

**GREGORIO SINGIAN, JR., PETITIONER, VS. THE HONORABLE  
SANDIGANBAYAN (THIRD DIVISION), THE PEOPLE OF THE  
PHILIPPINES, AND THE PRESIDENTIAL COMMISSION ON GOOD  
GOVERNMENT, RESPONDENTS,**

*G.R. NOS. 160577-94. December 16, 2005*

Ponente: CHICO-NAZARIO, J.

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**CHICO-NAZARIO, J.:**

This is a special civil action for certiorari under Rule 65 of the Rules of Court, with a prayer for preliminary injunction and/or temporary restraining order assailing the Resolution[1] dated 18 August 2003 of the Third Division of the Sandiganbayan dismissing the Motion for Re-determination of Existence of Probable Cause of Gregorio Singian, Jr. in Criminal Cases No. 26297-26314 and its Order dated 24 October 2003 denying his motion for reconsideration.

The facts giving rise to the present petition are as follows:

Atty. Orlando L. Salvador was Presidential Commission On Good Government Consultant on detail with the Presidential Ad Hoc Committee on Behest Loans (Committee).[2] He was also the coordinator of the Technical Working Group composed of officers and employees of government financing institutions to examine and study the reports and recommendations of the Asset Privatization Trust relating to loan accounts in all government financing institutions.[3] Among the accounts acted upon by the Committee were the loans granted to Integrated Shoe, Inc. (ISI) by the Philippine National Bank (PNB).[4]

It would appear that on 18 January 1972, ISI applied for a five-year confirmed irrevocable deferred letter of credit amounting to US\$2,500,000.00 (P16,287,500.00) to finance its purchase of a complete line of machinery and equipment. The letter of credit was recommended to the PNB Board of Directors by then Senior Vice President, Mr. Constantino Bautista.

On 27 January 1972, the PNB approved the loan, subject to certain stipulations.[5] The said letter of credit was to be secured by the following collaterals: a) a second mortgage on 10,367-square meter lot under Transfer Certificate of Title No. 218999 with improvements, machinery and equipment; b) machinery and equipment to be imported under the subject letter of credit; and c) assignment of US\$0.50 per pair of shoes of ISI's export sales. It was further subjected to the following pertinent conditions: a) that the letter of credit be subject to joint and several signatures of Mr. Francisco J. Teodoro, Mrs. Leticia T. Teodoro, Marfina T. Singian, Tomas Teodoro, and Gregorio Singian, Jr.; b) that ISI, which has a paid-up capital amounting to P1,098,750.00 as of January 1972, shall increase its authorized capital to P5,000,000.00, and in the event that cash receipts do not come up to the projections, or as may be required by the bank, ISI will further increase its capitalization and the present stockholders will subscribe to their present holdings; and c) that ISI shall submit other collaterals in case the appraised value of the new machinery and equipment be insufficient.

ISI was further extended the following subsequent loan accommodations:

- P1,500,000.00 on 10 February 1972 for the purchase of raw materials;
- P1,000,000.00 on 18 January 1973 as export advance;
- P1,500,000.00 on 21 March 1973 as export advance;
- P600,000.00 on 06 March 1974 as credit line;
- P2,500,000.00 renewed on 15 December 1976;
- P5,000,000.00 on 19 November 1978 as export advance;
- P1,500,000.00 on 04 August 1980 as export advance; and
- P7,000,000.00 on 15 December 1980 also as an export advance.[6]

The Committee found that the loans extended to ISI bore characteristics of behest loans specifically for not having been secured with sufficient collaterals and obtained with undue haste.[7]

As a result, Atty. Orlando Salvador filed with the Office of the Ombudsman a sworn complaint dated 20 March 1996, for violation of Section 3, paragraphs (e) and (g), of Republic Act No. 3019, as amended, against the following: Panfilo Domingo, former PNB President, Constantino Bautista, former PNB Senior Vice President, Domingo Ingco, former member of the PNB Board of Directors, John Does, former members of the PNB Board of Directors, Francisco Teodoro, President of ISI, Leticia Teodoro, Vice President of ISI, Marfina Singian, Incorporator of ISI, Tomas Teodoro, General Manager of ISI, and Gregorio Singian, Jr., Executive Vice President of ISI. The complaint, docketed as OMB-0-96-0967, was assigned to Graft Investigation Officer I Atty. Edgar R. Navales (Investigator Navales) of the Evaluation and Preliminary Investigation Bureau (EPIB) for investigation.

