

MARIA CELIA A. FLORES (LEGAL RESEARCHER II, REGIONAL TRIAL COURT, BRANCH 217, QUEZON CITY), COMPLAINANT, VS. CLARENCE JOHN R. HIPOLITO (CLERK III, REGIONAL TRIAL COURT, BRANCH 2...*OCA IPI No. 10-3450-P. May 11, 2021*Read online (full-text search, related cases, audio case brief): <https://batas.org/library/c411c0eac884/>**PER CURIAM:**

Judicial office demands the best possible men and women in the service to support efforts towards effective administration of justice. Hence, the Court will not condone any improper conduct of court employees constituting infringement of and encroachment upon judicial authority, and whose acts overstep their powers and responsibilities.

The Case

In these consolidated cases, Maria Celia A. Flores (Flores), a court legal researcher II, charged Clarence John R. Hipolito (Hipolito) of conduct prejudicial to the best interest of service and usurpation of function of the court process server or sheriff. She also accused Myrla P. Nicandro (Nicandro), Sarah S. Mirandilla (Mirandilla), both court stenographers, and Naomi C. Paden, a court interpreter III, of habitual tardiness and excessive absenteeism. Meanwhile, Hipolito, Nicandro, Mirandilla, Paden and Ronald B. Oya (Oya) charged Flores with willful disregard of a Supreme Court ruling, conduct unbecoming of a court employee and usurpation of authority. Hipolito, in his counter-charge, also accused Flores of malfeasance.

Antecedents*OCA IPI No. 10-3450-P*

The first administrative complaint[1] was filed on 27 July 2010 by Flores, a court legal researcher II of Regional Trial Court, Branch 127 of Quezon City (RTC), against Hipolito, the clerk-in-charge of criminal cases in their court, for conduct prejudicial to the best interest of the service and usurpation of function of the court's process server or sheriff.[2]

According to Flores, Hipolito has been selling Avon products inside the court premises instead of performing his official duties. Hipolito also usurped the function of the court's process server or deputy sheriff by releasing a detainee without authority from Flores, who was then the officer-in-charge (OIC).[3]

Hipolito, however, branded the allegations of Flores as baseless and unfounded. He claimed that he stopped being a sales dealer of Avon after he was appointed to the Judiciary in 2001. However, his co-employees learned that his mother-in-law was a sales agent and started placing orders thru him to avail of discounts. However, he never profited from such transactions and only delivered the products upon reporting for work.[4]

Likewise, contrary to the allegation of usurpation of function, Hipolito averred he was duly authorized by Presiding Judge Santiago M. Arenas (Judge Arenas) to serve the release order of an accused by virtue of a

Certification dated 21 October 2010 and an Official Business (OB) Pass, both signed by the Judge Arenas himself.[5]

In her Reply, Flores insisted that the lack of monetary gain by Hipolito is irrelevant. The mere fact of selling Avon products in the Hall of Justice is a violation of Civil Service Rules. As to the service of the release order, Flores claimed that the certification and OB pass were irregularly issued and only served to validate an otherwise unauthorized act of Hipolito.[6]

A.M. No. P-21-018 [Formerly OCA IPI No. 11-3761-P]

The administrative complaint, docketed as A.M. No. OCA IPI No. 11-3761-P, arose from the counter-charge of malfeasance filed by Hipolito against Flores. Hipolito maintained that the complaint filed by Flores against him is an act of harassment as the latter was obviously nursing a grudge against him after he informed Judge Arenas of Flores' illegal act of preparing pleadings for litigants during office hours for a fee. Attempts by Judge Arenas to settle the differences between them proved futile and Flores tried to further throw her weight around the court disrupting the court's functions.[7]

Moreover, Flores' complaint allegedly showed her flawed character, constantly monitoring the staff so she could use the slightest infraction as some form of blackmail later. Instead of doing her work, she would dig out old files to use against her perceived enemies and even use her knowledge of the law as her weapon and instrument against the helpless and for intimidation.[8]

A.M. No. P-21-017 [Formerly OCA IPI No. 10-3485-P]

