

ANONYMOUS COMPLAINT AGAINST JUDGE EDMUNDO P. PINTAC AND MS. LORELEI T. SUMAGUE, STENOGRAPHER, BOTH OF THE REGIONAL TRIAL COURT, BRANCH 15, OZAMIZ CITY

A.M. No. RTJ-20-2597 [Formerly OCA I.P.I. No. 10-3510-RTJ]. September 22, 2020

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PER CURIAM:

Antecedents

By anonymous Letter-Complaint dated May 25, 2009 addressed to then Chief Justice Reynato S. Puno, a concerned citizen of Ozamiz City accused Judge Edmundo P. Pintac, Regional Trial Court (RTC), Branch 15 for Ozamiz City, of having an illicit relationship with his court stenographer, Lorelei T. Sumague. It was docketed OCA IPI No. 10-3510-RTJ, entitled Anonymous Complaint against Judge Edmundo P. Pintac and Ms. Lorelei T. Sumague, Stenographer, both Regional Trial Court, Branch 15, Ozamiz City (first case).

On November 22, 2010, the Office of the Court Administrator (OCA) received an Affidavit-Complaint dated November 17, 2010 from Judge Pintac accusing Process Server Rolando O. Ruiz, RTC, Branch 15 for Ozamiz City, of Gross Misconduct and Dishonesty prejudicial to the public service. It was docketed OCA IPI No. 10-3559-P, entitled Executive Judge Edmundo P. Pintac v. Rolando O. Ruiz, Process Server, Regional Trial Court, Branch 15, Ozamiz City (second case).

The Comment filed by Ruiz in the second case was treated as a complaint against Judge Pintac. The same was docketed OCA IPI No. 11-3633-RTJ, entitled Rolando O. Ruiz v. Executive Judge Edmundo P. Pintac, Regional Trial Court, Branch 15, Ozamiz City (fourth case). Thereafter, the second and fourth cases were consolidated and raffled to Justice Carmelita Salandanan-Manahan, Associate Justice of the Court of Appeals-Mindanao Station.

Meantime, on January 28, 2011, the OCA received a Letter dated January 27, 2011 from Ruiz addressed to the OCA forwarding a copy of his verified complaint against Judge Pintac. Attached to the letter was Ruiz's Affidavit dated January 27, 2011 stating, among others, that it be treated as a formal complaint against Judge Pintac. Ruiz's complaint was the same complaint subject of the fourth case. This was docketed as OCA IPI No. 11- 3600-RTJ, entitled Rolando O. Ruiz, Process Server, Regional Trial Court, Branch 15, Ozamiz City v. Judge Edmundo P. Pintac, Executive Judge and Presiding Judge, Same Court (third case).

On June 21, 2011, the OCA recommended the consolidation of the four (4) administrative cases considering the intimately related issues involved. By Resolution dated August 10, 2011, the Court consolidated the four (4) administrative cases. The records of the first and third cases were also forwarded to Justice Manahan.

On June 4, 2012, Justice Manahan transferred to the Court of Appeals-Visayas Station. Thus, the consolidated administrative cases were re-raffled to Justice Rafael Antonio M. Santos.

Judge Pintac testified that he was the Executive Judge of the RTC for Ozamiz City and the Presiding Judge of Branch 15 of the same court. He was also designated to hear and decide Criminal Cases Nos. 11-12769 and II-12770, entitled People v. Glorioso Flores, et al., for Murder and Multiple Frustrated Murder, respectively,

pending before Branch 2, RTC for Iligan City. During the hearings of these criminal cases, he would bring along Ruiz with him. He, however, subsequently discovered that Ruiz used his name to demand and receive money from Regina T. Flores, the wife of accused Glorioso. The money was allegedly given by Regina to obtain a favorable resolution of her husband's case. He neither authorized nor ordered Ruiz to solicit, demand, and receive, for and on his behalf, any amount from Regina or from any other person, much less, to use his name to solicit money from litigants. Prior to this discovery, he had no knowledge of the illegal and unlawful activities of Ruiz. When he confronted Ruiz, the latter readily admitted his unlawful activities. Ruiz asked for forgiveness, offered to resign, and submitted a resignation letter. Ruiz, however, later withdrew his resignation letter.

