JUDICIAL INTEGRITY BOARD, COMPLAINANT, VS. GERARD LOUIE G. GARGANERA, SHERIFF III, MUNICIPAL TRIAL COURT IN CITIES, PASSI CITY, ILOILO, RESPONDENT.

A.M. No. P-25-253 (Formerly JIB FPI No. 24-545-P), November 11, 2025

Ponente: LOPEZ, J.

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LOPEZ, J.:

This Court resolves the Report and Recommendation[1] submitted by the Judicial Integrity Board (JIB), acting on the September 20, 2024 Letter[2] of Hon. Vicente V. Go (Judge Go), Executive Judge of the Regional Trial Court (RTC) of P.D. Monfort North, Dumangas, Iloilo, in relation to the investigation of the alleged robbery extortion committed by respondent Gerard Louie G. Garganera (Garganera), Sheriff III of the Municipal Trial Court in Cities (MTCC), Passi City, Iloilo.

The Antecedents
Rosalie Nair y Diamante[3] (Rosalie) filed a Complaint for robbery or extortion against Garganera before the Iloilo City Prosecutor's Office.[4]

Rosalie was accused of violating Batas Pambansa Blg. 22 in Criminal Case No. 4047, which was pending before the sala of Hon. Jerry F. Marañon (Judge Marañon), presiding judge, MTCC of Passi City, Iloilo. In her Judicial Affidavit,[5] Rosalie recalled that around 1:00 p.m. on September 11, 2024, personnel from the Iloilo City Police Station 1 (ICPS1) served her a warrant of arrest for the crime charged. She was brought to the MTCC, where Garganera approached her and offered help in the settlement of the case. After Rosalie posted bail, Garganera approached her again to tell her that he could arrange a meeting with Danilo Fabiona (Fabiona), the son of the deceased private complainant in Criminal Case No. 4047. With Rosalie agreeing to his proposal, Garganera introduced her to Fabiona. Rosalie then gave Garganera the PHP 2,700.00 cash she had at that time as partial payment.[6]

On her way home, Garganera began calling Rosalie's mobile number. He offered to help her negotiate a settlement with Fabiona, but only if she would send him PHP 1,500.00. Rosalie declined, stating that she would rather pay him in full. Following this, they exchanged a series of calls and text messages to discuss the option of securing a reduced settlement with Fabiona. Eventually, Garganera informed Rosalie that he could reach out to the secretary of the late Mrs. Fabiona to request a reduction of the PHP 56,000.00 settlement to PHP 50,000.00.[7]

Hesitant to proceed with the deal and realizing that Garganera was attempting to extort her, Rosalie sought assistance from the ICPS1 by reporting Garganera's monetary demands from her. The police then launched an investigation, using the call logs and text messages[8] between Garganera and Rosalie as evidence, and then organized an entrapment operation.[9]

At around 9:20 a.m. on September 12, 2024, the Intelligence Section conducted a briefing led by Police Captain Roque C. Gimeno III (PCPT Gimeno), officer-in-charge of ICPS1. Police Corporal Rodante Lopez (PCpl Lopez) was designated as the arresting officer, while Patrolman Rey Jay A. Caballero[10] (Pat Caballero) was assigned as

the backup and the operator of the body-worn camera. During the briefing, the team agreed that the prearranged signal indicating the completion of the transaction would be Annabel Diamante (Annabel), Rosalie's sister, standing up from her seat. PCPT Gimeno also handed a white envelope to Rosalie, which contained the following items: (1) a genuine PHP 500.00 bill bearing serial No. AD2091609; and (2) boodle money consisting of 39 pieces of PHP 1,000.00 bill bearing serial number CW870246, and 21 pieces of PHP 500.00 bill bearing serial number KL467718.[11]

At around 10:05 a.m. of the same day, the entrapment team proceeded to Tibiao Bakery, Barangay Danao City, Iloilo, where Garganera and Rosalie were set to meet. As they began to discuss the settlement of payment, Rosalie requested an acknowledgment receipt from Garganera. Thus, Garganera issued a receipt and handed it to Rosalie, who, in turn, gave him a white envelope containing the entrapment money. Garganera placed the envelope inside his bag. Annabel then stood up, signaling the end of the transaction.[12]

At the prearranged signal, PCpl Lopez and Pat Caballero approached Garganera and introduced themselves as police officers. PCpl Lopez informed him of the nature and cause of his arrest and apprised him of his constitutional rights. Afterwards, the police officers searched his body and recovered from his possession the following items: (1) one piece of PHP 500.00 bill bearing serial No. AD2091609, which was marked as GLG-01; (2) 39 pieces of PHP 1,000.00 bill bearing serial number CW870246, which were collectively marked as GLG-02; and (3) 21 pieces of PHP 500.00 bill bearing serial number KL467718, which were collectively marked as GLG-03; and (4) a Nokia mobile phone containing the text messages and calls between Garganera and Rosalie, which was labeled as GLG-05. The conduct of the entrapment operation was recorded through the body-worn camera worn by Pat Caballero.[13]

