

MELENCIO E. CORPUZ, PETITIONER, VS. RADAMALYN F. CARDOZA, JONATHAN D. DELA CRUZ, EDENA PALOMO VDA. DE SOLANO, JERRY B. CANAVERAL, JERRY R. GREGORIO, RESPONDENTS.*G.R. No. 253422, June 02, 2026*

Ponente: KHO, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-253422/>**KHO, JR., J.:**

Assailed in this Petition for Review on Certiorari under Rule 45 of the Rules of Court are the Decision[1] dated April 5, 2019 and the Resolution[2] dated June 17, 2020 of the Court of Appeals (CA) in CA-G.R. SP No. 148598, which affirmed the Decision[3] dated June 15, 2016 and the Order[4] dated August 23, 2016 of the Office of the Ombudsman (Ombudsman) in OMB-L-A-15-0390. The Ombudsman found petitioner Melencio E. Corpuz (Corpuz) administratively liable for grave misconduct, pursuant to Section 52(a) of the Revised Rules on Administrative Cases in the Civil Service (RRACCS), in relation to Rule II, Section 10 of Administrative Order No. 7, as amended by Administrative Order No. 17, and Section 25 of Republic Act No. 6770, otherwise known as "The Ombudsman Act of 1989."

The Facts

Respondents Radamalyn F. Cardoza, Jonathan D. Dela Cruz, Edena Palomo Vda. De Solano, Jerry B. Canaveral (Canaveral), and Jerry R. Gregorio (collectively, respondents) filed a Complaint Affidavit[5] against Corpuz before the Ombudsman for violation of Republic Act No. 3571[6] and grave misconduct.

In their Complaint Affidavit, respondents alleged that sometime in 2008, Corpuz, during his term as principal of Bagong Sikat Elementary School (BSES), ordered the cutting of a mahogany tree situated inside the school compound without the requisite permit from the proper authority.[7] They claimed that the freshly cut lumber taken from the tree were used in the construction of his house.[8] Respondents further alleged that Corpuz demolished the five-classroom building of BSES without any demolition order from the Municipal Engineering Office of San Jose, Occidental Mindoro, and some of the materials from the demolished building, including iron grills from the windows, were brought home and used by Corpuz for his own windows.[9] They added that Corpuz took the iron pipe from the artesian well of BSES and used it as a post in the veranda of his house between the salas and his bedroom.[10]

Respondents also alleged that in December 2014, Corpuz ordered the cutting of 12 trees of various kinds inside the school compound of San Jose Pilot Elementary School (SJPEs), without any permit from the Director of Parks and Wildlife. They claimed that some of the cut trees were used for teachers' cabinets, some were sold by Corpuz with the proceeds pocketed, others were sold to Lopez Bakery as firewood, and still others were transported to his home and converted into charcoal for sale and personal use.[11]

In his Counter-Affidavit,[12] Corpuz contended that he secured the necessary permits from the Department of Environment and Natural Resources and the Municipal Engineer of San Jose before cutting the trees and demolishing the five-classroom building, respectively. He maintained that the wood from the trees were used to

produce 50 armchairs and other school furniture, and to pay the chainsaw operator. He added that the five-classroom building in BSES was already damaged by the elements and termites, with exposed wirings and dilapidated roofing materials, necessitating its immediate demolition.[13]

In their Reply-Affidavit,[14] respondents emphasized that Corpuz was not clothed with authority to cut the trees and that the procedures for cutting and disposing of trees were not followed. They attached an inventory prepared by the School Property Custodian of SJPES, Rey D. Carreon, indicating the trees cut and the lumber produced therefrom.[15]

The Ombudsman Ruling

In a Decision[16] dated June 15, 2016, the Ombudsman found Corpuz guilty of grave misconduct, simple neglect of duty, and simple misconduct. Considering that he was adjudged liable for multiple offenses, the Ombudsman imposed the penalty corresponding to the most serious charge of grave misconduct, and accordingly dismissed him from service, with the accessory penalties of cancellation of eligibility, forfeiture of retirement benefits, and perpetual disqualification from reemployment in the government service.[17]

The Ombudsman ruled that substantial evidence existed to hold Corpuz administratively liable for grave misconduct in relation to the cutting of trees at SJPES. According to the Ombudsman, the records showed that on several occasions, Corpuz sold wood from the cut trees to Lopez Bakery, amounting to a total of PHP2,800.00. Relevantly, Corpuz failed to establish that he remitted the proceeds of the said sale to the school. Thus, the Ombudsman concluded that his act of disposing of the wood without authority and profiting therefrom by withholding the proceeds from the school treasurer, was deemed a flagrant violation of the standards of conduct expected of him as a school principal. Such conduct, according to the Ombudsman, was attended by corruption and is inimical to the integrity of public service.[18]