Judge Pintac further attested that, during the July 8, 2012 hearing of Criminal Case No. RTC-5242, entitled *People of the Philippines v. Richard Catane y Palomar*, Ruiz falsely manifested in open court that Catane, therein accused, was unable to attend the hearing because of his medical condition, when in truth, Catane had already died a few days earlier or on July 1, 2010. When Ruiz learned about the death of Catane, Ruiz immediately altered the date of the Return of Service of the notice of hearing from July 6, 2010 to June 30, 2010 to make it appear that he effected the service of the notice on Catane on June 30, 2010, when Catane was still alive.

Regarding his alleged illicit affair with Sumague, Judge Pintac vehemently denied the same. He claimed that Ruiz must have paired him with Sumague because, among his female staff, she was then separated in fact from her husband.

To support his accusations, Judge Pintac submitted the following: (1) Affidavit dated November 12, 2011 of Regina; (2) copies of the Resignation Letter dated November 3, 2010 of Ruiz; and (3) Letter dated November 4, 2010 of Ruiz.

Regina testified that she was the wife of Glorioso, the accused in Criminal Cases Nos. 11-12769 and 11-12770, entitled *People v. Glorioso Flores, et al.* Ruiz called her niece, Teresa Desierto, who was his friend, and informed Teresa that Judge Pintac needed money and wanted to borrow P15,000 from her. On November 6, 2009, during the hearing of her husband's criminal cases and as instructed by Ruiz, she inserted P15,000 and another P2,000 between the pages of a magazine to purportedly defray the transportation and lunch expenses of Judge Pintac. She unobtrusively left the magazine in one (1) corner of the lobby of the Hall of Justice. She then saw Ruiz retrieve the same. Ruiz asked her for more money on several occasions thereafter. When her husband filed a motion to grant bail for his temporary release, Ruiz informed her that she had to pay P60,000 immediately in order to obtain a favorable action on the motion.

For his part, Ruiz claimed that he was Judge Pintac's confidant and secret keeper. Judge Pintac only filed the complaint against him, thinking he (Ruiz) divulged Judge Pintac's corrupt practices to other court personnel.

Ruiz contended that he knew all the wrongdoings, misfeasance, and immorality of Judge Pintac. There were countless occasions when Judge Pintac authorized him to receive goods from litigants with pending cases before his court. More, he witnessed several times the amorous relationship between Judge Pintac and Sumague. Sumague slept in the boarding house of Judge Pintac and he even witnessed them kissing each other not only in the boarding house but also in the court chambers. Sumague was Judge Pintac's mistress and concubine and the same was a matter of public knowledge in Ozamiz City.

Ruiz likewise alleged that despite Sumague being a court personnel in his sala, Judge Pintac heard the petition for nullity of marriage filed by Sumague, and thereafter, hastily granted the same in a three (3)-page decision. Judge Pintac subsequently denied the motion for reconsideration filed by the Office of the Solicitor General because of his illicit relations with Sumague.

As for his interaction with Regina, Ruiz claimed he was only following the instructions of Judge Pintac. Everything he did was under the direction and command of Judge Pintac. It was Judge Pintac who wanted money from Regina and her husband, not him.

Ruiz further averred that, on November 3, 2010, Judge Pintac told him he wanted to talk to him and his wife, Emilda E. Ruiz. Thus, he and his wife went to see Judge Pintac in his chambers. There, they were shocked when Judge Pintac suddenly became very angry while reading text messages from his cellphone. Apparently, someone had forwarded to Judge Pintac the exchange of text messages between him (Ruiz) and Regina. Before he could explain himself, Judge Pintac told him that he only had two (2) options: (1) resign and look for another job; or (2) face various cases he will file against him. Thereafter, he tried to contact Regina but was unable to reach her. He wanted to ask Regina how Judge Pintac was able to get hold of their text messages.

