

MANUEL C. RAFOLS, JR. AND LOLITA B. RAFOLS, COMPLAINANTS, VS. JUDGE TEODORO A. DIZON, RESPONDENT.

A.M. NO. RTJ-98-1426. January 31, 2006

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PER CURIAM:

This case was initiated by a letter [1] dated March 24, 1998 from the Integrated Bar of the Philippines, South Cotabato-Sarangani-General Santos City Chapter, through its President, Joeffrey L. Montegrio, to the Board of Governors of the Integrated Bar of the Philippines. The letter concerned an alleged case of judicial anomaly perpetrated in its area of responsibility, which to them warranted an administrative investigation of Judge Teodoro Dizon [2] and Atty. Ricardo G. Barrios, Jr. [3]

The purported anomaly was narrated in a joint affidavit executed by complainants, Manuel C. Rafols, Jr. and Lolita B. Rafols, dated March 3, 1998. [4] This was corroborated by the affidavits of Larry Sevilla, dated March 11, 1998; [5] Allan Rafols, dated March 16, 1998; [6] and Daisy Rafols, dated March 16, 1998, [7] all attached to the letter.

Ms. Erlinda C. Verzosa, then Deputy Clerk of Court and Bar Confidant, referred a copy of the letter to then Court Administrator Alfredo L. Benipayo, for appropriate action. [8]

Then Senior Deputy Court Administrator Reynaldo L. Suarez filed with the Court an Administrative Matter for Agenda with the following recommendations:

- The July 30, 1998 letter-note with attachments filed by Atty. Gerard A. Mosquera, Vice-President, Integrated Bar of the Philippines, South Cotabato-Sarangani-General Santos City Chapter be immediately DOCKETED as an Administrative Matter;
- Judge Teodoro Dizon, Jr., RTC, Branch 37, General Santos City be FURNISHED a copy of the attachments of said letter-note and be DIRECTED to answer, within ten (10) days from receipt, the charges made in the Joint Affidavit of the Spouses Rafols, Jr. that he demanded the total amount of P150,000.00 to decide Civil Case No. 6209 in favor of the Spouses Rafols, Jr., assuring victory all the way up to the Court of Appeals;
- Pending the outcome of the investigation of the charges, Judge Teodoro Dizon be PREVENTIVELY SUSPENDED;
- Judge Abednago O. Adre, RTC, Branch 22, General Santos City be DESIGNATED as Acting Presiding Judge of RTC, Branch 37, General Santos City; and
- The Office of the Bar Confidant be FURNISHED with a copy of the letter-note and its attachments so that it may conduct its own investigation in the matter with respect to the actuations of Atty. Ricardo Barrios, Jr. [9]

In a resolution, dated October 21, 1998, the Court approved the above recommendations. [10]

Mrs. Aurora M. Dizon, wife of respondent, wrote the Court a letter, dated December 18, 1998, communicating to the Court the serious physical condition of her husband, who suffered an ischemic stroke, explaining why the

respondent could not file his comment, and praying that the investigation of the administrative complaint be held in abeyance until his recuperation. Mrs. Dizon also appealed for the temporary lifting of the suspension of respondent. [11] In a resolution, dated February 8, 1999, the Court noted the letter of Mrs. Dizon and referred the matter to the Office of the Court Administrator for evaluation, report, and recommendation. [12]

In a memorandum addressed to the Chief Justice, dated February 26, 1999, pursuant to the resolution of the Court dated February 8, 1999, the Office of the Court Administrator recommended the following:

- 1) The letter, dated December 18, 1998, filed by Aurora M. Dizon, wife of respondent judge, Hon. Teodoro A. Dizon, Jr., RTC, Branch 37, General Santos City be NOTED;
- 2) The plea in said letter that Judge Dizon, Jr.'s preventive suspension be lifted be DENIED for lack of merit;
- 3) The Employee's Welfare & Benefits Division, Office of the Administrative Services, Office of the Court Administrator be DIRECTED to furnish Judge Dizon, Jr. with the requisite application forms for retirement due to a total disability claim so that respondent Judge's wife may have the same filled up as soon as possible, should Judge Dizon, Jr. opt to apply for retirement based on total disability. [13]

The recommendations were approved by the Court in a Resolution dated March 17, 1999. [14]

Respondent filed a comment, dated May 11, 1999, in which respondent categorically denied the allegations of the complainants. [15] The Court, in a resolution dated June 30, 1999, noted respondent's comment and referred the case to Associate Justice Wenceslao I. Agnir, Jr. of the Court of Appeals for investigation, report, and recommendation. [16]

Acting on a letter of Justice Wenceslao I. Agnir, Jr., requesting that the investigation be conducted in Manila instead of Tagum City and, if that is not possible in view of respondent's serious physical disability, that the investigation of this administrative matter be assigned to another Associate Justice, the Court granted the request and designated Associate Justice Jose L. Sabio, Jr. of the Court of Appeals to conduct the investigation. [17]

Now, to the facts of the case.