On 03 September 2010, Court Stenographers Nicandro, Mirandilla, and Paden, together with Clerk II Hipolito and Utility Worker Oya (complainants) filed a verified complaint-affidavit[9] against Flores for willful disregard of a Supreme Court ruling, conduct unbecoming of a court employee and usurpation of authority.[10]

As alleged by complainants in this case, Flores openly defied a six-month suspension ordered by the Supreme Court through a Resolution[11] dated 16 April 2009 relative to a previous administrative case for dishonesty entitled, Office of the Court of Administrator v. Maria Celia A. Flores.[12] Flores allegedly continued to report for work from 04 May to 25 May 2009 despite having received the order for suspension on 30 April 2009. She eventually complied with the suspension order on 26 May 2009 but reported to work on 03 November 2009 before she completed her six-month suspension. Moreover, Flores sowed discord among the employees through different controlling acts. She would allegedly adjust the clock in the staffroom to coincide with her watch, which was five or more minutes earlier than the time reflected in the clock in the courtroom and in the judge's chambers.[13]

Complainants also cited the following questionable acts of Flores as OIC of their court: (1) signing a writ of possession in a case pending before their court, which resulted to the filing of an administrative case against her by the party-litigant, Ms. Mary Sze, before the Office of the Court Administrator (OCA); (2) signing an order of release dated 31 May 2010 in Criminal Case No. Q09-158926; (3) instructing Hipolito to prepare a writ of execution to be signed by her; and (4) scrutinizing the daily time cards of the employees for the months of April and May 2010 when she was designated as the OIC of their court.[14]

Nonetheless, Flores denied ever defying the suspension order of the Court in the Resolution dated 16 April 2009. As there was no specific date for the commencement of her suspension, she had to inquire as to when the effectivity of her suspension will begin. The Court, thereafter, issued a Resolution dated 24 August 2009 declaring the suspension of Flores from 26 May 2009 to 25 November 2009.[15]

Anent the allegation of conduct unbecoming of a court employee, usurpation of authority and sowing discord among employees, Flores claimed these to be frivolous and meant only to divert the attention of the Court from the wrongdoings incurred by the complainants themselves. Although her designation as OIC was not permanently confirmed by the Court, her actions were nevertheless done under the authority of Judge Arenas. The Court also issued a Resolution dated 10 August 2010 for her designation as OIC specifically from 13 April 2010 to 31 May 2010, considering she had already performed the functions of said office before she received the notice of non-confirmation of her designation.[16]

Flores also explained that her acts were merely to enforce strict adherence to office rules. Complainants allegedly viewed these in a bad light since these prevented their practice falsifying daily time records to cover up their habitual tardiness, sleeping during office hours, excessive absences, usurpation of functions, and selling within the court premises.[17]

OCA IPI No. 11-3762-P

The fourth administrative complaint was borne by Flores' counter-charges against Nicandro, Mirandilla and Paden for habitual tardiness and excessive absenteeism. The Court is also urged to look into the history of Nicandro's "notoriety" as borne by her previous administrative cases. It was alleged that Nicandro was given three (3) "unsatisfactory ratings" for the years 1996 and 1998 while Miranda has a habit of surreptitiously opening documents and objects without the consent of the owner. Paden, on the other hand, is accused of sleeping during office hours and insubordination for failure to comply with the transfer orders.[18]

Nicandro, Mirandilla and Paden denied the charges of habitual tardiness and excessive absenteeism. They could not have made false entries in their daily time record since Flores was constantly monitoring them. Mirandilla also explained that her request for flexi-time of 8:30 o'clock in the morning until 5 o'clock in the afternoon was approved by the Court.[19]

As to the individual allegations, Nicandro argued that Flores' presentation of her 1996 and 1998 performance rating sheets only showed the latter's propensity to research old files of her perceived enemies. Moreover, Flores only cited her old performance ratings but never bothered to check her succeeding ones. Paden also decried the charge of sleeping during office hours. She explained that everybody in their court would rest during break time. She, however, admitted that there were times when she would wake up five to ten minutes before 1 o'clock in the afternoon. She also denied the allegation of insubordination and explained that the issue was merely on room/office arrangement. She and Atty. Marizen B. Grutas (Atty. Grutas), their Branch Clerk of Court, already had an agreement as to her office spot. Lastly, Mirandilla denied opening papers or drawers in the staff room as she could not have possibly done such acts with Flores recording any kind of error.[20]