The Ombudsman likewise found Corpuz liable for simple neglect of duty, as there was no proper accounting of the materials retrieved from the demolished five-classroom building at BSES. According to the Ombudsman, the records showed that Corpuz failed to prepare an inventory of the properties salvaged therefrom, the purpose of which was to determine whether the recovered materials remain serviceable or should be disposed of in accordance with Section 79 of Presidential Decree No. 1445.[19] In addition, Corpuz was held liable for simple misconduct for his failure to secure the necessary permits to cut one acacia tree at SJPES and one mahogany tree at BSES.[20]

However, the Ombudsman found no basis to hold Corpuz liable with respect to the lumber produced from the mahogany tree cut at BSES and the materials retrieved from the demolished five-classroom building. According to the Ombudsman, the respondents failed to adequately prove that Corpuz misappropriated said lumber or salvaged materials. Except for the bare allegation of respondent Canaveral, there was no clear showing of misappropriation. In fact, no inventory was prepared to determine the pieces of lumber produced from the mahogany tree or the materials recovered from the demolished five-classroom building, which could have established whether items were missing or unaccounted for. Moreover, the records indicated that a demolition permit was issued by Municipal Engineer Jose D. Espiritu for the abatement of the five-classroom building.[21]

Corpuz moved for reconsideration,[22] which the Ombudsman denied in an Order[23] dated August 23, 2016. Corpuz then filed a petition for review under Rule 43 of the Rules of Court before the CA, wherein he raised the following: (1) that he should not be held administratively liable for grave misconduct, as the complaint failed to establish corruption, a clear intent to violate the law, or a flagrant disregard of established rules; and (2) that the Ombudsman disregarded the inconsistencies in respondents' statements. Notably, Corpuz did not discuss the Ombudsman's findings holding him liable for simple neglect of duty and simple misconduct. In his prayer,

however, he sought the reversal and setting aside of the Ombudsman's ruling, or, in the alternative, a reduction of the administrative penalty, insisting that he did not commit grave misconduct.

The CA Ruling

In a Decision[24] dated April 5, 2019, the CA upheld the Ombudsman ruling finding Corpuz guilty of grave misconduct.

According to the CA, Corpuz failed to debunk the testimony of Noel Lopez (Lopez), the owner of Lopez Bakery, who positively stated that he bought wood from Corpuz on three occasions for a total of PHP 2,800.00. The CA rejected Corpuz's defense that the proceeds were used to pay the chainsaw rental and the laborers because it was unsupported by any evidence. The CA found it implausible that Corpuz would cut trees merely on the expectation that the wood would be sold immediately and the proceeds used for expenses. The CA affirmed that Corpuz's act of selling the chunks of wood without authority and profiting therefrom by not remitting the proceeds of the sale to the school treasurer constituted a violation of the standards of behavior required of him as a principal.[25]

In addition, while the CA did not address the Ombudsman's findings holding Corpuz liable for simple neglect of duty and simple misconduct, it nonetheless found that Corpuz also failed to properly account for the materials salvaged from the demolition of the five-classroom building. According to the CA, although he claimed that an accounting had been done, no record could be found in the archives of BSES. Significantly, he did not deny the charge of misappropriation. Moreover, he presented no evidence that he attempted to secure a copy of the supposed accounting of materials from the BSES.[26]

Corpuz moved for reconsideration,[27] which was denied in a Resolution[28] dated June 17, 2020. Aggrieved, Corpuz filed this Petition.

Proceedings Before the Court

In a Resolution[29] dated March 18, 2021, the Court ordered respondents to file their comment within 10 days from notice.

In a Resolution[30] dated August 20, 2025, the Court imposed upon respondents a fine of PHP 1,000.00 for failure to file their comment on the petition required in the Resolution dated March 18, 2021. In the same Resolution, the Court required respondents anew to comply with the Resolution dated March 18, 2021 by filing their comment therein, within 10 days from notice. The filing of a comment by the respondents has been dispensed with.

The Issue Before the Court

The issue for the Court's resolution is whether Corpuz is administratively liable for grave misconduct, simple neglect of duty, and simple misconduct.

