

PSSUPT AMADOR HERNANDEZ, PETITIONER, VS. MARY ANNE DELGADO, RESPONDENT.

G.R. No. 276258, June 09, 2026

Ponente: LEONEN, SAJ.

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LEONEN, SAJ.:

Corruption and extortion have no place in public service. This Court will not tolerate corrupt practices by public officers and will not hesitate to impose the necessary penalties to ensure that public servants possess the necessary discipline and integrity befitting their office.

This Court resolves a Petition for Review on Certiorari filed under Rule 45 of the Rules of Court,[1] which seeks the reversal of the Court of Appeals Decision[2] and Resolution[3] affirming the administrative Decisions and Resolution of the Office of the President[4] and the National Police Commission.[5] Both administrative tribunals found Police Senior Superintendent Amador Hernandez (PSSUPT Hernandez) administratively liable for grave misconduct.

On October 3, 2011, aviation security personnel at the Diosdado Macapagal International Airport found Philippine currency in excess of PHP 10,000.00 inside Mary Anne Delgado's (Delgado) luggage. Aviation security personnel escorted Delgado to the airport security station chief's office, where Eulogio Lovello Fabro (Fabro) and PSSUPT Hernandez spoke to her about her violation of a banking circular limiting the amount of Philippine currency that may be taken outside of the country.[6]

According to Delgado, Fabro and PSSUPT Hernandez threatened to bring her to customs authorities, which would delay her flight boarding and result in the confiscation of her money. When she asked Fabro and PSSUPT Hernandez what she could do, the latter replied, "Kung ano maluwa sa iyo." This statement caused Delgado to offer PHP 1,000.00 for her release, which the two laughed at. After some negotiation, the parties agreed that Delgado would pay PHP 5,000.00 for the authorities to release her. PSSUPT Hernandez then made copies of her passport and made her sign the copies' dorsal side in blank.[7]

Delgado later filed an administrative complaint with the National Police Commission, alleging that PSSUPT Hernandez committed grave misconduct for extorting money from her. In his defense, PSSUPT Hernandez asserted that Delgado was brought to the security office for carrying Philippine currency in excess of amounts allowed by prevailing laws. When Delgado offered to pay for her release, PSSUPT Hernandez refused. However, out of humanitarian considerations, he agreed to release Delgado with a warning and after she signed a waiver. PSSUPT Hernandez further argued that his supposed receipt of PHP 5,000.00 is inconsistent with human nature, as he could have kept the entire amount that Delgado was carrying in excess of legal limits. Instead, PSSUPT Hernandez posited that Delgado filed the administrative complaint in retaliation for the embarrassment she experienced.[8]

The National Police Commission found PSSUPT Hernandez guilty of grave misconduct and dismissed him from public service:

WHEREFORE, in view of the foregoing, the Commission hereby finds PSSupt. Amador Hernandez and Eulogio Lovella Fabro CULPABLE of the administrative charge of Grave Misconduct and is (sic) meted the maximum penalty of Dismissal from Service.[9]

The National Police Commission gave more weight to Delgado's testimony and found no ill motive for her to file the complaint, while finding little credibility in PSSUPT Hernandez's denials. Further, the National Police Commission found that his commission of the offense during office hours and within the public office's premises merited the maximum penalty of dismissal from the public service.[10]

PSSUPT Hernandez appealed the National Police Commission's Decision to the Office of the President, which denied the appeal and affirmed the penalty imposed by the appealed decision:

WHEREFORE, as recommended by the National Police Commission, this Office finds respondent [PSSUPT] Amador Hernandez, Regional Chief: Philippine National Police – Aviation Security Group, Region III, GUILTY of GRAVE MISCONDUCT and is hereby meted the penalty of DISMISSAL FROM SERVICE with all the accessory penalties.[11]

In affirming the National Police Commission's findings, the Office of the President referenced the substantial evidence adduced by Delgado, which consisted of her sworn statement and that of her companions. Further, the Office of the President noted that if PSSUPT Hernandez's version of events were true, then Delgado would have been grateful for the security office's accommodation instead of filing the complaint for grave misconduct. In any event, PSSUPT Hernandez's failure to document his investigation of Delgado's supposed violation discredited his claims and showed a disregard for proper procedure.[12]