The first to testify was Atty. Ricardo Barrios, Jr. Atty. Barrios has two contradicting written statements that were submitted to the Court. The first written statement, an affidavit [18] dated January 28, 1998, was an attachment to the Comment of respondent. In this affidavit, Atty. Barrios exonerated respondent by stating that respondent did not ask for money to settle the case, and that he only used the name of respondent for the purpose of collecting his acceptance fee and attorney's fee for a previous case. The second written statement is a letter addressed to the National Bureau of Investigation and the Philippine National Police, [19] dated February 24, 1998, which was annexed to a letter addressed to Justice Agnir through the Office of the Court Administrator, dated September 27, 2000. In the annexed letter, Atty. Barrios completely repudiated his statements in the affidavit and stated that respondent indeed asked for money to settle the case in favor of complainants and actually did receive money from complainants.

Upon examination, Atty. Barrios was asked to clarify his contradictory statements. He testified that his services were engaged by complainants for a civil case involving the cancellation of a deed of sale. He claimed that complainants did not pay him his acceptance fee of P15,000, but he admitted that eventually he received a total of P71,000. He also admitted that on December 22, 1997 at 9:00 a.m., he visited the residence of complainants to tell them that respondent wanted to talk to them. Thereafter, he and complainants went to the East Royal Hotel Coffee Shop where respondent was waiting and he introduced complainants to respondent. He also claimed that he had no knowledge that respondent demanded P150,000 from complainants as consideration for the latter's winning the case since he was seated far from complainants and respondent when they were talking. He also admitted that he

and the driver of respondent went to visit complainants upon instruction of respondent to secure the amount of P100,000, and that he was only given P80,000 and of that amount he was told by respondent to retain P30,000 for himself. [20]

The second witness was complainant, Manuel C. Rafols, Jr. His testimony consisted of identifying respondent and identifying and affirming the contents of a joint affidavit executed by him together with his wife. The pertinent portions of the affidavit read as follows:

- That we are the plaintiffs of Civil Case No. 6209 for "Cancellation of the following public documents: Deed of Absolute Sale; etc." against spouses Jose S. Chua, et al., as defendants before Regional Trial Court, Branch 37, General Santos City presided by Judge Teodoro Dizon;

- That we engaged the services of Atty. Ricardo G. Barrios, Jr. of Quemado and Barrios Law Offices of Room 208, Pelbel Building 1, 2019 Shaw Boulevard, Pasig City, to handle the afore-mentioned case;

x x x

- That on December 22, 1997 at 9:30 a.m. Atty. Barrios visited us in our residence informing us that the judge handling the case wanted to talk to me (Mr. Manuel Rafols, Jr.);

- That Atty. Barrios and I (Manuel C. Rafols, Jr.) went to East Royal Hotel's Coffee shop where the judge referred to by Barrios was already waiting and [he was] introduced to me as Judge Dizon;

- That I (Manuel) was told by Judge Dizon that our case is under his sala, and that if we could produce P150,000 for him, Judge Dizon will resolve it for us and assured us victory up to the Court of Appeals;

- That I (Manuel) told Judge Dizon that I had no money yet but I could try to produce and Judge Dizon said that he could wait for me until 12:00 noon;

- That I (Manuel) and Atty. Barrios left and the latter told me that Judge Dizon badly needed the money and I (Manuel) must produce before twelve o'clock;

- That I (Manuel) and Atty. Barrios went to Allan Rafols to help us produce [the] money and we went to a lending institution but we were told the money of P50,000 only could be released the following day so we went to our shop and Allan's wife offered to advance the amount of P20,000 to be withdrawn from her savings account;