The Court's Ruling

The Petition is partially impressed with merit.

I.

In petitions filed under Rule 45 of the Rules of Court, only questions of law may be raised, as the Court is not a trier of facts. It is not the Court's function to examine, review, or evaluate the evidence all over again. Equally settled in this jurisdiction is the principle that findings of fact and conclusions of the Ombudsman are conclusive when supported by substantial evidence, defined as "such relevant evidence which a reasonable mind might accept as adequate to support a conclusion, even if other minds equally reasonable might conceivably opine differently." [31]

Nevertheless, these precepts are not ironclad. When a strict application of the rules would result in manifest injustice, the Court may set aside technicalities and proceed to resolve the substantial merits of the petition. Moreover, when the conclusions of the CA and the Ombudsman are grounded entirely on speculation, surmises, or conjectures; when the inference made is manifestly mistaken, absurd, or impossible; or when the judgment is based on a misapprehension of facts, the Court may pass, upon such findings and conclusions.[32]

The Court prefatorily notes that while the rulings of the CA addressed only the Ombudsman's finding of liability for grave misconduct, without discussing the determinations on simple neglect of duty and simple misconduct, the Court deems it proper to resolve all three issues. This is warranted considering that in the present petition, Corpuz expressly prayed for the reversal and setting aside of the CA rulings, which in turn affirmed the Ombudsman's findings holding him liable for grave misconduct, simple misconduct, and simple neglect of duty.

As discussed, the Ombudsman found Corpuz administratively liable for grave misconduct in relation to the cutting of trees at SJPES, which he sold to Lopez Bakery for a total of PHP 2,800.00, without establishing that the proceeds were remitted to the school. The Ombudsman likewise held him liable for simple neglect of duty, as no proper accounting was made of the materials retrieved from the demolished five-classroom building at BSES. In addition, Corpuz was found guilty of simple misconduct for failing to secure the necessary permits to cut one acacia tree at SJPES and one mahogany tree at BSES.

The Court agrees with the Ombudsman's ruling that Corpuz is liable for simple neglect of duty for failing to account for the materials salvaged from the demolished five-classroom building at BSES. Simple neglect of duty is defined as the failure of an employee to give proper attention to a required task or to discharge a duty due to carelessness or indifference.[33] In this case, Corpuz failed to account for the salvaged materials and did not maintain a record of the demolished school properties, as mandated under DepEd Order No. 107, s. 2010, or the Revised Guidelines on the Condemnation and Demolition of School Buildings.

Likewise, the Ombudsman correctly ruled that Corpuz was liable for simple misconduct for cutting one acacia tree at SJPES and one mahogany tree at BSES without the required permits. Simple misconduct exists when the act does not involve the additional elements of corruption, willful intent to violate the law, or flagrant disregard of established rules.[34] In this case, those elements were absent, as evidenced by his compliance in obtaining permits for the other trees cut at SJPES and BSES. His omission merely reflected a lack of prudence in securing permits for said specific trees, rather than an intentional defiance of or disregard for established regulations.

However, as will be discussed below, the Court finds that the ruling of the Ombudsman holding Corpuz administratively liable for grave misconduct in relation to the cutting of trees at SJPES, which he sold to Lopez Bakery, is not supported by substantial evidence.

II.

In *Besmonte v. NAPOLCOM*,^[35] the Court, discussed the nature and manner of commission of the administrative offense of grave misconduct:

Misconduct is a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by the public officer. It is the intentional wrongdoing or deliberate violation of a rule of law or standard of behavior.

In administrative cases, misconduct can be classified as either simple or grave. Simple misconduct has been defined as an unacceptable behavior which transgresses the established rules of conduct for public officers, work-related or not. On the other hand, in grave misconduct, the elements of corruption, clear intent to violate the law, or flagrant disregard of an established rule must be manifest.

Corruption as an element of grave misconduct consists in the act of an official or fiduciary person who unlawfully and wrongfully uses his or her station or character to procure some benefit for himself/herself or for another person, contrary to duty and the rights of others. Clear intent to violate the law or flagrant disregard of an established rule presupposes that there is an order or regulation defied by the public official. In *Imperial, Jr. v. Government Service Insurance System*: Flagrant disregard of rules is a ground that jurisprudence has already touched upon. It has been demonstrated, among others, in the instances when there had been open defiance of a customary rule; in the repeated voluntary disregard of established rules in the procurement of supplies; in the practice of illegally collecting fees more than what is prescribed for delayed registration of marriages; when several violations or disregard of regulations governing the collection of government funds were committed; and when the employee arrogated unto herself responsibilities that were clearly beyond her given duties. The common denominator in these cases was the employee's propensity to ignore the rules as clearly manifested by his or her actions.