Report of the Investigating Judge

After consolidating the cases, the Court, through a Resolution[21] dated 16 November 2011, referred the administrative matters to the Executive Judge of the RTC of Quezon City for investigation, report and recommendation.[22]

On 26 March 2012, then Executive Judge Ma. Luisa C. Quijano--Padilla (investigating Judge)[23] issued a Report[24] with the following recommendations:

In view of the foregoing, it (sic) respectfully recommended that:

- (1) The administrative complaint filed by complainant Ma. Celia A. Flores, Legal Researcher against respondent Clarence John R. Hipolito, Clerk-in-charge of criminal cases (docketed as OCA I.P.I. No. 10-3450-P), to be dismissed for lack of merit;

(2) The respondent Ma. Celia A. Flores (in administrative complaint No. OCA I.P.I. No. 10-3485-P) be meted out the proper penalty as provided under pertinent Civil Service Rules (Civil Service Memorandum Circular No. 30, s. 1989) openly defying the 6-month suspension order dated April 16, 2009;

(3) The charge of habitual tardiness and excessive absenteeism against respondents Myrla Nicandro, Sarah Mirandilla, and Naomi Paden (OCA I.P.I. No. 11-3762-P), be dismissed;

(4) The charge of surreptitiously opening closed drawers against respondent Sarah Mirandilla (OCA I.P.I. No. 11-3762-P) be dropped as she has effectively resigned from the service on July 2011 or that the complaint be deemed instituted with the administrative complaint filed by Ms. Mary Sze before the Office of the Court Administrator; be dismissed (sic);

(5) The charge of insubordination against respondent Naomi Paden (OCA I.P.I. No. 11-3762-P) be dismissed for lack of merit;

(6) The respondent Naomi Paden (OCA I.P.I. No. 11-3762-P) be administratively sanctioned by a reprimand for sleeping during office hours;

(7) The charge of notoriety of respondent Myrla Nicandro (OCA I.P.I. No. 11-3762-P) be dismissed; and

(8) The respondent Ma. Celia Flores (OCA I.P.I. No. 11-3761-P and OCA I.P.I. No. 11-3762-P) be held administratively liable for usurpation of the functions of the Presiding Judge, with the recommended penalty of Fine in the amount of Two Thousand Pesos (P2,000.00) with stern warning that a repetition of a similar offense shall be dealt with more severely; while all other charges against her be dismissed for lack of merit.

Respectfully submitted.

The investigating Judge, aside from hearing the parties involved in the case, summoned the other members of the staff of the RTC to shed light on the allegations. After a thorough review, she recommended for Paden to be reprimanded for sleeping during office hours. The rest of the charges against her, as well the charges against Hipolito, Mirandilla and Nicandro were recommended to be dismissed. However, proof was shown through the RTC's Daily Attendance Sheet that Flores indeed reported for work before her suspension was fully served. Flores also issued a release order, which is an act of usurpation of judicial authority.[25]

Recommendation of the OCA

The OCA, in a Memorandum[26] dated 29 April 2013, made the following recommendations, viz:

WHEREFORE, in view of the foregoing discussions, it is respectfully recommended for the consideration of the Honorable Court that:

1. the administrative complaint against respondent Clarence John R. Hipolito docketed as A.M. OCA IPI No. 10-3450-P be DISMISSED for lack of merit;

2. the administrative complaints against respondent Maria Celia A. Flores, Legal Researcher, same court, in A.M. OCA IPI Nos. 11-3761-P and 10-3485-P be RE-DOCKETED as a regular administrative matter;

3. respondent Flores be found GUILTY of usurpation of the judicial functions of the Presiding Judge in A.M. OCA IPI No. 11-3761-P and be FINED in the amount of Five Thousand Pesos (P5,000.00) to be paid within a non-extendible period of thirty (30) days from notice, with a stern warning that a repetition of the same or similar act shall be dealt with more severely, and that all other charges therein be DISMISSED for lack of merit;

