

CRISPO B. BORJA, SR., COMPLAINANT, VS. ROQUE ANGELES, DEPUTY PROVINCIAL SHERIFF, RTC, BRANCH 22, NAGA CITY, RESPONDENT.*A.M. No. P-94-1057. June 02, 1995*

Ponente: KAPUNAN, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/e608a3557332/>**KAPUNAN, J.:**

A sworn letter complaint for dishonesty and corruption was filed against respondent Roque Angeles, Deputy Provincial Sheriff of the Regional Trial Court of Naga City, Branch 22. The complainant was the counsel of the Heirs of Siy Cong Bieng, et al., defendants in Civil Case No. R-177 (5663), in whose favor judgment was rendered. Complainant alleges that respondent collected the sum of P10,000.00 from plaintiff Herman Seechung as attorney's fees but failed to remit the amount to the Clerk of Court for proper disposal. It is alleged that respondent appropriated the said amount instead.[1]

Other letter-complaints were also lodged by Crispo Borja, Sr. against respondent before the Office of the Executive Judge of the Regional Trial Court of Naga City presided by Judge David C. Naval. Complainant alleged that respondent delivered the amount of P10,000.00 to a certain Francisco Ronquillo alias Sy Peng Eng who is not the duly authorized representative of the Heirs of Siy Cong Bieng and likewise failed to deposit the said amount to the Clerk of Court as required by the Rules of Court. Said complaints were docketed as Administrative Matter No. RTC-94-02.

On August 29, 1994, the Court resolved to require Roque Angeles to comment on the complaint.[2]

On October 4, 1994, respondent filed his Compliance/Manifestation informing the Court of the foregoing complaint which is pending before the sala of the executive judge of Naga City. Respondent likewise stated that he is adopting the Answer marked as Annex "4", the Supplemental Answer marked as Annex "9" and the documentary exhibits marked as Annexes 5, 10, 11, 12 and 13 he submitted in the said administrative matter as his comment.[3]

In his Answer dated May 30, 1994[4] and Supplemental Answer dated July 30, 1994,[5] respondent denies the charge of misappropriation. He claims that he turned over the P10,000.00 to Francisco Ronquillo, the authorized representative of the defendants - heirs of Siy Cong Bieng and one of the party-defendants in Civil Case No. R-177 (5663), as evidenced by the receipt[6] issued by Ronquillo for that purpose. He further contends that he delivered the said amount to Ronquillo upon the latter's representation, that the attorney's fees of Atty. Crispo Borja, Sr. were already paid even before the execution of the judgment.

Without any resolution from this Court directing Executive Judge David C. Naval to conduct an investigation on the matter, the latter proceeded to do so. During the investigation, it was established that respondent indeed delivered the amount of P10,000.00 to Francisco Ronquillo alias Sy Peng Eng, the authorized representative of the heirs of Siy Cong Bieng. Witness Francisco Ronquillo testified that he received from respondent sheriff the P10,000.00 and issued a receipt for the purpose. He further testified that Atty. Crispo Borja, Sr. had been previously paid in full for his services as evidenced by the latter's letter dated March 29, 1989 addressed to Peter

C. Siy wherein he acknowledged that their contract for services was only for P5,000.00 of which P2,000.00 was paid in advance on March 29, 1989 and the balance of P3,000.00 on April 8, 1989.[7]

Accordingly, there is merit in the findings of the Office of the Court Administrator which we hereby quote below with approval, viz:

We agree with the findings of the Investigating Judge. On the charge of misappropriation and respondent's failure to deliver the P10,000.00 attorney's fees to complainant Borja, respondent should be absolved from administrative liability. It was established by the evidence on record that Atty. Borja was not entitled to said P10,000.00 as he was already paid his attorney's fees which is P5,000.00. The P10,000.00 was not misappropriated by herein respondent but was actually delivered to one of the defendants Francisco Ronquillo as evidenced by a receipt (Annex 5, Exhibit 1-A, rollo, p. 11).

The delivery of the amount collected to the judgment creditor (prevailing party) and the fact that the money was not appropriated for the personal use or benefit of the sheriff exonerated his liability (see *Clemente-De Ocampo v. Reyes*, 114 SCRA 596).

On the charge that respondent did not deposit the P10,000.00 with the Clerk of Court such that the commission fee supposed to be paid to the Court was not paid, we found respondent to be liable. Respondent admitted that he did not deposit the amount but turned over to one of the defendants. Pursuant to Rule 141, Section 9, paragraph (1) subparagraphs 1 and 2, on the first four thousand (P4,000.00) pesos, four per centum (4%) and all sums in excess of four thousand (P4,000.00) pesos, two per centum (2%). The sum of P280.00, therefore, would have been paid as commission fee to form part of the Court's Judicial Development Fund (Administrative Circular 31-90).[8]

The actuations of respondent sheriff in the instant case do not constitute dishonesty and corruption considering that he did not convert the amount of P10,000.00 as attorney's fees for his personal use or benefit; hence, he is absolved from liability on the charge of misappropriation. However, respondent should have deposited the money in court, instead of delivering it directly to the prevailing party. For this, the Court cannot help but admonish him to remain true to his functions as an officer of the court.

The Court cannot overstress the need for proper and circumspect behavior on everyone connected with an office charged with the dispensation of justice, from the presiding judge, to the sheriff and the lowliest clerk. Said conduct is circumscribed with the heavy burden of responsibility and must, at all times, be characterized with propriety and decorum. Every employee of the judiciary should be an example of integrity, honesty and uprightness. He must always be above and beyond suspicion.[9] Sheriffs, in particular, must show a high degree of professionalism in the performance of their duties given the delicate task they're reposed with.

WHEREFORE, premises considered, the Court resolves to dismiss the administrative charges of dishonesty and corruption against respondent Deputy Sheriff Roque Angeles. However, he is hereby directed to pay the amount of P280.00 representing the commission fee on the P10,000.00 as attorney's fees which respondent failed to deposit with the Clerk of Court, which money is to form part of the Court's Judicial Development Fund, with a STERN WARNING that the commission of the same or similar acts in the future will be dealt with more severely. Let a copy of this resolution be attached to the personal records of respondent.

SO ORDERED.

Padilla, (Chairman), Davide, Jr., and Bellosillo, JJ., concur.
Quiason, J., on leave.

[1] Rollo, p. 2

[2] Id., at 3.

[3] Id., at 6.

[4] Id., at 10.

[5] Id., at 15.

[6] Exhibit "1-A", Rollo, p. 11.

[7] Report, pp. 1-2; Rollo, p. 35.

[8] Rollo, p. 35.

[9] Valenton v. Melgar, 219 SCRA 372 [1993]; Tan v. Herras, 195 SCRA 1 [1991]; Llanes v. Borja, 192 SCRA 288 [1990].

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.