In a Resolution dated 04 October 1999, Investigator Navales recommended the dismissal of the complaint on the grounds of prescription and insufficiency of evidence. Director Angel C. Mayoralgo of the EPIB recommended the approval of the findings and conclusion of Investigator Navales. The resolution partly reads:[8]

Be that as it may, the present case may still be dismissed on the ground of insufficiency of evidence.

Perusal of the record shows that except for the allegations that the public respondents herein have illegally entered into a contract with ISI and that the respondents have given unwarranted benefits to ISI through manifest partiality, evident bad faith or gross inexcusable negligence, there is nothing on record that would concretely show that, indeed, the respondents have acted in such a manner, and that the transactions entered by the respondent public officers were illegal.

Further, the allegation of the complaint that the subject five-year confirmed irrevocable, deferred L/C for U.S.\$2.5 million extended to ISI, through the private respondents, was only secured by a piece of land valued at P1,646,700.00 and, therefore, undercollateralized, was inaccurate.

A careful review of the record shows that aside from the aforesaid collateral, ISI had likewise offered as securities the joint and several signatures of Mr. and Mrs. Francisco J. Teodoro, private respondents herein; machinery and equipment to be imported under said L/C; and assignment of US\$0.50 per pair of shoes to be exported by ISI (see Memorandum, dated January 18, 1972, pp. 59-69, Record). These collaterals were offered by private respondents aside from the fact that the releases and disbursements of the proceeds of the subject L/C were subject to the rigid control of the PNB Board of Directors. These, therefore, belied the contention of the complainant that the subject L/C was without sufficient security.

It is worth stressing that the public respondents herein were not the ones who entered the subject transactions

with ISI but the members of the PNB Board of Directors who, incidentally, have in their favor the presumption of regularity in the performance of their official duties and functions, of which the complainant herein, as borne by the record, had failed to overcome or disprove by clear and solid evidence.

The recommendation of Investigator Navales was disapproved by then Ombudsman Aniano A. Desierto. Thereafter, the case was assigned to Special Prosecution Officer I Florita S. Linco (Prosecutor Linco) for review.

In a Memorandum dated 02 May 2000, Prosecutor Linco found that probable cause existed to indict petitioner, among other respondents, and recommended that they be charged with violation of Section 3(e) and (g) of Rep. Act No. 3019. Director Wendell Barreras-Sulit and Special Prosecutor Leonardo P. Tamayo approved Prosecutor Linco's recommendation, while Deputy Special Prosecutor Robert E. Kallos disapproved the same and expressed his concurrence in the resolution of Investigator Navales. Ombudsman Desierto approved Prosecutor Linco's recommendation on 13 October 2000.

Hence, the corresponding eighteen (18) Informations against petitioner and his co-accused for violation of Section 3(e) and (g) of Rep. Act No. 3019, docketed as Criminal Cases No. 26297 to No. 26314, were filed before the Sandiganbayan and were raffled to the Third Division thereof. The eighteen (18) Informations correspond to the nine (9) loan accommodations granted to ISI, each loan being the subject of two informations alleging violations of both paragraphs of Section 3 of Rep. Act No. 3019.

On 26 July 2001, petitioner filed before the Sandiganbayan an Urgent Consolidated Motions for Reinvestigation and Reduction of Bail on the ground that he was not notified of the proceedings conducted in OMB-0-96-0967 and that the notices due him were sent to an erroneous address.

On 31 August 2001, the Sandiganbayan issued an order granting petitioner's motion for reinvestigation. Pursuant thereto, the Office of the Special Prosecutor conducted the reinvestigation of Criminal Cases No. 26297 to No. 26314 through Special Prosecution Officer III Joselito R. Ferrer (Prosecutor Ferrer).