4. respondent Flores be also found GUILTY of simple misconduct in A.M. OCA IPI No. 10-3485-P and be meted the penalty of SUSPENSION for a period of six (6) months without pay, with STERN WARNING that

a repetition of the same or similar offense shall be dealt with more severely;

5. respondent Naomi Paden, Court Stenographer, same court, be STERNLY WARNED in A.M. OCA IPI No. 11-3762-P for sleeping during office hours;

6. the charges of habitual tardiness and excessive absenteeism against respondents Myrla Nicandro, Sarah Mirandilla, and Naomi Paden, all Court Stenographers, same court, in A.M. OCA IPI No. 11-3762-P be DISMISSED for lack of merit; and

7. the charge of notoriety against respondent Myrla Nicandro in A.M. OCA IPI No. 11-3762-P be DISMISSED for insufficiency of evidence.

Respectfully submitted.[27]

The OCA, after taking into consideration the report of the investigating Judge, agreed with her recommendations but increased the fine imposed on Flores in A.M. OCA IPI No. 11-3761-P since the earlier fine recommendation of P2,000.00 was a "mere slap on the wrist." It also recommended a six-month suspension for Flores; failure to faithfully comply with her earlier suspension.

Ruling of the Court

The Court adopts the findings of fact of the OCA but modifies the penalty to be imposed on Flores.

Charges against Hipolito for selling inside the court and usurpation of functions.

The Court agrees with the dismissal of the charges against Hipolito for lack of merit.

Based on the inquiry conducted by the investigating Judge, as affirmed by the OCA, there was no evidence showing that Hipolito was moonlighting as a seller of Avon products. All four witnesses summoned by the investigating Judge, who were part of the staff of the RTC, denied that Hipolito sold Avon products in court. According to Atty. Grutas, the staff usually ordered products from a certain outsider named Gigi. However, due to delays in the delivery, they decided to place their orders with Hipolito, who just brought the products after his arrival at work. She also affirmed the other witnesses' statements saying that there was never a time when Hipolito made rounds in the corridors of the Hall of Justice to offer Avon products for sale. In fact, Hipolito stopped delivering products for them when the complaint was filed. Ultimately, Hipolito's acts never affected his work and was even given a "very satisfactory rating." [28] Further noting Hipolito's explanation of just being the delivery guy for his mother-in-law, the Court finds no merit in the charge against him for selling products in court during office hours.

Anent Hipolito's alleged act of usurping the functions of the Process Server or the Sheriff, the Court notes in agreement that Hipolito served the Order dated 29 April 2010 for the release of a detainee with full authority from Judge Arenas himself, who issued a certification confirming such acts. [29] Hence, Hipolito cannot be held guilty of usurping the functions of the Process Server or the Sheriff. Indeed, Hipolito cannot be faulted for merely performing a task specifically assigned to him by the Presiding Judge.

Charges against Nicandro, Paden and Mirandilla.

The Court finds no proof or basis to hold Nicandro, Paden and Mirandilla administratively liable for habitual tardiness, excessive absences and notoriety. The infractions pointed out by Flores were committed way back in the year 1998 for which the concerned employees were already given a warning by the OCA. After the issuance

of the warnings, there was no further proof showing Nicandro, Paden or Mirandilla continued to commit said infractions. At the same time, Atty. Grutas, who monitors the daily time record of the staff, belied Flores' claims regarding the said employees' attendance and tardiness. She also stated that there is no truth to the allegation anent Nicandro's constant loafing.[30]

Flores also proffered no proof, other than her bare allegations, to support her claim of Mirandilla surreptitiously opened closed drawers from the staff room. In addition, charge of notoriety against Nicandro has no leg to stand on. Penalties or sanctions previously imposed on Nicandro were already served.[31] Her history of previous administrative cases cannot be an offense in itself and may only be considered in determining the appropriate penalty in succeeding offenses.