PSSUPT Hernandez then filed a Petition for Review[13] with the Court of Appeals and argued that the Office of the President and the National Police Commission seriously erred in finding that Delgado's bare allegations satisfied the standard of substantial evidence. He likewise asserted that the amount of PHP 5,000.00 allegedly extorted from Delgado was insignificant compared to his salary as Regional Chief and even as compared to what he could have asked for in view of the amount carried by Delgado in excess of allowable currency limits. Lastly, PSSUPT Hernandez cited his performance commendations and good reputation in support of his claims.[14]

The Court of Appeals denied the petition and affirmed the findings of the Office of the President and the National Police Commission:

WHEREFORE, premises considered, the instant petition is DISMISSED. The assailed Decision dated March 29, 2022 of the public respondent Office of the President finding [PSSUPT] Hernandez guilty of grave misconduct and dismissing him from service STANDS.

SO ORDERED.[15]

The Court of Appeals affirmed the administrative tribunals' findings that Delgado presented substantial evidence of PSSUPT Hernandez's grave misconduct. Delgado's consistent and detailed account of how PSSUPT Hernandez extorted money from her satisfied the Court of Appeals's assessment of whether PSSUPT Hernandez's actions warranted the punishment for grave misconduct. Delgado's testimony was further bolstered by the testimonies of her companions, who narrated the events prior and subsequent to her encounter with PSSUPT Hernandez.[16] Thus, the Court of Appeals found that the totality of circumstances surrounding PSSUPT Hernandez's actions showed his willful intent to violate the law or to disregard established rules, and how he used his position as public officer to do so.[17] Further, the Court of Appeals accorded finality to the factual findings of the administrative tribunals, given their basis in substantial evidence.[18]

PSSUPT Hernandez moved for reconsideration of the Court of Appeals's Decision but was again denied relief for

reiterating the same arguments already denied on appeal.[19]

Thus, PSSUPT Hernandez filed before this Court a Petition for Review under Rule 45 of the Rules of Court. He maintains that the Court of Appeals gravely abused its discretion in affirming his dismissal from public service for grave misconduct.[20]

PSSUPT Hernandez argues that the Court of Appeals affirmed the administrative findings of the National Police Commission and of the Office of the President despite lacking factual and legal basis.[21] According to him, the administrative tribunals relied solely on the "bare statements given by [Delgado] and her companions." [22] Thus, the absence of factual and legal bases in the administrative tribunals' findings renders the doctrine of conclusiveness of administrative findings inapplicable.

In her Comment,[23] Delgado contests PSSUPT Hernandez's filing of a Rule 45 petition, arguing that its allegations of grave abuse of discretion amounting to lack or excess of jurisdiction were more appropriate for a petition for certiorari under Rule 65. She further asserts that the petition raises questions of fact which fall beyond the scope of a Rule 45 petition.[24]

Substantively, Delgado maintains that she presented substantial evidence of PSSUPT Hernandez's grave misconduct. According to her, her sworn statement and that of her companions were all based on personal knowledge and sufficiently detailed the events during and after PSSUPT Hernandez's acts of extortion.[25] She similarly emphasizes that her immediate filing of administrative charges against him bolsters the credibility of her claims.[26] Finally, she insists that the Court of Appeals and the administrative tribunals accurately appreciated the aggravating and mitigating circumstances surrounding PSSUPT Hernandez's actions and correctly ordered his dismissal from public service.[27]

Acting on the Comment, this Court now resolves the issue of whether the Court of Appeals correctly affirmed the administrative tribunals' finding that petitioner PSSUPT Hernandez is liable for grave misconduct, and thus, deserves the penalty of dismissal from public service and its accessory penalties.

This Court denies the Petition. The Court of Appeals committed no reversible error in finding petitioner PSSUPT Hernandez administratively liable for grave misconduct.

I

On procedural matters, respondent Delgado contends that petitioner erroneously filed a Rule 45 petition while raising "grave abuse of discretion amounting to lack or excess of jurisdiction" by the Court of Appeals,[28] and that the petition allegedly raises factual questions outside of a Rule 45 petition's scope.[29]

People v. Terrado[30] clarified the scope of a Rule 65 petition:

The special civil action for certiorari is intended for the correction of errors of jurisdiction or grave abuse of discretion amounting to lack or excess of jurisdiction. Its principal office is to keep the inferior court within the parameters of its jurisdiction or to prevent it from committing such a grave abuse of discretion amounting to lack or excess of jurisdiction.