Anxious of facing several cases if he did not resign, he prepared a resignation letter and asked his wife to go to the house of Judge Pintac to personally deliver it. Emilda knelt before Judge Pintac and pleaded not to let him resign. When Judge Pintac ignored her plea, Emilda was constrained to give Judge Pintac his resignation letter. Nevertheless, he (Ruiz) withdrew his resignation letter because he felt humiliated and hurt when he learned that right after his wife submitted his resignation letter to Judge Pintac, notices stating that he was no longer employed with Branch 15 were posted in the premises of the Hall of Justice. When he returned to work, he received a memorandum from Judge Pintac detailing him at the maintenance section.

In relation to Judge Pintac's allegation that he made a false statement in open court in Criminal Case No. RTC-5242, entitled *People of the Philippines v. Richard Catane y Palomar*, he vehemently denied the same. The transcripts of stenographic notes (TSN) of the criminal proceedings showed that the utterances imputed on him were actually made by Atty. Cagaanan, Catane's counsel. Further, to prove that he did not alter the date of the Return of Service of the notice of hearing, he submitted the Affidavit dated November 19, 2010 of Erlinda P. Catane, Catane's mother, attesting that he in fact served the notice of hearing on Catane on June 30, 2010.

To support his averments, Ruiz submitted his wife's Affidavit dated December 7, 2010 confirming his narrative.

As for Sumague, she testified that she was caught by surprise when she learned about the anonymous complaint. She was a single mother of three (3) children. Her marriage to her ex-husband was already annulled per final and executory judgment. Due to her busy schedule as a court stenographer, it was impossible for her to be in another place, not her home, after office hours. She did not have any illicit relations with Judge Pintac. She never slept in any other house without her children, much less, at the boarding house of Judge Pintac. She could not afford to stay away from her children, aged fourteen (14), twelve (12), and eleven (11), one (1) of them being even a special child with Down's Syndrome.

Judge Pintac was married and if ever she would fall in love again, she would choose a man who is single. Ruiz and his wife were merely making up stories to suit their ill motives.

Report and Recommendation of Justice Santos

By Report and Recommendation dated October 15, 2014, Justice Santos recommended that:

- Respondent Ruiz be found liable for Gross Misconduct in A.M. OCA IPI No. 10-3559-P;
- The complaint for Dishonesty against Process Server Ruiz in A.M. OCA IPI No. 10-3559-P be DISMISSED for lack of merit[;]
- The complaint for Gross Misconduct in A.M. OCA IPI No. 11-3633-RTJ, Oppression and Grave Abuse of Authority and for Violation of R.A. No. 3019 in A.M. OCA IPI No. 11-3600-RTJ against Judge Pintac be DISMISSED for lack of sufficient evidence;

- The complaints for Gross Immorality in OCA IPI No. 10-3510-RTJ and Immorality in OCA IPI No. 11-3600-RTJ against Judge Pintac be DISMISSED for lack of sufficient evidence;
- Judge Pintac should be admonished to observe appropriate conduct toward his female court personnel consistent with the norms of respect and decency. He should further be adjudged liable for committing inappropriate conduct in not inhibiting in a case filed by his court personnel and proceeding to hear and decide the same, and be meted with a penalty of a FINE equivalent to One Month Salary with stern warning that a repetition of the same or similar act shall be dealt with more severely[; and]
- The complaint for Gross Immorality against Stenographer Lorelei T. Sumague in OCA IPI No. 10-3510-RTJ be DISMISSED for lack of sufficient evidence.

Memorandum of the OCA

In its Memorandum dated February 23, 2016, the OCA adopted in full the findings and recommendation of Justice Santos.

Ruling

The Court adopts with modification the findings and recommendation of the OCA in its Memorandum dated February 23, 2016.