Likewise, the Court agrees with the recommendation to dismiss the insubordination charge against Paden in relation to her alleged refusal to comply with the memorandum of Atty. Grutas asking her to transfer from the court room to the staff room. Atty. Grutas explained that she later allowed Paden to remain working in the court room for lack of space in the staff room.[32] However, Paden admitted taking naps during lunch time, which sometimes extended up to five or ten minutes before 1 o'clock in the afternoon; This is an act violative of office rules and regulations[33] categorized as a light offense with a penalty of reprimand for the first offense, suspension of one (1) to thirty (30) days for the second offense; and dismissal from the service for the third offense.[34] Considering this is Paden's first offense, the penalty of reprimand is appropriate.

Charges against Flores for failure to comply with her suspension order and usurpation of judicial functions.

In *Office of the Court Administrator v. Flores*,[35] Flores was found guilty of serious dishonesty and thereafter was suspended for six months for failing to declare her previous administrative charges, suspension and dismissal from previous employment in her Personal Data Sheet (PDS) when she applied for the position of Court Legal Researcher II. As explained by Flores, the Court, in its Resolution dated 24 August 2009, resolved that her six-month suspension shall be from 26 May 2009 to 25 November 2009. However, based on the Daily Attendance Sheet of the RTC, as certified by its Branch Clerk of Court, Flores already reported to work on 3 November 2009 before her suspension was scheduled to end. Instead of explaining her transgression, Flores refused to squarely address the same and merely claimed the allegation was based on self-serving opinions of complainants in OCA IPI No. 10-3485-P (now, A.M. No P-21-017).

Flores' unjustified refusal to faithfully comply with her suspension order is tantamount to insubordination. As consistently held in our jurisprudence, the unjustified refusal to follow the resolution of the Court constitutes defiance of authority or insubordination, which is considered a less grave penalty under the Uniform Rules on Administrative Cases in the Civil Service (URACCS).[36] Said offense is penalized with suspension of one (1) month and one (1) day to six (6) months for the first offense and dismissal for the second offense.[37]

Anent the second charge, the investigating Judge and the OCA are both in agreement in declaring Flores guilty of usurpation of authority when she signed the order of release in a criminal case pending before the RTC. The findings of the investigating Judge are well taken:

A careful perusal of the Order of Release dated May 31, 2010 shows that the same was clearly copied and patterned after the Order of Discharge from Custody (Form 3.13. in the 2002 Revised Manual for Clerks of Court, Volume I, page 537), which should be signed by the Presiding Judge. Here, respondent Flores signed the Order of Release in her capacity as "Legal Researcher & Officer-in-Charge" despite the fact that the form clearly indicates that said Order may only be signed by the Presiding Judge.

Furthermore, Form 3.13. specifically indicates that a copy of the Order or Decision must be attached therein, while in the Order of Release signed by respondent Flores merely stated that the case against the accused/detainee "has been provisionally dismissed today."

x x x

In this case, even assuming that Judge Arenas already left the office on that day, May 31, 2010, leaving the Order of provisional dismissal unsigned, the undersigned sees no urgency in causing the release of the detainee without waiting for the Order duly signed by Judge Arenas. The reason for this is that May 31, 2010 falls on a Monday and the order of dismissal may still be reasonably forwarded to the jail authorities on the next working day.

At any rate, whether or not a judge opts to issue a separate order of discharge, it is undisputed that the authority to order the release of an accused/detainee is purely a judicial function and the Clerk of Court or an Officer-in-Charge, for that matter, may not be allowed to usurp this judicial prerogative which belongs exclusively to the Presiding judge. x x x[38]

The investigating Judge recommended the penalty of a fine in the amount of P2,000.00 but the OCA increased the same to P5,000.00. We, however, disagree with the recommended penalty.