By grave abuse of discretion is meant such capricious and whimsical exercise of judgment as is equivalent to lack of jurisdiction. The abuse of discretion must be grave as where the power is exercised in an arbitrary or despotic manner by reason of passion or personal hostility and must be so patent and gross as to amount to an evasion of positive duty or to a virtual refusal to perform the duty enjoined by or to act at all in contemplation of law.[31] (Emphasis supplied, citations omitted)

On the other hand, Kumar v. People[32] enumerated the procedural standards required of a Rule 45 petition:

(1)

that the petition does not only exclusively raise questions of law, but also that it distinctly sets forth those legal issues;

(2)

that it be filed within 15 days of notice of the adverse ruling that impels it;

(3)

that docket and other lawful fees are paid;

(4)

that proper service is made;

(5)

that all matters that Section 4 specifies are indicated, stated, or otherwise contained in it;

(6)

that it is manifestly meritorious;

(7)

that it is not prosecuted manifestly for delay; and

(8)

that the questions raised in it are of such substance as to warrant consideration.[33] (Citations omitted)

Here, petitioner alleges that the Court of Appeals committed grave abuse of discretion amounting to lack or excess of jurisdiction when it "solely relied on the glaring and erroneous findings of the Office of the President and the [National Police Commission]."[34] Not only does the Petition forward the wrong basis for review under a Rule 45 petition, it also fails to establish both the standard of "capricious and whimsical exercise of judgment" required to prove grave abuse of discretion, and the requirements for review under Rule 45, as enumerated in Kumar.

On the matter of grave abuse of discretion, the Court of Appeals conducted its own review of the evidence on record, negating petitioner's claim that it relied solely on the findings of previous administrative proceedings:

Here, Delgado never w[av]ered in her accusation that Hernandez extorted money from her. In her Sinumpaang Salaysay and Karagdagang Salaysay, Delgado detailed how Hernandez asked for money from her in exchange

for her release and to enable her to board her plane.

Delgado's companions, Brigida Estorquia and Nonilona Caroline Cureg, also executed their respective Sinumpaang Salaysay providing details of what happened before and after the alleged extortion incident. . . .

. . . .

Taken as a whole, the incidents that took place before and after the incident as testified to by Estorquia and Cureg gives a semblance of truth to Delgado's claim of extortion. The behavior of Delgado is inconsistent with that of a person who was merely allowed to leave without any extortion taking place. Under the Rules of Evidence, Estorquia and Cureg are qualified to testify on their impressions of the emotion, behavior, condition or appearance, of Delgado prior to and after the extortion incident.[35] (Citations omitted)

Clearly and contrary to petitioner's assertions, the Court of Appeals acted within the bounds of its authority by affirming his liability after reviewing the evidence on record. The appellate court cannot be faulted for arriving at the same finding when nothing on record merited a different conclusion. This further shows that the present Petition does not raise any questions of substance that merit review by this Court under Rule 45. Kumar further elaborated on this standard:

Rule 45, Section 6 expounds on the eighth standard. Thus, to say that the questions raised in a Rule 45 Petition must be of such substance as to warrant consideration is to say that judicial review shall proceed "only when there are special and important reasons." The use of the conjunctive "and" vis-a-vis the adjectives "special" and "important" means that the reasons invoked for review must be of distinctly significant consequence and value. Rule 45, Section 6 (a) and (b) illustrate the gravity of reasons which would move this Court to act:

(a) When the court a quo has decided a question of substance, not theretofore determined by the Supreme Court, or has decided it in a way probably not in accord with law or with the applicable decisions of the Supreme Court; or

(b) When the court a quo has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such departure by a lower court, as to call for an exercise of the power of supervision.

From these, this Court is better advised to stay its hand and not entertain the appeal when there is no novel legal question involved, or when a case presents no doctrinal or pedagogical value whereby it is opportune for this Court to review and expound on, rectify, modify and/or clarify existing legal policy, or lay out novel principles and delve into unexplored areas of law.[36] (Emphasis supplied, citation omitted)

This Petition questions the appellate court's assessment of the evidence on record, and its application of evidentiary rules and precedents. These matters are neither questions of substance not previously decided by this Court nor significant departures from accepted judicial proceedings. Even assuming that it merits review, petitioner's allegations fail to establish any substantive basis for exoneration.