The Court has repeatedly stressed that no position demands greater moral righteousness and uprightness from its holder than a judicial office. Those connected with the dispensation of justice, from the highest official to the lowliest clerk, carry a heavy burden of responsibility.[1] The image of a court of justice is mirrored in the conduct, official or otherwise, of its personnel. Indeed, all court personnel are mandated to adhere to the strictest standards of honesty, integrity, morality, and decency. In order to preserve the good name and integrity of the courts of justice, they must exemplify the highest sense of honesty and integrity.[2]

Notably, for administrative proceedings such as the consolidated administrative cases here, only substantial evidence is required. Substantial evidence is defined as that amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion. The standard of substantial evidence is satisfied when there is reasonable ground to believe that respondent is responsible for the misconduct complained of, even if such evidence might not be overwhelming or even preponderant.[3]

In the second case, Ruiz was charged with Gross Misconduct. In *Ramos v. Limeta*,[4] the Court defined Grave Misconduct as a serious transgression of some established and definite rule of action, such as unlawful behavior or gross negligence by the public officer or employee, that tends to threaten the very existence of the system of administration of justice an official or employee serves. It may manifest itself in corruption, or in other similar acts, done with the clear intent to violate the law or in flagrant disregard of established rules. It is considered as a grave offense under the Civil Service Law, with the corresponding penalty of dismissal from the service, forfeiture of retirement benefits, except accrued leave credits, and perpetual disqualification from re-employment in the government service. Here, the Court agrees with the finding of the OCA that based on the evidence on record Ruiz is administratively liable for Gross Misconduct.

Apart from the testimony of Judge Pintac, Regina, the wife of accused Glorioso in Criminal Cases Nos. 11-12769 and 11-12770, entitled *People v Glorioso Flores, et al.*, categorically testified that she was lured by Ruiz to give money purportedly in exchange for a favorable resolution of her husband's case that was pending before the court of Judge Pintac. Ruiz deceived her into believing that their exchanges were all at the instance and authority of Judge Pintac. More, Regina testified that all of her transactions were done directly with Ruiz, either personally or through text messages. In fact, Ruiz admitted that he demanded and personally received money from Regina and other litigants whose cases were pending before the court of Judge Pintac. Ruiz's only defense was that he simply

acted upon the behest of Judge Pintac. Evidently, Ruiz failed to support such allegation with competent evidence. Aside from his testimony, the only witness who testified in his favor was his wife, Emilda, who had no personal knowledge of the purported instructions given by Judge Pintac. Besides, given the circumstances of the case, Emilda is clearly a biased witness. She even admitted kneeling before Judge Pintac in order to save her husband from losing his job.

Significantly, *Reyes v. Fangonil*[5] involved a similar case of Grave Misconduct by a process server, viz.:

In this case, the respondent is a process server whose duty is vital to the administration of justice, and one's primary task is to serve court notices. A process server is not authorized to collect or receive any amount of money from any party-litigant, or in this case, the accused.

The fact that Fangonil accepted money from a litigant is evident in this case. Sungduan's letters and Tamingo's testimony showed Fangonil's corrupt practice in soliciting money in exchange for a favorable verdict. She had the impression that Fangonil was acting as an agent of the judge handling her case. This explained why she wrote directly to the judge after her conviction instead of addressing Fangonil. Moreover, the judge was shocked to hear from a litigant whom he had just convicted. The mention of Edwin Fangonil's name initiated the investigation of the anomalies occurring in Judge Reyes' court.

As such, the pieces of evidence from the investigation were substantial, the quantum of evidence required in administrative cases. A reasonable mind will conclude that Fangonil accepted cash from accused individuals and got away with the act for every acquittal from the judge. Unfortunately, his last victim, Agnes Sungduan, was convicted, and that exposed his illicit acts.

The act of collecting or receiving money from a litigant constitutes grave misconduct in office. Thus, this kind of gross misconduct by those charged with administering and rendering justice erodes the respect for law and the courts. (Emphasis supplied)

In relation to the charge of Dishonesty against Ruiz in the second case, the Court agrees with the finding of the OCA that no substantial evidence exists to hold Ruiz liable therefor. Dishonesty is defined as intentionally making a false statement on any material fact.[6] It implies untrustworthiness, lack of integrity, lack of honesty, probity, or integrity in principle, and lack of fairness and straightforwardness in one's dealings.[7] Dishonesty, like bad faith, does not connote mere bad judgment or negligence. It involves a question of intention. In ascertaining the intention of a person accused of Dishonesty, consideration must be taken not only of the facts and circumstances which gave rise to the act committed by respondent but also of his or her state of mind at the time the offense was committed, the time he or she might have had at his or her disposal for the purpose of meditating on the consequences of his or her act, and the degree of reasoning he or she could have had at that moment.