In a memorandum dated 26 February 2003, Prosecutor Ferrer resolved the reinvestigation setting forth the following recommendations:

WHEREFORE, premises considered, it is respectfully recommended that the OSP Review Memorandum[9] dated May 2, 2000 be MODIFIED as follows:

- That accused Panfilo O. Domingo, Domingo G. Ingco, Constantino Bautista, Leticia T. Teodoro, Gregorio Singian, Tomas T. Teodoro and Marfina T. Singian be EXONERATED from any criminal liability in the following Criminal Cases:

(a) Criminal Cases Nos. 26298, 26301-304 and 26306-26314 against all the accused charged therein;

(b) Criminal Case No. 26297 as against accused Panfilo Domingo and Domingo Ingco;

(c) Criminal Case No. 26299 as against accused Constantino Bautista;

(d) Criminal Cases Nos. 26300 and 26305 as against Domingo Ingco and Constantino Bautista;

- That the Informations in Criminal Cases Nos. 26297, 26299-26300 and 26305 be correspondingly amended to conform with the evidence on records.[10]

The recommendations of Prosecutor Ferrer exonerating petitioner and his co-accused of the charges were, however, disapproved by Ombudsman Simeon V. Marcelo.

From the adverse finding of the Ombudsman, petitioner filed before the Sandiganbayan a Motion for Re-determination of Existence of Probable Cause which was denied by the latter in a resolution dated 18 August

2003. Petitioner filed a motion for reconsideration which was eventually denied by the Sandiganbayan in a resolution dated 24 October 2003.

Hence, this petition for certiorari.

Petitioner ascribes to the Sandiganbayan grave abuse of discretion amounting to lack or excess of jurisdiction in issuing the assailed resolution dated 18 August 2003, and order dated 24 October 2003 on the following grounds:

## I

PETITIONER SINGIAN CANNOT BE HELD LIABLE FOR VIOLATING SECTIONS 3(e) AND (g) OF R.A. 3019 BECAUSE NO PROOF WAS EVER ADDUCED TO ESTABLISH THAT THE LOANS SUBJECT OF CRIMINAL CASES NOS. 26297 TO 26314 NOW PENDING WITH THE RESPONDENT SANDIGANBAYAN WERE BEHEST LOANS.

- THE CONTENTION OF THE PROSECUTION THAT THE SUBJECT LOANS WERE UNDERCOLLATERALIZED IS COMPLETELY BELIED BY THE FACT THAT OTHER SECURITIES WERE GIVEN BY ISI IN ADDITION TO THE LAND THAT IT PUT UP AS COLLATERAL.

- THE PROSECUTION'S CLAIM THAT ISI ALLEGEDLY SUFFERED FROM A VERY LOW CAPITAL RATIO OF 6.75% IS BOTH GRATUITOUS AND SELF-SERVING, IN VIEW OF ITS FAILURE TO ADDUCE THE BANKING STANDARD OF ACCEPTABILITY.

## II

THE RULING OF THE RESPONDENT COURT THAT PETITIONER SINGIAN IS CRIMINALLY RESPONSIBLE FOR ISI'S PURPORTED FAILURE TO PUT UP ADDITIONAL CAPITALIZATION AND COLLATERALS IS MANIFESTLY INCONSISTENT WITH ITS FINDING THAT SAID PETITIONER IS NEITHER A STOCKHOLDER NOR A DIRECTOR OF THE COMPANY.

## III

THERE IS NO EVIDENCE THAT PETITIONER WAS PART OF ANY CONSPIRACY RELATIVE TO THE EVALUATION AND GRANT OF THE LOANS SUBJECT OF THE CRIMINAL CASES BEFORE THE RESPONDENT SANDIGANBAYAN.

In dealing with cases of this kind, we have invariably refused to interfere with the discretion of the Ombudsman. The act of the Ombudsman in finding probable cause to indict petitioner is an exercise of his powers based upon constitutional mandate and the courts should not interfere with such exercise, unless clothed with grave abuse of discretion.[11] The rule is based not only upon respect for the investigatory powers granted by the Constitution to the Office of the Ombudsman but upon practicality as well.[12] Otherwise, the functions of the Court will be grievously hampered by innumerable petitions assailing the findings by the Ombudsman with respect to complaints filed before him.[13]

Grave abuse of discretion is the capricious and whimsical exercise of judgment on the part of the public officer concerned which is equivalent to an excess or lack of jurisdiction. The abuse of discretion must be so patent and gross as to amount to an evasion of a positive duty or a virtual refusal to perform a duty enjoined by law, or to act at all in contemplation of law as where the power is exercised in an arbitrary and despotic manner by reason of passion or hostility.[14]

In the same manner, we cannot interfere with the discretion of the Sandiganbayan in finding probable cause against petitioner, absent grave abuse of discretion.

No grave abuse of discretion, as defined, can be attributed to the Ombudsman as well as the Sandiganbayan for the following reasons.

