



SUPREME COURT OF THE PHILIPPINES
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Republic of the Philippines
Supreme Court
Manila

EN BANC

OFFICE OF THE COURT
ADMINISTRATOR,

A.M. No. RTJ-12-2337
[Formerly A.M. No. 12-10-224-RTC]

Complainant,

Present:

- versus -

PERALTA, C.J.,
PERLAS-BERNABE,
LEONEN,
CAGUIOA,
GESMUNDO,
REYES, J., JR.,
HERNANDO,
CARANDANG,
LAZARO-JAVIER,
INTING,
ZALAMEDA,
LOPEZ,
DELOS SANTOS, and
GAERLAN,* JJ.

HON. MARILYN B. LAGURA-YAP,
FORMER PRESIDING JUDGE,
BRANCH 28, REGIONAL TRIAL
COURT, MANDAUE CITY, CEBU
(NOW ASSOCIATE JUSTICE OF
THE COURT OF APPEALS),

Promulgated:

Respondent.

June 23, 2020

X-----X

DECISION

PER CURIAM:

This is an administrative complaint against Hon. Marilyn B. Lagura-Yap, Associate Justice of the Court of Appeals, in her capacity as then Presiding Judge, Branch 28, Regional Trial Court (RTC), Mandaue City, Cebu, for gross inefficiency and incompetence for failing to decide cases within the reglementary period to decide, and for dishonesty for her failure to

* On leave.

indicate in her application for the position of Associate Justice of the Court of Appeals her caseload and/or cases submitted for decision, and to accurately and truthfully reflect the actual number of cases submitted for decision in the Monthly Report of Cases submitted to the Office of the Court Administrator (OCA).

To recapitulate, Hon. Lagura-Yap filed her application for the position of Associate Justice of the Court of Appeals on September 20, 2011 with the Judicial and Bar Council (JBC). Subsequently, on February 24, 2012, Hon. Lagura-Yap was appointed as Associate Justice of the Court of Appeals. She then requested for the issuance of a Certificate of Clearance. On July 30, 2012, Atty. Tranne Lee Digao-Ferrer, Branch Clerk of Court, Branch 28, RTC, Mandaue City, Cebu, issued a Certification which enumerated the one hundred thirty-four (134) pending cases submitted for decision during her stint as presiding judge of Branch 28, RTC, Mandaue City, Cebu.¹

Thus, in its Memorandum Report² dated October 17, 2012, the OCA averred that Hon. Lagura-Yap neither requested for additional time to decide the subject cases nor did she give a valid reason regarding the non-resolution of the said pending cases. Consequently, the OCA withheld the processing of Hon. Lagura-Yap's application for clearance.

The OCA likewise stated that in the nomination letter dated November 28, 2011 issued to Hon. Lagura-Yap, she was reminded of A.M. No. 04-5-19-SC which requires that before she could take her oath of office and assume her new responsibilities, she should submit a certification manifesting that she had decided or disposed of the cases assigned to her in her previous position. However, Hon. Lagura-Yap still failed to submit the required certification, and just took her oath of office and assumed her new responsibilities without resolving all the cases submitted for decision in Branch 28, RTC, Mandaue City, Cebu.³

Thus, considering Hon. Lagura-Yap's administrative liability arising from her failure to decide pending cases submitted for resolution prior to her promotion, the OCA recommended to the Court that (a) the matter be re-docketed as a regular administrative matter against Hon. Lagura-Yap, former Presiding Judge, Branch 28, RTC, Mandaue City, Cebu; (b) she be imposed a fine in the amount of One Hundred Thousand Pesos (P100,000.00) for gross inefficiency for her failure to decide one hundred twenty-eight (128) cases submitted for decision within the reglementary period prior to her promotion;

¹ *Rollo*, p. 12.

² *Id.* at 1-10.

³ *Id.* at 10.

and (c) she be admonished to be more circumspect in the performance of her sworn duty.⁴

On November 26, 2012, in a Resolution,⁵ the Court, upon the recommendation of the OCA, resolved to re-docket this matter as a regular administrative matter against Hon. Lagura-Yap.

Subsequently, in a Resolution⁶ dated March 13, 2013, the Court directed the OCA to:

1) Investigate further whether or not the respondent, in her application to the position of Associate Justice of the Court of Appeals filed before the Judicial and Bar Council, failed to indicate her case load and/or cases submitted for decision that were pending before her court at the time of her application.

2) Investigate further if respondent filed a true and accurate monthly report to the OCA with respect to the status of pending cases and cases submitted for decision before her court prior to and at the time of her application to the position of Associate Justice of the Court of Appeals.

3) Make a report on such findings, together with its recommendation, within ten (10) days from receipt of this Resolution.⁷

Thus, in compliance with the Court's Resolution, the OCA organized a team to conduct a judicial audit and physical inventory of pending cases, including cases submitted for decision and cases with unresolved/pending motions, in Branch 28, RTC, Mandaue City, Cebu.