II

Besmonte v. National Police Commission[31] defines misconduct in public service and provides standards for when such misconduct may be considered grave:

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.[38] (Emphasis supplied, citations omitted)

Here, the prosecution's evidence established that airport authorities took respondent into custody after finding that she possessed Philippine currency in excess of regulatory limits.[39] While the parties' versions differ in what happened next, this Court finds no reason to deviate from the uniform findings in prior proceedings that petitioner conditioned respondent's release from custody on the payment of money. This practice is irregular and blatantly unlawful.

Office of the Ombudsman v. Mendoza[40] provides similar circumstances of extortion by law enforcement that this Court penalized by dismissing the erring officers from service. Notably, the Court and the administrative tribunals in Mendoza similarly considered the sworn statements of private respondents as sufficient to prove the public officer's grave misconduct:

Muhad narrated that Naguera and the other police officers accosted him while he was merely tending his store and was brought to Police Station 6. There, Naguera demanded P[HP] 200,000.00 in exchange for his liberty and was eventually released when the money was delivered. This was corroborated by Diamungan and Rasul, who both saw Muhad being arrested by the police. They later learned that the police officers were asking money for Muhad's freedom. As a result, they asked for help from Ampaso, who accompanied them to the police station and was the one who gave money to the police. Then, Rasul was brought inside Mendoza's office where he saw the latter received a portion of the extortion money.

It is true that mere uncorroborated hearsay or rumor does not constitute substantial evidence. However, Muhad, Diamungan[,] and Rasul's affidavits were based on personal knowledge regarding the circumstances behind Muhad's arrest and subsequent release. As such the statements of Muhad, Diamungan[,] and Rasul were not hearsay as they were based on their personal knowledge and not merely rumors or information they learned from another. In addition, their credibility is further bolstered by the fact that their narrations corroborated each other. Thus, even without Ampaso's affidavit, there is substantial evidence to prove that Muhad was extorted money and that Mendoza received a part of it.[41] (Emphasis supplied, citations omitted)

The established facts place petitioner's actions squarely within the scope of grave misconduct, as it amounted to "unlawful behavior"[42] and a "deliberate violation of a rule of law." [43] His unlawful behavior is further attended by corrupt intent, shown in how he used his public office to procure monetary benefit for himself.

Even if the written testimonies from the private respondent and her companions fail to completely establish petitioner's extortion of money from respondent, the petitioner's failure to comply with standard procedures for handling the incident sufficiently convinces this Court that the totality of circumstances establish petitioner's unlawful act. As found by the Office of the President in its own disposition of petitioner's appeal:

As ASG Regional Chief, respondent Hernandez is expected to know and to enforce the legal prohibition on cross-border transport of Philippine currencies, as reinforced by the procedures in the MOA. Respondent Hernandez not only failed to follow these procedures, he also admitted to have acted in contravention of his official duty under the MOA. As found by the NAPOLCOM, no record or any form of documentation of the incident was ever made other than the purported waiver declaring the complainant Delgado was "given verbal warning and released in good physical and mental condition for humanitarian consideration and with no monetary fund involved." This Office thus affirms the NAPOLCOM's finding that the execution [of] the

waiver was made in anticipation of the possible repercussions of the extortion, which respondent Hernandez sought to conceal.

The totality of these circumstances convinces this Office that respondent Hernandez indeed extorted money from complainant Delgado, which is tantamount to grave misconduct under Item C.3(e), Section 2, Rule 21 of NAPOLCOM Memorandum Order No. 2007-001.[44]

We therefore find no reversible error on the part of the Court of Appeals or by the administrative tribunals that rendered prior findings on petitioner's administrative liability.

On the issue of whether the appellate court correctly applied the doctrine on conclusiveness of judgment, the appellate court cited *Navotas Industrial Corporation v. Guanzon*[45] in ruling that administrative findings supported by substantial evidence are entitled to respect, if not finality, in view of the rendering tribunal's expertise in its given field.

Under the doctrine of conclusiveness of administrative findings of fact, factual findings of quasi-judicial and administrative bodies, when supported by substantial evidence, are accorded great respect and even finality by the courts. The rationale behind this doctrine is that administrative bodies are considered as specialists in their respective fields and can thus resolve the cases before them with dispatch.