Without any of these elements, the transgression of an established rule is properly characterized as simple misconduct only.[36]

In *Paita v. Task Force Abono Filed Investigation Office*,[37] the Court pronounced that the transgression must be tainted with bad faith which "connotes a dishonest purpose or some moral obliquity and conscious doing of a wrong; a breach of sworn duty through some motive or intent or ill will; it partakes of the nature of fraud." [38]

In *Batara v. Office of the Ombudsman*,[39] the Court underscored that transgression or violation of the rule must be intentional in grave misconduct:

We have emphasized in *Moreno v. Court of Appeals* the importance of proving intent in grave misconduct: Grave misconduct, with which Moreno stands charged, is define[d] as wrongful, improper, or unlawful conduct committed in connection with the performance of official functions, motivated by a premeditated, obstinate, or intentional purpose, and coupled with the elements of corruption, clear intent to violate the law, or flagrant disregard of an established rule. It is an odious offense that has always been and will continue to be anathema in the civil service[.]

Intentions involve a state of mind, which is sometimes difficult to decipher. Nevertheless, the true intent of the offenders may be ascertained through their subsequent and contemporaneous acts, together with the evidentiary facts.[40] (Citations omitted)

Applying the foregoing principles to the present case, the Court finds that the Ombudsman failed to establish, by substantial evidence, that Corpuz's acts were attended by corruption, a clear intent to violate the law, or a flagrant disregard of established rules sufficient to characterize them as grave misconduct.

To recall, in finding Corpuz administratively liable for grave misconduct, the Ombudsman relied solely on the sworn statement of Lopez, owner of Lopez Bakery, which declared as follows:

Pinatutunayan ko na kami (LOPEZ BAKERY) ay nakabili ng (3) tatlong beses ng mga pinutol na puno (panggatong) sa San Jose Pilot Elementary School kay Ginoong Melencio Corpuz, principal ng nasabing paaralan.

Ang halaga ng mga nasabing putol na puno (panggatong) ay (1[st]) Php. 800 (2[nd]) Php. 800 at Php. 1,200 na may kabuuang halaga na P2,800.00.[41]

Based on the foregoing, the Ombudsman, as affirmed by the CA, concluded that Corpuz sold the cut trees without authority and profited therefrom by failing to remit the proceeds of the sale to the school treasurer.

After a circumspect review of the records, the Court is constrained to disagree.

The statement from Lopez Bakery does not, by and of itself, prove that Corpuz personally received the proceeds and appropriated them for himself. At most, it merely established that Lopez Bakery purchased cut trees from the school on three occasions, and that the transactions were made with Corpuz. However, the statement is silent on what happened to the proceeds after the sale. It does not show whether the proceeds were turned over to the school treasurer, deposited in school funds, or retained by Corpuz personally. Without evidence such as receipts, audit reports, or testimony from the school treasurer confirming non-remittance, the Ombudsman's conclusion that Corpuz profited from the proceeds is purely speculative. It has been held that a presumption or conjecture does not constitute substantial evidence sufficient to sustain a finding of administrative liability.[42]

Moreover, the Ombudsman's conclusion of wrongdoing on Corpuz's part, based solely on the statement from Lopez Bakery, falls short of the standard of substantial evidence. It disregards Corpuz's explanation that the proceeds from selling portions of the cut trees to Lopez Bakery were used to cover expenses for the laborers who fabricated the cabinets, the chainsaw operator, and the rental of the chainsaw. Notably, Corpuz never denied that part of the cut trees were sold—what he denied was pocketing the proceeds. He further asserted that he even supplemented the amount to ensure full payment of the laborers, the cutter, and the rental fees.

In support of his claim, Corpuz submitted the Sinumpaang Salaysay[43] of Joel Rivera (Rivera), a teacher of SJPES, who declared that he had guarded the premises while the acacia trees were being cut. Rivera further stated that the portion sold to Lopez Bakery consisted only of branches or smaller parts of the trees, which were used as fuel for the bakery. He emphasized that the money was handed to the PTA President, not to Corpuz, for the payment of the laborers and the chainsaw operator. The remaining portions of the trees, according to Rivera, were distributed among the teachers of SJPES for use in constructing cabinets and bookshelves for their classrooms. In addition, Corpuz also presented certifications[44] executed by several teachers of SJPES, attesting that they had received lumber of varied sizes from him for the purpose of converting the same into cabinets and shelves needed in their classrooms.