- That on our way to the bank, we dropped Atty. Barrios at Royal Hotel to assure the Judge that [the] money is forthcoming; Allan's wife withdrew [the] money [in the amount] of P20,000 from FCRB while I withdraw P30,000 from Rural Bank of Tupi from my account; With P50,000 on hand I (Manuel) and Allan's wife proceeded to East Royal Hotel where we saw Judge Dizon and his driver who beckoned for us at his parked Nissan Pick-up along the highway in front of the hotel;

- That I (Manuel) alighted from my car [and] approached them and I (Manuel) handed personally the money to Judge Dizon who asked how much the money was and when informed, he said it is not enough. Thereafter I went to the coffee shop of the Hotel and informed Atty. Barrios that the money was already handed to Judge Dizon;

- That on December 24, 1997, Atty. Barrios together with the driver of Judge Dizon using the same red pick-up visited us again at about 6:00 a.m. telling us that Judge Dizon wanted the balance of P100,000 immediately as he needed this for completion of his new house where the reception of his daughter's wedding will be held;

- That we only managed to produce P80,000 which we handed personally to Atty. Barrios that day;

- That on January 20, 1998, Judge Dizon called up by telephone instructing our son to return the call leaving a

telephone number. I (Manuel) returned the call on January 21, 1998 and I received instruction from Judge Dizon to see him at his chamber[s] at Branch 37, RTC, Hall of Justice, at once;

- That at his chamber[s] Judge Dizon demanded a balance of P30,000 and when I told him my balance was only P20,000 considering that we gave already additional P80,000. Judge Dizon said that what Atty. Barrios had given him was lacking, and still insisted for the P30,000 which he said he badly needed, and he even encouraged us to borrow money for it;

- That on January 22, 1998, Judge Dizon called up the Rafols residence if the P30,000 badly needed by him was ready to be picked up. When I (Manuel) told him we were ready, Judge Dizon told me to wait for him for twenty minutes. Then the red pick-up arrived with Judge Dizon on Board and we (Manuel and Lolita) received instruction from his very same driver to follow their vehicle. We complied and we stopped somewhere in Doña Soledad Estate, Espina, General Santos City;

- That then and there Judge Dizon alighted from his vehicle and approached us, sh[ook] our hands, and received the amount of P30,000 from me (Manuel); but Judge Dizon told us that in order that we would win in the case, it is still necessary that the RTC Judge in Iloilo City where the perpetuation of the testimony of Soledad Elevenconado-Provido was heard be brought to General Santos to stand as our witness in the trial of the case in his sala and [he] encourage[d] us also to give money to that Judge otherwise he told us not to blame him in the outcome of the case;

- That we as spouses, all the time were conferring with each other, adamant to give money to Judge Dizon, but we were constrained to do so because if we did not agree, we felt that he would be biased against us in the case still pending before his sala. We were afraid of his imposing personality and his being a Judge. However, when we felt that expenses needed seemed endless and sensing that we were being fooled in our pending case and becoming hopeless if we could not meet Judge Dizon's requirements we were compelled to consult our friend mediaman (sic) Larry Sevilla of our problem;

- That when we told him all the facts and circumstances of our case, he asked us if we wanted [that] the judge's and the lawyer's racket be exposed in the media and although afraid we agreed. x x x.

- That when the series of articles on the said expos' [was] published, Atty. Barrios and Judge Dizon attempted several times to appease us by even sending gifts and offered to return portion of the money taken from us but we refused to accept their offers;

- That we are executing this joint affidavit in order to establish under oath the truth of the foregoing facts. [21]

The third witness was Engineer Allan Rafols, the son of complainants. In his testimony, which corroborates the testimony of complainant Manuel C. Rafols, Jr., he identified and affirmed an affidavit he earlier executed. In his affidavit he mentioned:

That I know for a fact that the statements in the joint affidavit executed by my parents are true as I was personally present when the money was given to Atty. Barrios on December 24, 1997 at my parent's residence as in fact I was the one who brought the FIFTY THOUSAND (P50,000) PESOS out of the EIGHTY THOUSAND (P80,000) PESOS given to Atty. Barrios that day as stated in said par[s]. 14 and 15 of the said joint affidavit. [22]

The fourth witness was Daisy Rafols, the daughter-in-law of complainants. In her testimony, which also corroborates the testimony of complainant Manuel C. Rafols, Jr., she identified and affirmed an affidavit she earlier executed. She stated in her affidavit:

That I can attest to the fact that the allegation in my parent[s]-in-law's joint affidavit dated March 3, 1998 are true because I was personally present when the money given at the East Asia Royal Hotel at about 12:00 noon of December 22, 1997 as stated in paragraphs 12 and 13 and of the FIFTY THOUSAND (P50,000.00) PESOS

given that day (December 22, 1997) TWENTY THOUSAND (P20,000.00) PESOS thereof came from my savings as stated in par. 11 thereof. [23]

The fifth and last witness was Larry Sevilla. His testimony likewise corroborates the testimony of complainant Manuel C. Rafols, Jr. He identified and affirmed an affidavit he executed earlier, which reads as follows:

- That I am the publisher/editor-in-chief of the NEWSMAKER, a newspaper of general circulation in General Santos City, South Cotabato and Sarangani Provinces, including major parts of Sultan Kudarat, Metro Davao and other copies are sent by subscription to the rest of the country and even in Singapore & US;
- That one of the controversial issues that hit the NEWSMAKER's front page headlines was the expos' on the judge and the lawyer's racket which appeared in its January 23, 1998 issue and followed by [a] series of news items touching the same issue;

x x x

- That the illicit activities of the two judicial officers came into the knowledge of the herein publisher when the said couple had narrated the detailed story on how these members of the bench and bar had gypped them;
- That on February 23, 1998 at about 9:45 a.m., a regional trial court judge who identified himself as Judge Dizon visited the residence of the NEWSMAKER publisher to clear his name in the controversy;
- That during the almost 30 minutes dialog, the same judge offered the said publisher some help in cash for the latter to impose news blackout on the issue as he explained that Atty. Barrios has only wanted to drag his name over the said controversy;
- That the same publisher refused the judge's gesture of generosity of accepting the offer, if the latter was innocent as he claimed that his conscience is clean, there [is] nothing to fear about (sic). [24]

After the testimony of Larry Sevilla, the prosecution rested and the defense presented its witnesses. The defense presented as its first witness, Jaime Quizan, a Utility Worker at the General Santos City Regional Trial Court, Branch 37. Quizan testified that from 1997 to 1998 he was driving for respondent and claims that he drove a red Nissan pick-up. He denied that on December 24, 1997 he drove to the residence of complainants, because on that day he and respondent were in the office the entire morning, after which they went home to Tagum. He further denied allegations that he drove the vehicle to secure money from complainants. [25]

For their final witness the defense presented respondent himself. He denied all the accusations made against him in the affidavits and testimonies of complainant Manuel C. Rafols, Jr. and the witnesses of complainants. When asked by the Investigating Justice why complainants filed a complaint against him, respondent answered that he did not know. [26]

With leave of court, complainant Manuel C. Rafols, Jr. was presented again to rebut the testimony of Jaime Quizan. The former rebutted the assertion that the latter was the driver of respondent. He went on to testify that the driver of respondent was a certain Dodong, who is about 40 years old, and that he would recognize him if he sees him. [27]

Justice Jose L. Sabio, Jr. recommended that:

Pursuant to the policy and pronouncement of the Honorable Supreme Court, a judge found guilty of serious misconduct, as in the case at bench, should be meted out the penalty of dismissal from [the] service, plus disqualification from re-employment in any branch, agency or instrumentality of the government, including government-owned and controlled corporations, and to forfeit all his accrued retirement benefits and leave[s] and other privileges, if any.

However, in view of the following circumstances, namely:

(1)

Public respondent is not only very sickly and weak but that his physical condition is rapidly deteriorating;

(2)

That it is clear to the mind of the Investigating Justice that the case of extortion was not the original idea of public respondent judge but was initiated by counsel of complainants, who also benefited from the amount extorted to the tune of P30,000.00, in addition to what he was able to exact from his clients;

(3)

That to the best knowledge of the Investigating Justice there exist[s] no other complaint or charges against public respondent judge;

(4)

Public respondent judge has been under preventive suspension for more than two (2) years without having received any emoluments or other benefits within that period;

IT IS MOST HUMBLY AND RESPECTFULLY RECOMMENDED THAT IN THE SPIRIT OF CHRISTMAS COMPASSION:

(1)

Judge Teodoro Dizon be allowed to retire, if qualified to do so before compulsory retirement or if not, under disability retirement, and from whatever retirement benefits due him, he be made to return to complainants [by] way of restitution, the amount extorted of P150,000.00 plus P100,000.00 for expenses and damages;