The Court, in previous cases,[39] had considered the act of usurping judicial functions as grave misconduct punishable by dismissal from service along with the accessory penalties of cancellation of eligibility, perpetual disqualification from holding public office, bar from taking civil service examinations, and forfeiture of retirement benefits under the URACCS.[40]

It must be noted that on 02 October 2018, the Court issued A.M. No. 18-01-05-SC, amending Rule 140 of the Rules of Court, and extending its application to personnel of the lower courts, to wit:

Rule 140

Discipline of Judges of Regular and Special Courts, Justices of the Court of Appeals, the Sandiganbayan, Court of Tax Appeals, Court Administrator, Deputy Court Administrator and Assistant Court Administrator

SECTION 1. How Instituted. - Proceedings for the discipline of Justices of the Court of Appeals, the Sandiganbayan, Court of Tax Appeals and Judges and personnel of the lower courts, including the Shari'a Courts, and the officials and employees of the Office of the Jurisconsult, Court Administrator, Deputy Court Administrator, Assistant Court Administrator and their personnel, may be instituted, *motu proprio*, by the Supreme Court, in the Judicial Integrity Board.[41] (Emphasis supplied)

Rule 140 has its own nomenclature and classification of penalties distinct from those in the URACCS.[42] Under the said rule, Flores' act of usurpation of judicial functions would constitute as gross misconduct which is considered a serious charge[43] and her insubordination would constitute as a violation of a Supreme Court directive considered a less serious one.[44] Since Rule 140 is the prevailing rule, the Court should already apply the same in the resolution of administrative cases in furtherance of the interest of a uniform application of charges and imposition of penalties against Judiciary personnel, unless the retroactive application of Rule 140 would not be favorable to the employee.

If the Court applies Rule 140 to the present case, Flores would be charged and penalized with two separate offenses in line with the ruling in *Boston Finance and Investment Corp. v. Gonzalez*,[45] where the Court held that in administrative cases under Rule 140, separate penalties shall be imposed for every offense. In contrast; only the penalty for the most serious charge shall be imposed if the URACCS is to be applied, thus:

SECTION 55. Penalty for the Most Serious Offense. - If the respondent is found guilty of two or more charges or counts, the penalty to be imposed should be that corresponding to the most serious charge or count and the

rest shall be considered as aggravating circumstances.

Considering that the penalty under the URACCS is more favorable to Flores, the Court deems it best to apply the said rule and hold Flores guilty of grave misconduct, which is the more serious offense; aggravated by insubordination: Since this is not Flores' first administrative infraction - the first being an administrative complaint where she was found guilty of serious dishonesty and was suspended instead of being dismissed[46] - the penalty of dismissal in the present case is more than proper.

Despite Flores' retirement on 18 September 2018, the Court retains jurisdiction to declare her either innocent or guilty of the charges against her and to impose upon her the proper penalties under the rules. "Where a respondent is found guilty of a grave offense but the penalty of dismissal is no longer possible because of his compulsory retirement, the Court has nevertheless imposed the just and appropriate disciplinary measures and sanctions by decreeing the forfeiture of all benefits to which he may be entitled, except accrued leave credits, with prejudice to re-employment in any branch or instrumentality of the Government, including Government-Owned and Government-Controlled Corporations[.]"[47]

WHEREFORE, in view of the foregoing, the Court resolves these consolidated cases as follows:

- The administrative complaint against respondent Clarence John R. Hipolito docketed as OCA IPI No. 10-3450-P is DISMISSED for lack of merit;
- The administrative complaint against respondent Maria Celia A. Flores in OCA IPI Nos. 11-3761-P and 10-3485-P are RE- DOCKETED as regular administrative matters;
- Respondent Maria Celia A. Flores is held GUILTY of GRAVE MISCONDUCT in OCA IPI No. 11-3761-P aggravated by INSUBORDINATION in OCA IPI No. 10-3485-P. In view of her retirement, all benefits due her are hereby FORFEITED in favor of the government except accrued leave benefits, if any, with prejudice to her re-employment in any branch or instrumentality in the government, including government-owned and controlled corporations;
- Respondent Naomi C. Paden, OCA IPI No. 11-3762-P, is found GUILTY of violating office rules and regulations. She is meted the penalty of REPRIMAND and is further WARNED that the commission of the same or similar acts in the future will be dealt with more severely by this Court; and
- The charges of habitual tardiness and excessive absenteeism against respondents Myrla P. Nicandro, Sarah S. Mirandilla and Naomi C. Paden in OCA IPI No. 11-3762-P are DISMISSED for lack of merit. The charge of notoriety against Myrla P. Nicandro is likewise DISMISSED for insufficiency of evidence.