Absent any clear showing of abuse, arbitrariness, or capriciousness committed on the part of the lower tribunal, its findings of facts are binding and conclusive upon the courts.[46] (Citations omitted)

Miro v. Dosono[47] further provides that administrative liability may be proven by substantial evidence "so long as there is some evidence adequate to support the conclusion that acts constitutive of the administrative offense have been performed":[48]

As an administrative proceeding, the evidentiary bar against which the evidence at hand is measured is not the highest quantum of proof beyond reasonable doubt, requiring moral certainty to support affirmative findings. Instead, the lowest standard of substantial evidence, that is, such relevant evidence as a reasonable mind will accept as adequate to support a conclusion, applies. Because administrative liability attaches so long as there is some evidence adequate to support the conclusion that acts constitutive of the administrative offense have been performed (or have not been performed), reasonable doubt does not ipso facto result in exoneration unlike in criminal proceedings where guilt must be proven beyond reasonable doubt. This hornbook doctrinal distinction undergirds our parallel findings of administrative liability and criminal acquittal on reasonable doubt for charges arising from the same facts.[49]

In the present case, there clearly exists a sufficient and substantial totality of evidence that petitioner should be held liable for grave misconduct, as found by both administrative tribunals and affirmed by the appellate court. This Court finds no reason to overturn these findings.

III

Finally, this Court finds no reason to modify petitioner's penalty of dismissal from public service despite his alleged track record as a public servant and this being his first offense.

Corruption has no place in public service. In *Neri v. Office of the Ombudsman*,[50] this Court held that "[t]he Constitution and our laws demand a high standard of ethics and integrity from public officials and employees. Those who fall short of this standard and diminish the people's confidence in the government shall meet the just punishment meted out by the law." [51]

Public office is a public trust. Any violation of this trust through grave misconduct is punishable by dismissal from service. Further, the circumstances surrounding the officer's grave misconduct cannot be mitigated by claims

that such misconduct was the erring officer's first, or that the same officer possessed a long track record of good service. In *Office of the Ombudsman v. Regalado*,^[52] this Court rejected similar claims from the erring officer:

The fact that an offender was caught for the first time does not, in any way, abate the gravity of what he or she actually committed. Grave misconduct is not a question of frequency, but, as its own name suggests, of gravity or weight. One who commits grave misconduct is one who, by the mere fact of that misconduct, has proven himself or herself unworthy of the continuing confidence of the public. By his or her very commission of that grave offense, the offender forfeits any right to hold public office.

Underscoring the severity of grave misconduct and other offenses meriting dismissal, the 2017 RACCS now specifically state that no mitigating circumstances, of any sort, may be appreciated in cases involving an offense punishable by dismissal from service[.]

....

This Court is, quite frankly, baffled by how solicited statements of support from supposedly satisfied clients could operate to erode the liability of one such as respondent.

....

Far from demonstrating considerations that should mitigate respondent's liability, her litany of transgressions could conceivably be appreciated as even aggravating. Her case makes it seem like someone breathed life to a caricature of a corrupt bureaucrat.

The civil service cannot have itself overrun by officers such as respondent. They make a mockery of every ideal that public service exemplifies. For once, some individuals had the courage to not condone her corruption. This is enough to show that respondent is nowhere near deserving of public trust. As a measure of recompense to the public, and as a portent to others who may be similarly disposed, this Court does not hesitate to impose upon respondent the supreme administrative penalty of dismissal from government service.^[53] (Emphasis supplied, citations omitted)

Similarly, petitioner's circumstances cannot mitigate his liability for grave misconduct. Not only did he deny extorting money from the respondent despite sufficient and substantial testimonial evidence to the contrary, he attempted to conceal his blatant wrongdoing by executing a sham waiver.^[54] Further, and most bafflingly, he insisted on his own innocence by claiming that if he had truly desired to take respondent's money, he would have taken more of it, not just the PHP 5,000.00 that was exchanged for her release.^[55]

Petitioner's reasoning is absurd and belies a serious defect of character and a lack of fitness for public service. The penalty of dismissal from service is more than warranted.