Accordingly, absent any showing of personal gain, demand, or conversion on the part of Corpuz, the Ombudsman's conclusion that he profited from the proceeds of the sale cannot be sustained.

Moreover, even assuming that Corpuz's acts constituted a violation of the standards of behavior required of him as a principal, as opined by the Ombudsman, it has been held that grave misconduct is not mere failure to comply with the law. Failure to comply must be deliberate and must be done in order to secure benefits for the offender or for some other person.[45] In *Yamson v. Castro*,[46] the Court pronounced:

But to be disciplined for grave misconduct or any grave offense, the evidence should be competent and must be derived from direct knowledge. There must be evidence, independent of the petitioners' failure to comply with the rules, which will lead to the foregone conclusion, that it was deliberate and was done precisely to procure some benefit for themselves or for another person.[47]

Thus, while there may have been a transgression of the established rule on the disposal of public property, there is no evidence, independent of such transgression, to show that Corpuz, or any other person, personally benefited from the proceeds of the sale or appropriated the same for private gain.

In *Office of the Ombudsman v. Miedes, Sr.*,[48] the respondents, who were members of the Bids and Awards Committee (BAC), purchased 19 mobile phones without conducting a public bidding. The procurement was made through an authorized distributor rather than directly from the manufacturer or exclusive distributor, thereby violating applicable auditing and procurement rules. As BAC members, they were presumed to be fully aware of the existing policies and guidelines governing such transactions. Ultimately, they were held liable only for simple misconduct, as there was no substantial evidence showing that the purchase was approved with corrupt intent or

with a willful defiance and flagrant disregard of the rules.

Similarly, the statement of Lopez, standing alone, is insufficient to prove Corpuz's corrupt motive or clear intent to violate or disregard the rule on the disposal of public property. Consequently, the qualifying elements of corruption, willful intent to violate the law, or flagrant disregard of established rules, which could have elevated Corpuz's misconduct to grave misconduct, were not established by substantial evidence.

Accordingly, when the elements of corruption, willful intent to violate the law, or flagrant disregard of rules are absent, the misconduct committed is classified as simple, rather than grave. In this case, Corpuz admitted to selling the cut trees to Lopez Bakery but failed to observe the proper procedures in handling the proceeds. In the Court's considered view, his infraction amounts only to simple misconduct, not grave misconduct.

In fine, Corpuz is found administratively liable for two counts of simple misconduct and one count of simple neglect of duty.

Corpuz's administrative liability having been established, the Court now proceeds to determine his imposable penalty.

III.

Section 50 of the RRACCS, which was in force at the time the complaint was filed, provides that "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 and the rest shall be considered as aggravating circumstances." Under Section 46(D) of the RRACCS, both simple misconduct and simple neglect of duty are classified as less grave offenses, punishable by suspension ranging from one month and one day to six months for the first offense, and dismissal from the service for the second offense. Accordingly, the additional counts of simple misconduct and simple neglect of duty shall be treated as aggravating circumstances in determining the appropriate penalty.

On the other hand, Corpuz has in his favor the mitigating circumstance of being a first-time offender under Section 48(1) of the RRACCS. Nonetheless, pursuant to Section 49(d) of the RRACCS, which provides that the maximum of the penalty shall be imposed where more aggravating circumstances are present, as in this case, Corpuz is meted the penalty of suspension from office for a period of six months. In the event that the penalty of suspension can no longer be enforced due to Corpuz's supervening separation from service, such penalty shall be converted into a fine in the amount equivalent to Corpuz's salary for six months which may be deducted from his retirement benefits, accrued leave credits, or any receivables from his office.[49]

ACCORDINGLY, the Petition is PARTIALLY GRANTED. The Decision dated April 5, 2019 and the Resolution dated June 17, 2020 of the Court of Appeals in CA-G.R. SP No. 148598 are AFFIRMED with MODIFICATION. Petitioner Melencio E. Corpuz is found GUILTY of two counts of simple misconduct and one count of simple neglect of duty. He is ORDERED suspended from office for a period of six months.

In the event that the penalty of suspension can no longer be enforced due to Melencio E. Corpuz's supervening separation from the service, such penalty shall be converted into a fine in the amount equivalent to his salary for six months which may be deducted from his retirement benefits, accrued leave credits, or any receivables from his office.