SO ORDERED.

Gesmundo, C. J., Perlas-Bernabe, Leonen, Caguioa, Hernando, Carandang, Lazaro-Javier, Inting, Zalameda, M. Lopez, Delos Santos, Gaerlan, Rosario, and J. Lopez, JJ., concur.

[1] Rollo (OCA IPI No. 10-3450-P), p. 1.

[2] Id. at p. 281.

[3] Id.

[4] Id.

[5] Id.

- [6] Id. at 281-282.
- [7] Id. at 282.
- [8] Id.
- [9] Rollo (A.M. No. P-21-017 [Formerly OCA IPI No. 10-3485-P]), pp. 1-12.
- [10] Id.
- [11] 603 Phil. 84, 84-94 (2009) [Per J. Tinga, Second Division].
- [12] Id.
- [13] Rollo (OCA IPI No. 10-3450-P), pp. 282-283.
- [14] Id. at 283.
- [15] Id. at 283-284.
- [16] Id. at 284.
- [17] Id. at 283-285.
- [18] Rollo (OCA IPI No. 11-3762-P), pp. 1-5.
- [19] Id. at 75-76.
- [20] Id. at 33-40, 49 & 76-78.
- [21] Rollo (A.M. No. P-21-017 [Formerly OCA IPI No. 10-3485-P]), pp. 125-126.
- [22] Id.
- [23] Now, an Associate Justice of the Court of Appeals.
- [24] Rollo (OCA IPI No. 10-3450-P), pp. 280-300.
- [25] Id. at 289-299.
- [26] see Memorandum (OCA IPI No. 10-3450-P) dated 29 April 2013, pp. 1-13.
- [27] Id. at 12-13.
- [28] Rollo (OCA IPI No. 10-3450-P), pp. 289-290.
- [29] Supra note 2.
- [30] Rollo (OCA IPI No. 10-3450-P), pp. 292-293.
- [31] Id. at 293-294.
- [32] Id. at 295.
- [33] Garcia v. Buencamino, 745 Phil. 214, 231 (2014) [Per J. Mendoza, Second Division].
- [34] Uniform Rules on Administrative Cases in the Civil Service, CSC Resolution No. 991936, dated 31 August 1999; See also Revised Rules on Administrative Cases in the Civil Service, CSC Resolution No. 1101502, 08 November 2011.

[35] Supra note 11.

[36] See *Re: Ramil*, 588 Phil. 1, 9 (2008) [Per J. Austria-Martinez, First Division]; See also *Himalin v. Balderian*, 456 Phil. 934, 941-943 (2003) [Per Curiam, En Banc].

[37] Supra note 35.

[38] *Rollo* (A.M OCA IPI No. 10-3450-P), p. 299.

[39] See *Albior v. Auguis*, 452 Phil. 936, 948 (2003), [per C.J. Bersamin, En Banc]; See also *Biag v. Gubatanga*, 376 Phil. 870, 875-876 (1999) [Per J. Gonzaga-Reyes, Third Division].

[40] Supra note 29.

[41] *Creating the Judicial Integrity Board and the Corruption Prevention and Investigation Office*, A.M. No. 18-01-05-SC, 02 October 2018.

[42] Supra note 35.

[43] See Section 22, A.M. No. 18-01-05-SC, 07 July 2020.

[44] See Section 23, A.M. No. 18-01-05-SC, 07 July 2020.

[45] See A.M. No. RTJ-18-2520, 09 October 2018 [Per J. Perlas-Bernabe, En Banc].

[46] Supra note 11; the penalty for serious dishonesty is dismissal.

[47] *Alleged loss of various boxes of copy paper during their transfer from Property Division (OAS) to various rooms of PHILJA*, 744 Phil. 526, 536 (2014) [per C.J. Bersamin, En Banc], citing *Re Complaint of Mrs. Corazon S. Salvador against Spouses Noel and Amelia Serafico*, 629 Phil. 192, 211-212 (2010) [Per Curiam, En Banc].

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