First. As to the first ground, it is petitioner's stance that the primary basis of the prosecution for considering the subject loan transactions as behest loans, which are the subject matters of Criminal Cases No. 26297 to No. 26314, is the fact that the incorporators of the borrower ISI are Francisco J. Teodoro and his clan who are known cronies of the late President Ferdinand E. Marcos. Since his indictment is being essentially premised on the sole allegation that his co-accused Francisco J. Teodoro and the latter's clan were known cronies of President Marcos, which assertion was not substantiated by any evidence by the prosecution, the charges against him should have been dismissed.

Petitioner is being indicted for nine (9) counts each for violation of Section 3(e) and (g) of Rep. Act No. 3019. The elements[15] of the offense defined under Section 3(e) of Rep. Act No. 3019 are the following:

1)

that the accused are public officers or private persons charged in conspiracy with them;

2)

that the prohibited act/s were done in the discharge of the public officer's official, administrative or judicial, functions;

3)

that they cause undue injury to any party, whether Government or a private person;

4)

that such injury is caused by giving any unwarranted benefits, advantage or preference to such party; and

5)

that the public officers acted with manifest partiality, evident bad faith or gross inexcusable negligence.

To be indicted of the offense under Section 3(g) of Rep. Act No. 3019, the following elements[16] must be present:

1)

that the accused is a public officer;

2)

that he entered into a contract or transaction on behalf of the government; and

3)

that such contract or transaction is grossly and manifestly disadvantageous to the government.

Tested against the foregoing elements, it is readily apparent that being a crony of the late President Marcos is neither an indispensable criterion nor an element for the indictment and conviction of the said offenses. In fact, the eighteen (18) Informations subject of the controversy did not allege that petitioner and his co-accused were cronies. The nine (9) indictments[17] for violation of Section 3(e), Rep. Act No. 3019, are similarly worded as follows:

. . . [G]ive unwarranted benefits, advantage and preference to ISI in the amount of (amount of loan), purportedly for (purpose of loan), releasing and disbursing the said sum of (amount of loan) to ISI despite the knowledge that ISI lacked sufficient corporate capitalization to secure the interest of the Government in case of ISI's failure to pay, to the damage and prejudice of the government in the aforestated amount and detriment to public service.

The nine (9) Informations[18] for violation of Section 3(g) which are also similarly worded read:

. . . [W]illfully, unlawfully and criminally enter, on behalf of the government, into a transaction with ISI which is manifestly and grossly disadvantageous to the government, by accommodating and granting a loan of (amount of loan) in favor of ISI as (purpose of the loan) despite its failure to put up additional collaterals and raise its working capital, to secure the interest of the Government in case ISI failed to pay the said loan, as in fact ISI failed to pay, and thereafter released and disbursed the said sum of (amount) to ISI to the damage and prejudice of the government in the aforestated amount and detriment to public service.

Second. Petitioner argues that the loan amounting to U.S. US\$2,500,000.00 is not under collateralized because, in addition to the piece of land valued at P1,646,700.00, ISI likewise offered as securities the joint and several signatures of petitioner and his co-accused, machinery and equipment to be imported under the subject letter of credit, and the assignment of US\$0.50 per pair of shoes to be exported by ISI. Citing the ruling in Presidential Ad Hoc Fact-Finding Committee on Behest Loans v. Desierto,[19] petitioner concluded that because of the failure of complaining witness, Atty. Salvador, to provide the proper valuation for the additional properties as collateral, the prosecution committed a fatal error in asserting that ISI did not have sufficient capital.

The case relied upon by petitioner arose from the investigation of the Committee where it found that the borrower therein, Apparel, applied for an Import Letter of Credit with the PNB in the amount of DM15,000,000.00 (P40,660,114.86) for the importation of machinery, equipment and accessories for a garment factory. The PNB approved the loan less than a month from the filing of the application and without collateral except for a joint and solidary agreement of Francisco Teodoro and Leticia Teodoro and a chattel mortgage on the machinery. The loan remained unpaid. Hence, a complaint was filed with the Ombudsman against those involved in the transaction. The Ombudsman dismissed the complaint, among other reasons, for lack of evidence.