Here, there is no showing that Ruiz committed the act of dishonesty imputed on him in the performance of his official duties as process server. The TSN taken during the July 8, 2010 hearing shows it was Atty. Cagaanan, Catane's counsel, who manifested in open court that Catane could not walk, nay, appear in court, albeit in truth, Catane was already dead at that time. Further, through the affidavit of Erlinda, Catane's mother, Ruiz was able to sufficiently prove that he indeed served the notice of hearing on Catane on June 30, 2010, when Catane was still alive.

With respect to the charge of Gross Misconduct in the fourth case and Violation of Republic Act No. 3019 in the third case, Ruiz asserted that Judge Pintac was guilty of these offenses because he demanded and received money from litigants with pending cases before his court, specifically from Regina. Ruiz averred that the same was done through him. Ruiz likewise contended he received gifts from these litigants.

Notably, Ruiz raised these accusations immediately after Judge Pintac charged him with the similar offense of

Gross Misconduct for demanding and receiving money from litigants who had pending cases before his court.

The Court affirms the finding of the OCA that there was no sufficient evidence proving Judge Pintac authorized and consented to the illegal acts of Ruiz. Evidently, the case records are bereft of any proof that Judge Pintac personally and actually demanded and received money, food, gifts, and the like from litigants who had pending cases before his court, particularly Regina. Too, upon discovery of the illegal activities of Ruiz, Judge Pintac properly discharged his duty under Section 3, Canon 2 of the New Code of Judicial Conduct[8] by immediately filing a case against Ruiz. The provision reads:

SECTION 3. Judges should take or initiate appropriate disciplinary measures against lawyers or court personnel for unprofessional conduct of which the judge may have become aware. (Emphasis supplied)

Records show that the money demanded by Ruiz from Regina was received by him and not by Judge Pintac. Notably, Ruiz himself admitted this. He likewise divulged that he received presents from litigants who had pending cases before the court of Judge Pintac.

In contrast, except for the bare allegations of Ruiz and his wife, no credible and competent evidence was presented to prove the charges against Judge Pintac. On the contrary, Judge Pintac was able to sufficiently refute the allegations levelled against him. Aside from the admission made by Ruiz, Regina testified that it was indeed Ruiz who demanded and received money from her.

Serious or Gross Misconduct refers to such conduct which affects a public officer's performance of his or her duties as such officer and not only that which affects his or her character as a private individual. For the same to warrant a dismissal from the service, there must be reliable evidence showing that the judicial acts complained of were corrupt or inspired by an intention to violate the law. It must (1) be serious, important, weighty, momentary, and not trifling; (2) imply wrongful intention and not mere error of judgment; and (3) have a direct relation to and be connected with the performance of his or her duties.[9] All these elements are wanting in this case.

Moving on to the charge of Oppression and Grave Abuse of Discretion in the third case, Ruiz stated that when Judge Pintac confronted him about his exchange of text messages with Regina, Judge Pintac angrily threatened to file several charges against him if he did not resign. More, Ruiz claimed to have been humiliated and hurt when Judge Pintac caused notices to be posted within the premises of the Hall of Justice informing all and sundry that he was no longer employed with Branch 15.

Given what transpired in this case, the Court agrees with the finding of the OCA that Judge Pintac's actions were brought about by his emotional outrage after discovering the illegal activities of Ruiz. Without question, demanding and receiving money from Regina caused damage to his reputation. It appears, however, that Judge Pintac later on realized the consequences of his conduct and accepted the letter of Ruiz withdrawing his previously tendered resignation letter. Thereafter, Judge Pintac detailed Ruiz to the maintenance action. Judge Pintac then filed administrative charges against Ruiz to instill discipline and proper decorum among court personnel.

In the first case, Judge Pintac was charged with Gross Immorality along with Sumague. More, Judge Pintac was accused of Immorality in the third case. These charges of Immorality were notably grounded on the alleged affair between Judge Pintac and Sumague. But records do not bear the requisite quantum of substantial evidence to prove the administrative liability of Judge Pintac and Sumague for Gross Immorality/Immorality.