Thereafter, based on the team's audit report, it was discovered that there were one hundred thirty-three (133) criminal cases and thirty-five (35) civil cases submitted for decision in Branch 28, RTC, Mandaue City, Cebu, before Hon. Lagura-Yap's promotion. There were one (1) criminal case with an unresolved motion filed on January 22, 2010 and five (5) civil cases with pending motions, the earliest of which was filed on September 6, 2011. Many of those cases were later decided/resolved by then Acting Presiding Judges Raphael B. Yrastorza and Sylva G. Aguirre-Paderanga.

The complete list of cases submitted for decision and incidents submitted for resolution before Hon. Lagura-Yap while she was yet the Presiding Judge of Branch 28, RTC, Mandaue City, Cebu, is as follows:

⁴ *Id.*

⁵ *Id.* at 16.

⁶ *Id.* at 18-18A.

⁷ *Id.* at 18.

CRIMINAL CASES
SUBMITTED FOR DECISION

CASE NO.	ACCUSED	NATURE	LATEST COURT ACTION
DU - 8168	Duran	Rape	<p>Order dated Jan. 12, 2005 (Judge Yap), the exhibits formally offered by Pros. Carisma are admitted.</p> <p>Judgment was rendered in June 2012 by Judge Yratorza. (There was no date indicated in the Decision and information was received that Judge Yratorza personally encodes his Decisions)</p> <p>Original records were forwarded to the Court of Appeals, Cebu, in an Order dated July 9, 2012.</p>
DU - 12826	Gabuya, et al.	Theft	<p>Order dated Mar. 3, 2007 (Judge Yap), directing the parties to simultaneously submit their Memorandum 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>PAO's Ex-Parte Motion to Submit Case for Decision dated July 31, 2012</p> <p>Judgment was rendered on Dec. 18, 2012 by Judge Yratorza.</p>
DU - 12265	Ramsey Pabular (Ramsey Patricio)	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated March 24, 2008 (Judge Yap), directing the parties to simultaneously submit their respective Memorandum 5 days upon receipt of the Order.</p> <p>Memorandum (Accused) filed on Jan. 28, 2010.</p> <p>Order dated June 22, 2010 (Judge Yap), case was submitted for decision.</p>

			Judgment was rendered on Feb. 25, 2013 by Judge Yrastorza.
DU - 7541	Batulan	Viol. of Sec. 16, Art. III, RA 6425 as amended	Order dated Apr. 9, 2008 (Judge Yap), the Prosecution and the Defense were required to simultaneously submit their respective Memorandum 30 days from receipt of the Order. No Memorandum filed. Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision. Judgment was rendered on July 17, 2012 by Judge Yrastorza.
DU - 9554	Roliger Casip	Viol. of Sec. 11, Art. II, RA 9165	Joint Order dated Apr. 10, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum 30 days from receipt of the Order. No Memorandum was filed. Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision. Joint Judgment was rendered on Aug. 13, 2012 by Judge Yrastorza.
DU - 9555	Frederick Bojos	Viol. of Sec. 5, Art. II, RA 9165	Joint Order dated Apr. 10, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum 30 days from receipt of the Order. No Memorandum filed. Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision. Joint Judgment was rendered on Aug. 13, 2012 by Judge Yrastorza.

DU - 11013	Alabastro, et al.	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated May 5, 2008 (Judge Yap), parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 22, 2010 (Judge Yap), case was deemed submitted for decision.</p>
DU - 10743	Mahinay	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated May 7, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum on file.</p> <p>Order dated June 21, 2010 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Oct. 22, 2012 by Judge Yrastorza.</p>
DU - 6436	Ermac, et al.	Viol. of Sec. 8, Art. II, RA 6425	<p>Joint Order dated May 14, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum 30 days from x x x date of Order.</p> <p>No Memorandum filed.</p> <p>Order dated Oct. 1, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on July 16, 2012 by Judge Yrastorza.</p>
DU - 6437	Ermac, et al.	Viol. of Sec. 16, Art. III, RA 6425	<p>Joint Order dated May 14, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p>

			<p>No Memorandum filed.</p> <p>Order dated Oct. 1, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on July 16, 2012 by Judge Yrastorza.</p>
DU - 10926	Pono	Viol. of Sec. 15, Art. II, RA 9165	<p>Order dated May 19, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Decision was rendered on Aug. 8, 2012 (promulgated on Aug. 14, 2012) by Judge Yrastorza.</p>
DU - 11181	Magtagnob	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated May 19, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 21, 2010 (Judge Yap), case was deemed submitted for decision.</p> <p>Joint Judgment was rendered on Aug. 7, 2012 by Judge Yrastorza.</p>
DU - 11182	Magtagnob	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated May 19, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order.</p> <p>No Memorandum filed.</p>