(2)

That an investigation be made relative to the unethical and despicable conduct of Atty. Ricardo G. Barrios, Jr., as member of the legal profession. [28]

The Office of the Court Administrator, upon referral of the matter by the Court for evaluation, report and recommendation, made the same findings as the Investigating Justice, but recommended differently, as follows:

We commiserate with the plight of the respondent judge. However, pursuant to the policy and pronouncement of the Honorable Court, he must be meted the supreme penalty of dismissal. It should be stressed herein that integrity in a judicial office is more than a virtue, it is a necessity. Hence, respondent's corrupt practice clearly shows his unfitness to remain in the judiciary.

Foregoing premises considered, it is respectfully recommended that:

(1) Judge Teodoro Dizon be DISMISSED from the service with forfeiture of all benefits, except leave credits, and with prejudice to re-employment in the government or any [of its] subdivisions, instrumentalities or agencies including government-owned and controlled corporations.

(2) The matter relative to the unethical and despicable conduct of Atty. Ricardo G. Barrios, Jr., as member of the legal profession, be REFERRED to the Office of the Bar Condidant, and the Court's directive in its resolution dated 21 October 1998 requiring the said Office to conduct its own investigation, report and recommendation with respect to the said lawyer's actuations be REITERATED. [29]

After a thorough reading of the records of this case, it appears that the accusations are well founded. The complainants credibly and adequately proved that respondent demanded P150,000 for a favorable resolution of their case and that respondent actually received P130,000.

Against the clear and corroborating testimonies of the complainants' witnesses, all the respondent could raise was a vehement blanket denial. This Court has repeatedly proclaimed that a "denial, if unsubstantiated by clear and convincing evidence, is a negative and self-serving evidence which deserves no weight in law and cannot be given greater evidentiary value over the testimony of credible witnesses who testify on affirmative matters." [30] Hence, respondent's denial cannot be given greater weight over the testimony of the complainants' witnesses.

Even the testimony of Jaime Quizan, that he was the driver of the respondent, cannot be received with confidence since such was rebutted by the positive testimony of Manuel C. Rafols, Jr.

Respondent himself testified, and the records of the case show, that complainants had no ill or veiled motive to accuse respondent of such acts. Lacking such motives, the accusations are thus impressed with the color of truth.

The acts of respondent in demanding and receiving money from litigants before his court for a favorable judgment constitute a "serious charge" as defined in Section 8 of Rule 140 of the Rules of

Court. [31] Specifically, respondent committed direct bribery and gross misconduct constituting violations of the Code of Judicial Conduct both of which are enumerated in that provision. The particular provisions of the Code of Judicial Conduct which respondent violated are the following:

CANON 1 – A JUDGE SHOULD UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY

Rule 1.01 – A judge should be the embodiment of competence, integrity and independence.

x x x

CANON 2 – A JUDGE SHOULD AVOID IMPROPRIETY AND APPEARANCE OF IMPROPRIETY IN ALL ACTIVITIES

Rule 2.01 – A judge should so behave at all times as to promote public confidence in the integrity and impartiality of the judiciary.

By demanding and receiving money from a litigant before his court in consideration of a favorable judgment, respondent performed acts of impropriety which did violence to the integrity of the judiciary and degraded public confidence in the courts. In *Avanceña v. Liwanag*, [32] the Court articulated:

A judge should always be a symbol of rectitude and propriety, comporting himself in a manner that will raise no doubt whatsoever about his honesty (*Office of the Court Administrator v. Barron*, 297 SCRA 376, 392 [1998]; *Yuson v. Noel*, 227 SCRA 1, 7 [1993]). Integrity in a judicial office is more than a virtue; it is a necessity (*Capuno v. Jaramillo, Jr.*, 234 SCRA 212, 232 [1994]).

Section 11 of Rule 140 of the Rules of Court enumerates the impossible sanctions for a serious charge as follows:

- Dismissal from the service, forfeiture of all or part of the benefits as the 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;

- Suspension from office without salary and other benefits for more than three (3) but not exceeding six (6) months; or

- A fine of more than P20,000.00 but not exceeding P40,000.00.