After his arrest, the police brought Garganera to the ICPS1 and turned over the seized items to the investigator. During the investigation, Garganera was again informed of his rights. The police also recorded a blotter entry[14] regarding the incident before placing Garganera in the custodial facility for the proper disposition of his case. The pieces of evidence were then handed to Patrolman Ernie Tondo, the exhibit custodian.[15]

Denying the allegations, Garganera filed a Counter-Affidavit.[16] He posited that he had not taken anything from Rosalie for his own gain. Based on her Judicial Affidavit, their transaction was solely for the purpose of the settlement of Criminal Case No. 4047, and not for Garganera's personal benefit. It is thus clear that the elements of extortion had not been established, and the entrapment operation had no legal basis.[17]

Due to Garganera's detention, Judge Marañon wrote a September 16, 2024 Letter[18] to Judge Go, seeking guidance on how to proceed, considering the charge against Garganera. In response, Judge Go wrote a September 20, 2024 Letter[19] to Atty. Marilou M. Marzan-Anigan (Atty. Marzan-Anigan) of the Office of the Court Administrator (OCA), requesting assistance and guidance on the conduct of an investigation into the alleged extortion committed by Garganera. Meanwhile, Judge Marañon issued an Assessment Report,[20] noting that Garganera acted as an agent of the private complainant in Criminal Case No. 4047 and received financial consideration. Since he was not authorized by the court to act as an intermediary between litigants, Judge Marañon opined that Garganera may be sanctioned administratively for showing impropriety in his conduct.[21] On the other hand, Atty. Marzan-Anigan referred the matter to Atty. Eduardo C. Tolentino, acting executive director of the JIB, for appropriate action [22]

Garganera filed a Verified Comment,[23] denying all allegations of robbery extortion in the Assessment Report. He maintained that he had not received any financial consideration in any transaction and that he never intended to act as an agent for any of the parties. He also asserted that he had no intention of violating his duties as sheriff or the Code of Conduct for Court Personnel.[24]

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On February 25, 2025, the JIB Office of the Acting Executive Director issued a Report and Recommendation,[25] finding sufficient basis to hold Garganera administratively liable for prejudicial conduct that gravely besmirches or taints the reputation of the service. Garganera had acted as a mediator between Rosalie and Fabiona in settling the Batas Pambansa Blg. 22 cases, offering to negotiate a settlement amount, in exchange for a service fee. He even informed Rosalie that he could reduce the settlement amount from PHP 56,000.00 to PHP 50,000.00 after speaking with Fabiona's secretary. These acts are not part of his function as sheriff. His claim that he did not receive or ask for any financial consideration is belied by the text messages he sent to Rosalie and by his subsequent arrest. His actions constituted prejudicial conduct, which violated the norm of public accountability and diminished the people's faith in the Judiciary. Due to the gravity of the offense, the JIB ruled that no mitigating circumstance can be appreciated in favor of Garganera and recommended that this Court impose upon him the penalty of dismissal under Rule 140(a) of the Rules of Court:[26]

> IN VIEW OF THE FOREGOING, it is respectfully submitted for the consideration of the Honorable Board that the instant administrative matter be [REDOCKETED] and the following recommendations be submitted to the Supreme Court:
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> 1.)
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> Respondent Gerard Louie G. Garganera, Sheriff III, Municipal Trial Court in Cities, Passi City, Iloilo, be found GUILTY of Prejudicial Conduct that Gravely Besmirches or Taints the Reputation of the Service; and
>
> 2.)
>
> Respondent Garganera be DISMISSED FROM THE SERVICE, with forfeiture of retirement benefits, except accrued leave credits, and with prejudice to [reemployment] in any branch or instrumentality of the government, including government-owned or controlled corporations.[27]

In its Resolution,[28] the JIB adopted the Report and Recommendation of the Office of the Acting Executive Director, finding it to be in order or well-taken [29]

Issue

The sole issue for this Court's resolution is whether respondent Gerard Louie G. Garganera is administratively liable for prejudicial conduct that gravely besmirches or taints the reputation of the service.

This Court's Ruling

At the outset, Article XI, Section 1 of the Constitution provides that public office is a public trust. Thus, "[p]ublic officers and employees must[,] at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency[;] act with patriotism and justice, and lead modest lives." Additionally, Article VIII, Section 7(3) mandates that "[m]ember[s] of the Judiciary must be of proven competence, integrity, probity, and independence."