ACCORDINGLY, the Petition for Review on Certiorari is DENIED. The May 30, 2024 Decision and September 17, 2024 Resolution of the Court of Appeals in CA-G.R. SP No. 180015 are AFFIRMED. Petitioner PSSUPT Amador Hernandez is hereby found GUILTY of grave misconduct. He is DISMISSED from the service. His retirement and other benefits, except accrued leave credits, are FORFEITED. He is PERPETUALLY DISQUALIFIED from reemployment in any government agency or instrumentality, including any government-owned or -controlled corporation or government financial institution.

SO ORDERED.

Lazaro-Javier, Lopez, and Villanueva, JJ., concur.

Kho, Jr.,[*] J., on leave.

[*] On leave.

[1] Rollo, pp. 13-43.

[2] Id. at 67-78. The May 30, 2024 Decision in CA-G.R. SP No. 180015 was penned by Associate Justice Raymond Reynold R. Lauigan and concurred in by Associate Justices Pablito A. Perez and Wilhelmina B. Jorge-Wagan of the Special Sixteenth Division, Court of Appeals, Manila.

[3] Id. at 44-46. The September 17, 2024 Resolution in CA-G.R. SP No. 180015 was penned by Associate Justice Raymond Reynold R. Lauigan and concurred in by Associate Justices Pablito A. Perez and Wilhelmina B. Jorge-Wagan of the Former Special Sixteenth Division, Court of Appeals, Manila.

[4] Id. at 98-101, 112-117. The July 13, 2023 Resolution and March 29, 2022 Decision in OP-DC Case No. 15-I-111 were penned by Executive Secretaries Lucas P. Bersamin and Salvador C. Medialdea, respectively, under the Office of the President.

[5] Id. at 130-137. The October 1, 2013 Decision in S.D. Case No. 2011-140 was penned by Commission Chairperson Mar Roxas and Commissioners Eduardo U. Escueta, Luisito T. Palmera, Alejandro S. Urro, Constanca P. De Guzman, and Nicanor A. Bartolome of the National Police Commission, under the Department of Interior and Local Government.

[6] Id. at 68.

[7] Id.

[8] Id. at 68-69.

[9] Id. at 69.

[10] Id. at 69-70.

[11] Id. at 70.

[12] Id. at 70-71.

[13] Id. at 81-97.

[14] Id. at 71-72.

[15] Id. at 77.

[16] Id. at 73-74.

[17] Id. at 74.

[18] Id. at 76-77.

[19] Id. at 45.

[20] Id. at 20.

[21] Id. at 21-22.

[22] Id. at 22.

[23] Id. at 199-221.

[24] Id. at 202-209.

- [25] Id. at 212-214.
- [26] Id. at 213-214.
- [27] Id. at 214-217.
- [28] Id. at 202-203.
- [29] Id. at 206-209.
- [30] 580 Phil. 79 (2008) [Per J. Nachura, Third Division].
- [31] Id. at 85-86.
- [32] 874 Phil. 214 (2020) [Per J. Leonen, Third Division].
- [33] Id. at 221-222.
- [34] Rollo, p. 21.
- [35] Id. at 73-74.
- [36] Kumar v. People, 874 Phil. 214 (2020) [Per J. Leonen, Third Division].
- [37] 952 Phil. 561 (2024) [Per J. Gaerlan, Third Division].
- [38] Id. at 569-570.
- [39] Rollo, p. 68.
- [40] 857 Phil. 104 (2019) [Per J. J.C. Reyes Jr., Second Division].
- [41] Id. at 115-116.
- [42] Besmonte v. National Police Commission, 952 Phil. 561, 569-570 [Per J. Gaerlan, Third Division].
- [43] Besmonte v. National Police Commission, 952 Phil. 561, 569 [Per J. Gaerlan, Third Division].
- [44] Rollo, p. 116.
- [45] 914 Phil. 647 (2021) [Per J. Leonen, Third Division].
- [46] Id. at 654.
- [47] 634 Phil. 54 (2010) [Per J. Carpio, Second Division].
- [48] Id. at 62.
- [49] Id. at 61-62.
- [50] 906 Phil. 638 (2021) [Per J. Leonen, Third Division].
- [51] Id.
- [52] 825 Phil. 635 (2018) [Per J. Leonen, Third Division].
- [53] Id. at 657-662.
- [54] Rollo, pp. 116.
- [55] Id. at 71-72.

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