SO ORDERED.

Leonen, SAJ. (Chairperson), Lazaro-Javier, and Villanueva, JJ., concur.
Lopez,[**] J., on leave.

[*] Rollo, p. 63. Respondent Radamalyn F. Cardoza signed under the name "Ramadalyn F. Cardoza" in the Verification and Certification of Non-Forum Shopping page of their Complaint Affidavit.

[**] On leave.

[1] Id. at 25-31. Penned by Associate Justice Japar B. Dimaampao (now a Member of this Court) and concurred in by Associate Justices Maria Filomena D. Singh (now a Member of this Court) and Ronaldo Roberto B. Martin of the Special Fourth Division, Court of Appeals, Manila.

[2] Id. at 33-34.

[3] Id. at 185-192. Penned by Graft Investigation and Prosecution Officer II Maxlen C. Balanon, reviewed by Preliminary Investigation, Administrative Adjudication and Prosecution Bureau-A Director Joaquin F. Salazar, recommended approved by Assistant Ombudsman OIC Bayani H. Jacinto, and approved by Deputy Ombudsman for Luzon Gerard A. Mosquera of the Office of the Ombudsman.

[4] Id. at 243-248. Penned by Graft Investigation and Prosecution Officer II Maxlen C. Balanon, reviewed by Preliminary Investigation, Administrative Adjudication and Prosecution Bureau-A Director Joaquin F. Salazar, concurred in by Assistant Ombudsman OIC Bayani H. Jacinto, recommended approved by Deputy Ombudsman for Luzon Gerard A. Mosquera, and approved by Ombudsman Conchita Carpio Morales of the Office of the Ombudsman.

[5] Id. at 55-63.

[6] Republic Act No. 3571 (1963), An Act to Prohibit the Cutting, Destroying or Injuring of Planted or Growing Trees Flowering Plants and Shrubs or Plants of Scenic Value Along Public Roads, in Plazas, Parks, School Premises or in Any Other Public Pleasure Ground.

[7] Rollo, p. 58.

[8] Id.

[9] Id. at 58-59.

[10] Id. at 59.

[11] Id. at 81-82.

[12] Id. at 65-68.

[13] Id. at 66.

[14] Id. at 80-89.

[15] Id. at 81.

[16] Id. at 185-192.

[17] Id. at 190.

[18] Id. at 187-189.

[19] Presidential Decree No. 1445 (1978), Ordaining and Instituting a Government Auditing Code of the Philippines.

[20] Rollo, pp. 188-189.

[21] Id. at 187.

[22] Id. at 193-201.

[23] Id. at 243-248.

[24] Id. at 25-31.

[25] Id. at 28-29.

[26] Id. at 29.

[27] Id. at 249-259.

[28] Id. at 33-34.

[29] Id. at 267.

[30] Id. at 340-341.

[31] SPO4 Padojinog v. Field Investigation Office-Office of the Ombudsman, 913 Phil. 422, 430-431 (2021) [Per J. Gaerlan, Second Division].

[32] Id. at 431.

[33] Valderas v. Sulse, 920 Phil. 643, 650 (2022) [Per J. Gaerlan, First Division].

[34] Samonte v. Jumawak, 933 Phil. 186, 191 (2023) [Per J. Inting, Third Division].

[35] 952 Phil. 561 (2024) [Per J. Gaerlan, Third Division].

[36] Id. at 569-570.

[37] 932 Phil. 426 (2022) [Per J. J.Y. Lopez, Second Division].

[38] Id. at 443.

[39] See G.R. No. 256513, May 19, 2025 [Per J. M.V. Lopez, Second Division].

[40] Id.

[41] Rollo, p. 64.

[42] Ombudsman v. De Villa, 760 Phil. 937, 953 (2015) [Per J. Mendoza, Second Division].

[43] Rollo, p. 202.

[44] Id. at 159-160.

[45] Paita v. Task Force Abono Field Investigation Office, 932 Phil. 426, 442 (2022) [Per J.Y. Lopez, Second Division].

[46] 790 Phil. 667 (2016) [Per J. Reyes, Third Division].

[47] Id. at 704.

[48] 570 Phil. 464 (2008) [Per J. Austria-Martinez, En Banc].

[49] See *NBI v. Gungob*, G.R. No. 249916, August 13, 2025 [Per J. Rosario, First Division].

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.