Consistent with the foregoing constitutional provisions, Rule 140, Section 14(1) of the Rules of Court, as amended by A.M. No. 21-08-09-SC,[30] holds members, officials, employees, and personnel of the judiciary administratively liable for "prejudicial conduct that gravely besmirches or taints the reputation of the service." Conduct prejudicial to the best interest of the service is that which is detrimental or derogatory, undermining the image and integrity of the respondent's public office. These actions or omissions breach the standards of public

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accountability and diminish the public's faith in the Judiciary.[31]

Drawing guidance from Judge Jayme (Ret.) v. Roco,[32] this Court noted during the deliberations that to constitute prejudicial conduct that gravely besmirches or taints the reputation of the service, the act must: (a) be without a direct relation or connection with the performance of the respondent-public officer's official duties; and (b) not be covered by any other specific offense already listed in the Rules.[33]

Here, it is undisputed that respondent approached Rosalie upon her arrival at the MTCC and offered at least two times to settle her Batas Pambansa Blg. 22 case. Through his mobile phone, respondent repeatedly offered to work out a discounted settlement with Fabiona, even though mediating between the parties was beyond the scope of his official duties as a sheriff. In doing so, he requested PHP 1,500.00 as service fee, as shown in his text message to Rosalie on September 11, 2024, as follows:

> "Mam please send [PHP 1,500.00] sa Palawan buas aga sa diri: GERARD LOUIE GARGANERA 09201358439."[34]

The foregoing communication demonstrates that respondent sought financial consideration for facilitating the transaction between Rosalie and Fabiona. In addition to the PHP 1,500.00 service fee, he also did not deny receiving PHP 2,700.00 from Rosalie after the latter posted bail as partial payment for his role in the negotiations between the parties. Respondent's intent to gain is also confirmed by his acceptance of the white envelope containing money during the entrapment operation.

Respondent's acts of approaching Rosalie, offering to facilitate the settlement of her Batas Pambansa Blg. 22 case and subsequently soliciting and accepting money for his supposed assistance, constitute clear violations of the provisions of the Code of Conduct for Court Personnel.

First, respondent violated Canon I, Section 1, which states that "[c]ourt personnel shall not use their official position to secure unwarranted benefits, privileges or exemptions for themselves or for others." Taking advantage of his position as sheriff, respondent sought to intervene in a pending case and offered to negotiate a favorable settlement for a litigant in exchange for monetary consideration. His intervention was not only unauthorized but also clearly intended to derive an unwarranted personal benefit from his public office. With such misuse of his position, respondent violated the trust reposed in him as an officer of the court.

Second, respondent's solicitation of money directly contravenes Canon III, Section 2(b), which bars court personnel from "[r]eceiv[ing] tips or other remuneration for assisting or attending to parties engaged in transactions or involved in actions or proceedings with the Judiciary." The records show that he repeatedly requested payment from Rosalie, as reflected in his text message demanding PHP 1,500.00, and his subsequent receipt of PHP 2,700.00 purportedly for facilitating settlement negotiations. These actions fall squarely within the ambit of the rule, as they involve the receipt of unauthorized compensation in connection with a judicial proceeding.

Third, respondent breached Canon IV, Section 1, which mandates court personnel "at all times [to] perform official duties properly and with diligence[,]" and "commit themselves exclusively to the business and responsibilities of their office during working hours." Instead of focusing on the faithful performance of his duties as sheriff, respondent engaged in private negotiations between litigants, which is an activity wholly outside the scope of his official functions. His conduct reflects a conscious deviation from the proper performance of his responsibilities as sheriff during work hours.

Taken together, these acts reveal a deliberate misuse of authority and a willful departure from established ethical norms. Respondent's behavior tarnished the image of the Judiciary as an institution of integrity and impartiality

and eroded public confidence in the administration of justice.

In Noces-De Leon v. Florendo,[35] the respondent was also a sheriff who solicited money for facilitating a favorable decision of an annulment case. This Court ruled that his actions violated the Code of Conduct for Court Personnel and amounted to grave misconduct and dishonesty.

In this regard, We have previously defined misconduct as "a transgression of an established or definite rule of action, a forbidden act, a dereliction of duty, unlawful behavior, willful in character, improper, or wrong behavior."[36] The offense becomes grave misconduct "if it involves any of the additional elements of corruption, clear intent to violate the law, or flagrant disregard of established rules, which must be established by substantial evidence."[37]

Meanwhile, dishonesty is defined as a "disposition to lie, cheat, deceive or defraud; untrustworthiness; lack of integrity; lack of honesty, probity, or integrity in principle; lack of fairness and straightforwardness; disposition to defraud, deceive or betray."[38]

As in Florendo, respondent's violations of the Code of Conduct for Court Personnel are tantamount to gross misconduct and serious dishonesty. His acts were deliberate, corrupt, and inconsistent with the high ethical standards demanded of those serving in the Judiciary. As these transgressions are specifically covered by the Code, they are more properly classified as gross misconduct and serious dishonesty, rather than prejudicial conduct that gravely besmirches or taints the reputation of the service.