The Court agrees with the finding of the OCA that it was not substantially proven that Judge Pintac and Sumague had an illicit affair. Markedly, there was no competent, nay, credible evidence presented at all to prove that Judge Pintac and Sumague acted or lived together in a scandalous and disgraceful manner.

Immorality includes not only sexual matters but also "conduct inconsistent with rectitude, or indicative of corruption, indecency, depravity, and dissoluteness; or is willful, flagrant or shameless conduct showing moral indifference to opinions of respectable members of the community, and an inconsiderate attitude toward good order and public welfare." [10]

Here, other than the uncorroborated testimony of Ruiz as to the alleged acts of intimacy between Judge Pintac and Sumague done in his presence, there was no other credible witness or evidence presented to prove such illicit relationship. This is contrary to the claim of Ruiz and the anonymous complaint that the supposed illicit relations between Judge Pintac and Sumague was a matter of public knowledge in Ozamiz City.

Surely, the bare allegations of Ruiz and his wife on the supposed illicit affair between Judge Pintac and Sumague utterly lack credence. They had an axe to grind against Judge Pintac for initiating an administrative complaint against Ruiz for Gross Misconduct and Dishonesty. In fact, the charges against Judge Pintac were only in the form of counter-charges filed right after he had already initiated the cases against Ruiz.

In *Valdez, Jr. v. Gabales*, [11] the Court dismissed the complaint for Immorality against a judge who allegedly had an illicit relationship with a married court employee because it was mainly based on rumors, thus:

In his report dated 27 October 2004, Justice Tijam recommended the dismissal of the complaint for lack of merit, ruminating as follows:

In administrative proceedings, the complainant has the burden of proving, by substantial evidence, the allegations in the complaint. The basic rule that mere allegation is not evidence cannot be disregarded. This is particularly true in the instant case.

Anent the charge of immorality, a reading of paragraph 3 of the Complaint revealed that there was no categorical statement or substantial evidence to sustain said accusation. All that the Complainant alleged was that the respondent Judge has a "scandalous affair" with one Zenaida Minoza without any statement of any specific acts committed or words uttered by respondent judge that may prove said allegation of impropriety. In fact, there was no showing that Complainant had any personal knowledge of the alleged illicit relationship. Indeed, during his cross-examination, Complainant admitted filing the instant Complaint on the basis of the rumors he heard linking the Respondent Judge to Minoza.

Failing to substantiate his accusation, Complainant relied on the Affidavit and testimony of Anayatin which, nonetheless, failed to corroborate Complainant's allegation of immorality. Actually, what Anayatin testified to was her knowledge of the rumors of the alleged scandalous relationship between Respondent Judge and Minoza and not her personal knowledge of any fact that would prove the alleged immoral relationship. Rumors do not constitute substantial evidence. (Emphasis supplied)

On this score, while the Court agrees with the ruling of the OCA that Judge Pintac is not liable for Gross Immorality/Immorality, the Court disagrees with the recommendation of the OCA that Judge Pintac be admonished to observe appropriate conduct toward his female court personnel consistent with the norms of respect and decency. To reiterate, the case records are bereft of any proof to support the allegations that Judge Pintac and Sumague had an illicit affair and engaged in notorious and scandalous behavior.

Finally, on Judge Pintac's failure to inhibit from the case for declaration of nullity of marriage filed by his court personnel, he averred that he heard and decided the case in the performance of his duty and solely based his judgment on his own honest and unbiased assessment of the facts. The Court agrees with the conclusion of the OCA that by hearing and granting the petition filed by his own staff, Judge Pintac had shed off the appearance of impartiality as a judicial officer.

The Court takes judicial notice though of the fact that Judge Pintac passed away on October 8, 2018.

Notably, in the very recent case of *Re: Investigation Report on the Alleged Extortion Activities of Presiding Judge Godofredo B. Abul, JR, Branch 4, Regional Trial Court, Butuan City, Agusan Del Norte*,^[12] the Court held that respondent's mistakes should not unduly punish his heirs, especially if they had no part in or knowledge about the alleged extortions.