The Court has consistently imposed the penalty of dismissal on magistrates found guilty of bribery. [33] In *Office of the Court Administrator v. Bautista*, the Court provides the rationale for imposing the severest penalty in such cases, as follows:

Bribery is classified as a serious charge punishable by, inter alia, dismissal from the service with forfeiture of benefits and disqualification from re-employment or appointment in any public office including government-owned or controlled corporations. (*NBI v. Reyes*, 326 SCRA 109 [2000]). It constitutes a serious misconduct in office, which this Court condemns in the strongest possible terms. It is this kind of gross and flaunting misconduct on the part of those who are charged with the responsibility of administering the law and rendering justice that so quickly and surely erodes the respect for the law and the courts without which government cannot continue and that tears apart the very bonds of our polity. (*Calilung v. Suriaga*, 339 SCRA 340 [2000] citing *Haw Tay v. Singayao*, 154 SCRA 107 [1987]). [34]

WHEREFORE, respondent, Judge Teodoro A. Dizon, is hereby **DISMISSED FROM THE SERVICE** with forfeiture of all benefits, except accrued leave credits, and with prejudice to re-employment in the Government or any of its subdivisions, instrumentalities or agencies including Government-owned and controlled corporations. Item "e" in the Court's Resolution, [35] dated October 21, 1998, which **REQUIRED** the Office of the Bar Confidant to conduct its own investigation, report and recommendation with respect to the actuations of Atty. Ricardo Barrios, Jr., is **REITERATED**. No costs.

SO ORDERED.

Panganiban, C.J., Puno, Quisumbing, Ynares-Santiago, Sandoval-Gutierrez, Carpio, Austria-Martinez, Corona, Carpio-Morales, Callejo, Sr., Azcuna, Tinga, Chico-Nazario, and Garcia, JJ., concur.

[1] Rollo, pp. 3-4.

[2] Presiding Judge of Regional Trial Court, Branch 37, General Santos City.

[3] Of Quemado and Barrios Law Offices.

[4] Rollo, pp. 5-8.

[5] Id. at 9-10.

[6] Id. at 11.

[7] Id. at 12.

[8] Id. at 2.

[9] Rollo, pp. 82-83.

[10] Id. at 84.

[11] Id. at 87-88.

[12] Id. at 98.

- [13] Rollo, pp. 101-104.
- [14] Id. at 110.
- [15] Id. at 113-124.
- [16] Id. at 180.
- [17] Resolution of the Court, First Division, dated March 21, 2001.
- [18] Rollo, p. 124.
- [19] Id. at 262-264.
- [20] TSN, August 9, 2001, pp. 15-27.
- [21] Rollo, pp. 5-8.
- [22] Id. at 11.
- [23] Rollo, p. 12.
- [24] Rollo, pp. 9-10.
- [25] TSN, August 9, 2001 (P.M.), pp. 10-24.
- [26] Id. at 25-59.
- [27] Id. at 61- 66.
- [28] Report of Court of Appeals Justice Jose L. Sabio, Jr., dated November 19, 2001, pp. 23-24.
- [29] Report and Recommendation of the Office of the Court Administrator, dated October 6, 2004, pp. 11-12.
- [30] *Abadilla v. Tabiliran, Jr.*, 319 Phil. 572 (1995), citing *People v. Amaguin*, G.R. Nos. 54344-45, January 10, 1994.
- [31] SEC. 8. Serious charges. – Serious charges include:
- Bribery, direct or indirect;
 - Dishonesty and violations of the Anti-Graft and Corrupt Practices Law (R.A. No. 3019);
 - Gross misconduct constituting violations of the Code of Judicial Conduct; x x x.
- [32] 446 Phil. 710, 720 (2003).
- [33] E.g. *Calilung v. Suriaga*, 393 Phil. 739 (2000); *National Bureau of Investigation v. Reyes*, 382 Phil. 872 (2000); *Zarate v. Romanillos*, 312 Phil. 679 (1995); *Office of the Court Administrator v. Antonio*, 311 Phil. 872 (1995); *Office of the Court Administrator v. Gaticales*, A.M. No. MTJ-91-528, May 8, 1992, 208 SCRA 508; *Quiz v. Castaño*, 187 Phil. 194 (1981); *Haw Tay v. Singayao*, A.M. No. R-592-RTJ, September 17, 1987, 154 SCRA 107.
- [34] *Office of the Court Administrator v. Bautista*, A.M. No. RTJ-01-1631, August 14, 2003, 409 SCRA 17, 31.
- [35] Rollo, p. 84.

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