On the other hand, respondent's contention that he did not intend to violate his mandate as sheriff, or the Code of Conduct for Court Personnel, deserves scant consideration. His claim of good faith is belied by the evidence establishing that he solicited and accepted money from a litigant for negotiating the settlement of a case. Despite knowing fully well that he had no authority to mediate between the parties, respondent nonetheless engaged in such conduct for the sole purpose of obtaining personal gain from his position. Such behavior is inherently corrupt and unbecoming of a court employee. It gravely undermines the honor and integrity of the Judiciary.

Gross misconduct and serious dishonesty are serious offenses under Rule 140, Sections 14(a) and (c) of the Rules of Court, as amended. On this score, Section 17 of the same rule provides the following sanctions for those guilty of a serious charge:

> Section 17. Sanctions –
>
> (1)
>
> If the respondent is guilty of a serious charge, any of the following sanctions shall be imposed:
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> (a)
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> Dismissal from service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits;
>
> (b)
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> Suspension from office without salary and other benefits for more than six (6) months but not exceeding one (1) year; or
>
> (c)

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A fine of more than [PHP] 100,000.00 but not exceeding [PHP] 200,000.00.

Considering the gravity of respondent's offense, this Court agrees with the JIB that his conduct warrants the penalty of dismissal from service, with forfeiture of retirement benefits, except accrued leave credits, and with prejudice to reemployment in any branch or instrumentality of the government, including government-owned or controlled corporations.

To be sure, those who fail to uphold the rigorous standards of judicial conduct and integrity have no place in the Judiciary. As "frontliners in the administration of justice, court personnel [are held] to the strictest standards of honesty and integrity in public service,"[39] and must consistently conduct themselves in a manner beyond reproach. Any behavior that could weaken public confidence in the Judiciary shall not be condoned by this Court.[40]

ACCORDINGLY, this Court finds Gerard Louie G. Garganera, Sheriff III of the Municipal Trial Court in Cities, Passi City, Iloilo, GUILTY of gross misconduct and serious dishonesty. He is DISMISSED from the service, with forfeiture of retirement benefits, except accrued leave credits, and with prejudice to reemployment in any branch or instrumentality of the government, including government-owned or controlled corporations.

SO ORDERED.

Gesmundo, C.J., Leonen, SAJ., Caguioa, Inting, Zalameda, Gaerlan, Rosario, Dimaampao, Marquez, Kho, Jr., Singh, and Villanueva, JJ., concur.
Hernando[*] and Lazaro-Javier,[**] JJ., on official business.

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[*] On official business.

[**] On official business.

[1] Rollo, pp. 40-44.

[2] Id. at 4.

[3] Also referred to as "Rosalie Nair" and "Rosalie Diamante" in some parts of the rollo.

[4] Id.

[5] Id. at 9-11.

[6] Id. at 9-10.

[7] Id. at 10.

[8] Id. at 22-23.

[9] Id. at 41-42.

[10] Also referred to as "Rhey Jay Caballero" in some parts of the rollo.

[11] Id. at 10, 12, 15.

[12] Id.

[13] Id. at 10, 13, 16, 20.

[14] Id. at 18-19.

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[15] Id. at 13, 16, 18.

[16] Id. at 26-28.

[17] Id.

[18] Id. at 3.

[19] Id. at 4.

[20] Id. at 6-7.

[21] Id. at 7.

[22] Id. at 1.

[23] Id. at 34-35.

[24] Id.

[25] Id. at 40-44.

[26] Id.

[27] Id. at 44.

[28] Id. at 45.

[29] Id.

[30] Further Amendment to Rule 140 of the Rules of Court.

[31] See Judge Zarate-Fernandez v. Lovendino, 827 Phil. 191, 199 (2018) [Per Curiam, En Banc].

[32] 945 Phil. 345 (2023) [Per Curiam, En Banc].

[33] Id. at 355. (Citation omitted)

[34] Rollo, p. 23.

[35] 781 Phil. 334 (2016) [Per Curiam, En Banc].

[36] Office of Administrative Services, Supreme Court v. Llemos, 952 Phil. 81, 83 (2024) [Per J. Dimaampao, En Banc]. (Citation omitted)

[37] Id. at 84. (Citation omitted)

[38] Office of the Court Administrator v. Buzon, 890 Phil. 367, 378 (2020) [Per Curiam, En Banc].

[39] Judge Zarate-Fernandez v. Lovendino, 827 Phil. 191, 202 (2018) [Per Curiam, En Banc].

[40] Id.

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