The Committee then filed before this Court a petition for certiorari alleging grave abuse of discretion on the part of the Ombudsman in dismissing the complaint. We upheld the finding of the Ombudsman that there was no probable cause to charge those involved in the loan, and that his resolution was based on substantial evidence, thus:

The Court cannot sustain petitioners' contention that the Ombudsman acted with grave abuse of discretion when he dismissed the charges against respondents herein. The Ombudsman elaborated his reasons for finding that there was no sufficient ground to engender a well-founded belief that respondents violated R.A. No. 3019.

In 1974, when the loan was granted, Apparel's paid up capital was only P3,859,000.00. Thus, petitioners claimed that Apparel was not entitled to the loan. The Committee, however, failed to provide the proper

valuation of all the property and therefore committed error in finding that the loan Apparel obtained did not sufficiently have collateral and capital.

First, the notation of PNB's acting Senior Vice President Jose B. Samson, mentioned in a Memorandum dated May 26, 1982, indicated that the appraised value of the machinery and equipment did not include those still contained in crates. Second, the Terminal Report of the Asset Privatization Trust, dated July 15, 1992, indicated that Apparel had remaining unsold assets, which were under litigation, located in Epza, Bataan.[20] (Emphasis supplied.)

Petitioner's reliance on Presidential Ad Hoc Fact-Finding Committee on Behest Loans v. Desierto[21] is misplaced. In the case at hand, petitioner, in his capacity as Executive Vice President of ISI, affixed his signature and categorically bound himself to said terms and conditions of the Deed of Undertaking imposed by PNB, i.e., to compel the corporation to put up additional capital and collaterals. Despite the failure of ISI to honor the undertaking in the first loan, eight subsequent loan accommodations were granted to it by PNB. These circumstances distinguish the instant case from that cited by petitioner.

Besides, petitioner's averment that the loan transaction in question had sufficient collateral is a matter of defense which should be best ventilated in a full-blown trial.

Third. Petitioner assails the prosecution's allegation that ISI suffered from a very low capital ratio of 6.75% as gratuitous and self-serving. Invoking this Court's ruling in Presidential Ad Hoc Fact-Finding Committee on Behest Loan v. Desierto,[22] he claims that such allegation is not proven considering that the prosecution failed to establish the existence of any acceptable banking standard obtaining at the time the subject loans were evaluated.

Again, the facts obtaining in the case cited by petitioner are different from the instant case because unlike the former case, petitioner herein is being made liable for his participation in the loan transactions based on his signature affixed in the undertaking.

Fourth. Petitioner argues that he cannot be made criminally liable for ISI's failure to put up the additional capitalization and collaterals required by the undertaking because it is not his responsibility, but that of the board of directors of ISI, to comply with the same. As an Executive Vice President of ISI, he has no power to legally compel and cause it to comply with PNB's conditions stipulated in the undertaking. He added that implicit in the Sandiganbayan's finding is that there is no probable cause that has been established against petitioner in Criminal Cases No. 26297 to No. 26314 since the undertaking he signed covers specifically the deferred Letter of Credit for US\$2,500,000.00 subject of Criminal Case No. 26297.

True, the powers to increase capitalization and to offer or give collateral to secure indebtedness are lodged with the corporation's board of directors. However, this does not mean that the officers of the corporation other than the board of directors cannot be made criminally liable for their criminal acts if it can be proven that they participated therein.[23] In the instant case, there is evidence that petitioner participated in the loan transactions when he signed the undertaking. As correctly pointed out by the Sandiganbayan:[24]

. . . [T]he Court finds that although it is true that accused Gregorio Singian, Jr. is not a stockholder or director of Integrated Shoe, Inc. (ISI), the evidence on record, however, shows that aside from the fact that he was the Executive Vice President of Integrated Shoe, Inc. (ISI) during the time material to this case, he also executed a "Deed of Undertaking and Conformity to Bank Conditions" jointly with Francisco J. Teodoro, President of Integrated Shoe, Inc. and other officers of the corporation namely: Marfina T. Singian, Leticia T. Teodoro, Tomas T. Teodoro in connection with the application and granting by the PNB of a five year confirmed irrevocable, deferred loan Letter of Credit for US \$2,500,000.00 (P16,287,500.00) in favor of the Integrated Shoe, Inc. (ISI), which loan remained unpaid by ISI.

A careful reading of the resolution of the respondent court reveals that it never mentioned that the undertaking was the only evidence that led it to its pronouncement that there exists probable cause against petitioner. In fact, the circumstances surrounding the granting of the first loan for US\$2,500,000.00 which is subject matter of Criminal Case No. 26297 and the subsequent loan transactions which are the subject matters of Criminal Cases No. 26298 to No. 26314 appear at first blush to be connected with each other and form part of the whole design to prejudice the government.

