent Judge Doronila. Clearly, respondent Judge Doronila violated a Supreme Court directive which is a less serious charge. Under Rule 140, as amended by A.M. No. 01-8-10-SC,[3] such violation is punishable by a fine of more than P10,000 but not exceeding P20,000, or suspension from office without salary and other benefits for not less than one month but not more than three months.

Failure to recognize and follow the Court's circular is not just grave abuse of authority amounting to grave misconduct or conduct prejudicial to the best interest of the service. Such failure is disrespect for, and a willful violation of, a lawful circular of the highest court of the land to which respondent Judge Doronila owes obedience.[4] Judges should respect orders and decisions of the Supreme Court.[5] Willful non-compliance with court orders and circulars constitutes serious misconduct.

WHEREFORE, we find respondent Judge Arturo G. Doronila GUILTY of violation of Supreme Court rules, directives and circulars classified as a less serious charge. He is FINED Fifteen Thousand Pesos (P15,000) with a warning that the same or similar infraction in the future will merit a more severe penalty.

SO ORDERED.

Carpio Morales, and Tinga, JJ., concur.

Quisumbing (Chairperson), JJ., on leave.

* On official leave.

** Acting Chairperson.

[1] Rollo, p. 6.

[2] Id. at 40.

[3] Effective 1 October 2001.

[4] Hold-Departure Order Issued by Judge Salvador M. Occiano, MCTC-Nabua, Camarines Sur, in Criminal Cases Nos. 7353 and 7363, A.M. No. 02-1-27-MCTC, 7 May 2002, 381 SCRA 655.

[5] Re: List of Judges Who Failed to Comply with Administrative Circular No. 10-94, Dated June 29, 1994, A.M. No. 00-3-14-SC, 4 October 2002, 390 SCRA 319.

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.