Respondent's liability should be considered personal and extinguished upon his death. Similarly, it should not extend beyond his death, and its effects should not be suffered by his heirs, for to do so would indirectly impose a harsh penalty upon innocent individuals. The Court emphasized that the heirs of respondent already have to accept the sudden death of a loved one. Such is already more than enough for any family to bear. The non-dismissal of respondent's administrative case and forfeiture of all of his death and survivorship benefits would just unnecessarily add to the grief of his bereaved family. Thus, the Court, faced with the opportunity to reconsider its prior ruling, dismissed the complaint against therein respondent with finality.

We apply the same rule here. Given Judge Pintac's untimely demise and for equitable and humanitarian considerations, it is not necessary to impose a fine equivalent to his one (1) month salary, as recommended by the OCA. The Court, thus, dismisses the charge against Judge Pintac relating to his non-inhibition from the case filed by his court personnel.

WHEREFORE, the Court rules, as follows:

1)

In OCA IPI No. 10-3559-P, respondent Process Server Rolando O. Ruiz of Regional Trial Court, Branch 15 for Ozamiz City is found GUILTY of GROSS MISCONDUCT. He is DISMISSED from the service. The Court ORDERS the FORFEITURE of his retirement benefits, except his accrued leave credits. He is PERPETUALLY BANNED from re-employment in any branch or instrumentality of the government, including any government-owned or controlled corporations. On the other hand, the administrative complaint for DISHONESTY against Process Server Rolando O. Ruiz is DISMISSED for lack of merit.

2)

In OCA IPI No. 11-3633-RTJ, the administrative complaint for GROSS MISCONDUCT against Judge Edmundo P. Pintac of Regional Trial Court, Branch 15 for Ozamiz City is DISMISSED for lack of substantial evidence.

3)

In OCA IPI No. 11-3600-RTJ, the administrative complaint for IMMORALITY, OPPRESSION AND GRAVE ABUSE OF AUTHORITY, and VIOLATION OF REPUBLIC ACT NO. 3019 against Judge Edmundo P. Pintac, Regional Trial Court, Branch 15 for Ozamiz City is DISMISSED for lack of merit.

4)

In OCA IPI No. 10-3510-RTJ, the administrative complaint for GROSS IMMORALITY against Judge Edmundo P. Pintac and Stenographer Lorelei T. Sumague, both of Regional Trial Court, Branch 15 for Ozamiz City, is DISMISSED for lack of merit.

5)

As for the charge of inappropriate conduct against Judge Pintac for not inhibiting from a case for declaration of nullity of marriage filed by his court personnel, which case he proceeded to hear and resolve on the merits, the same may no longer be penalized, hence, is likewise DISMISSED in view of the death of Judge Pintac.

SO ORDERED.

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

Zalameda, and Baltazar-Padilla, JJ., on official leave.

[1]Office of the Court Administrator v. Nacuray, 521 Phil. 32, 38 (2006).

[2]Floria v. Sunga, 420 Phil. 637, 650 (2001).

[3] Jallorina v. Taneo-Regner, 686 Phil. 285, 291 (2012).

[4] 650 Phil. 243, 248-249 (2010).

[5] 710 Phil. 138, 142-143 (2013).

[6]Villordon v. Avila, 692 Phil. 388, 396 (2012); citing Judge Aldecoa-Delorino v. Remigio-Versoza, 616 Phil. 812(2009).

[7] Re: Deceitful Conduct of Ignacio S. del Rosario, Cash Clerk III, Records and Miscellaneous Matter Section, Checks Disbursement Division, FMO-OCA, 672 Phil. 383, 388-389 (2011).

[8] A.M. No. 03-05-01-SC, April 27, 2004.

[9] Virata v. Supnet, 441 Phil. 251, 259-260 (2002).

[10]Adlawan v. Capilitan, 693 Phil. 351, 354 (2012); citing Regir v. Regir, 612 Phil. 771 (2009).

[11] 507 Phil. 227, 233-234 (2005).

[12] A.M. No. RTJ 17 2486 [Formerly A.M. No. 17-02-45-RTC], September 8, 2020.

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