Fifth. It is petitioner's view that the prosecution failed to adduce evidence that he took part in any conspiracy relative to the grant of the loan transactions. Suffice it to state that the alleged absence of any conspiracy among the accused is evidentiary in nature and is a matter of defense, the truth of which can be best passed upon after a full-blown trial on the merits.[25]

In sum, the Ombudsman and the Sandiganbayan were far from being abusive of their discretions. On the contrary, their findings were based on evidence extant in the records. In finding probable cause against petitioner, there was no grave abuse of discretion committed so as to call for the exercise of our supervisory powers over them. This Court is not a trier of facts.[26] As long as there are substantial evidence in support of the Ombudsman and the Sandiganbayan's decisions, these decisions will not be overturned.[27]

WHEREFORE, premises considered, the instant petition is hereby DISMISSED for lack of merit. No costs.

**SO ORDERED.**

Puno, (Chairman), Austria-Martinez, Callejo, Sr., and Tinga, JJ., concur.

[1] Rollo, pp. 37-40. Penned by Associate Justice Godofredo L. Legaspi with Associate Justices Raoul V. Victorino and Norberto Y. Geraldez, concurring.

[2] Rollo, p. 104.

[3] Ibid.

[4] Rollo, p. 250.

[5] Rollo, pp. 81-83.

[6] Rollo, pp. 105-106.

[7] Memorandum 61 dated 9 November 1992 lays down the following criteria of a "behest loan": 1) the loan was undercollateralized; 2) the borrower corporation was undercapitalized; 3) a direct or indirect endorsement by a high government official, like the presence of marginal notes; 4) the stockholders, officers or agents of the borrower corporation were identified to be cronies; 5) a deviation of the loan from the purpose intended; 6) the use of corporate layering; 7) the non-feasibility of the project; and 8) an unusual speed in releasing the loan.

[8] Rollo, p. 101.

[9] Rollo, pp. 200-217.

[10] Rollo, p. 216.

[11] Young v. Office of the Ombudsman, G.R. No. 110736, 27 December 1993, 228 SCRA 718; Ocampo, IV v. Ombudsman, G.R. Nos. 103446-47, 30 August 1993, 225 SCRA 725.

[12] Ibid.

[13] Ibid.

[14] Perez v. Office of the Ombudsman, G.R. No. 131445, 27 May 2004, 429 SCRA 357.

[15] Cruz v. Sandiganbayan, G.R. No. 134493, 16 August 2005, citing Ingco v. Sandiganbayan, G.R. No. 112584, 23 May 1997, 272 SCRA 563; Bautista v. Sandiganbayan, et al., G.R. No. 136082, 12 May 2000, 332 SCRA 126; Cabrera, et al. v. Sandiganbayan, et al., G.R. Nos. 162314-17, 25 October 2004, 441 SCRA 377.

[16] Sajul v. Sandiganbayan, G.R. No. 135294, 20 November 2000, 345 SCRA 248; Dans v. People, G.R. No. 127073, 29 January 1998, 285 SCRA 504.

[17] Rollo, pp. 130-132, 136-138, 142-144, 148-150, 154-156, 160-162, 166-168, 172-174, 178-180.

[18] Rollo, pp. 127-129, 133-135, 139-141, 145-147, 151-153, 157-159, 163-165, 169-171, 175-177.

[19] G.R. No. 135482, 14 August 2001, 362 SCRA 721.

[20] Id., pp. 728-729.

[21] Ibid., note 19.

[22] G.R. No. 137777, 02 October 2001, 366 SCRA 428.

[23] People v. Tan Boon Kong, 54 Phil. 607 (1930).

[24] Rollo, p. 38.

[25] Rodrigo, et al. v. Sandiganbayan, G.R. No. 125498, 18 February 1999, 303 SCRA 309.

[26] Morong Water District v. Office of the Deputy Ombudsman, G.R. No. 116754, 17 March 2000, 328 SCRA 363.

[27] Tan v. Office of the Ombudsman, G.R. Nos. 114332 & 114895, 10 September 1998, 295 SCRA 315, citing Olivarez v. Ombudsman, G.R. No. 118533, 04 October 1995, 248 SCRA 700.

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