			<p>Order dated June 21, 2010 (Judge Yap), case was deemed submitted for decision.</p> <p>Joint Judgment was rendered on Aug. 7, 2012 by Judge Yrastorza.</p>
DU - 10481	Comendador	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated May 26, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order. With or without the memoranda, these cases will be decided upon by the court.</p> <p>Memorandum (Accused) filed on Jan. 8, 2009</p> <p>Order dated June 24, 2009 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Aug. 7, 2012 by Judge Yrastorza.</p>
DU - 10482	Comendador	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated May 26, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order. With or without the memoranda, these cases will be decided upon by the court.</p> <p>Memorandum (Accused) filed on Jan. 8, 2009</p> <p>Order dated June 24, 2009 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Aug. 7, 2012 by Judge Yrastorza.</p>
DU - 9362	Saladaga, et al.	Murder	<p>Order dated July 16, 2008 (Judge Yap), the parties were required to simultaneously submit their respective</p>

			<p>Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 21, 2010 (Judge Yap), case was deemed submitted for decision.</p> <p>Judgment was rendered on July 3, 2012 by Judge Yrastorza.</p>
DU - 10515	Agujar, et al.	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Aug. 5, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 [days] from date of Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Sept. 19, 2012 by Judge Yrastorza.</p>
DU - 10516	Agujar, et al.	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated Aug. 5, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Sept. 19, 2012 by Judge Yrastorza.</p>
DU - 13124	Lungtad	Viol. of Sec. 11, RA 9165	<p>Joint Order dated Sept. 1, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>

			<p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Sept. 19, 2012 by Judge Yrastorza.</p>
DU - 13125	Lungtad	Viol. of Sec. 12, RA 9165	<p>Joint Order dated Sept. 1, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Sept. 19, 2012 by Judge Yrastorza.</p>
DU - 8686	Bigkas	Murder	<p>Order dated Sept. 3, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 29, 2009 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on July 2, 2012 by Judge Yrastorza.</p>
DU - 13478	Altabarino, et al.	Theft	<p>Order dated Sept. 8, 2008 (Judge Yap), parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p>

DU - 13750	Rafols	Robbery	<p>Order dated September 22, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Dec. 28, 2013 by Judge Paderanga. It was promulgated on January 17, 2013.</p>
DU - 10083	Sasing	Viol. of Sec. 11(3), Art. II, RA 9165	<p>Order dated Oct. 8, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Aug. 28, 2012 by Judge Yrastorza. It was promulgated on Sept. 19, 2012.</p>
DU - 10507	Juvy Mandaue	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated Oct. 13, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>Joint Memorandum (accused) filed on Nov. 26, 2008</p> <p>Joint Order dated June 21, 2010 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on July 31, 2012 by Judge Yrastorza.</p>

DU - 10508	Juvy Mandaue	Viol. of Sec. 11, Art. II, RA 9165. Amended information filed on Nov. 7, 2003	<p>Joint Order dated Oct. 13, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order.</p> <p>Joint Memorandum (Accused) filed on Nov. 26, 2008.</p> <p>Joint Order dated June 21, 2010 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on July 31, 2012 by Judge Yrastorza.</p>
DU - 11913	Romero	Murder	<p>Order dated Oct. 14, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 21, 2010 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on June 25, 2012 by Judge Yrastorza. It was promulgated the following day.</p>
DU - 13400	Calinawan	Slight Physical Injuries	<p>Order dated Oct. 22, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 10, 2010 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Aug. 13, 2012 by Judge Yrastorza. It was promulgated on Aug. 28, 2012.</p>

DU - 10909	Maglasang, et al.	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated Nov. 10, 2008, the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Jan. 21, 2012 by Judge Yrastorza. There is apparent typographical error in the year the decision was rendered. It should be Jan. 21, 2013 and not Jan. 21, 2012.</p>
DU - 10910	Maglasang, et al.	Viol. of Sec. 12, Art. II, RA 9165	<p>Order dated Nov. 10, 2008, the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Jan. 21, 2012 by Judge Yrastorza. There is apparent typographical error in the year the decision was rendered. It should be Jan. 21, 2013 and not Jan. 21, 2012.</p>
DU - 10911	Maglasang	Viol. of Sec. 15, Art. 11, RA 9165	<p>Order dated Nov. 10, 2008, the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p>

			<p>Joint Judgment was rendered on Jan. 21, 2012 by Judge Yrastorza. There is apparent typographical error in the year the decision was rendered. It should be Jan. 21, 2013 and not Jan. 21, 2012.</p>
DU - 10912	Maglasang	Viol. of Sec. 12, Art. 11, RA 9165	<p>Order dated Nov. 10, 2008, the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Jan. 21, 2012 by Judge Yrastorza. There is apparent typographical error in the year the decision was rendered. It should be Jan. 21, 2013 and not Jan. 21, 2012.</p>
DU - 11037	Mansueto, et al.	Viol. of Sec. 5, Art. 11, RA 9165	<p>Order dated Nov. 11, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Jan. 29, 2013 by Judge Yrastorza.</p>
DU - 10789	Valiente	Murder	<p>Order dated Dec. 3, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>

			<p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Decision was rendered on June 25, 2012 by Judge Yrastorza. It was promulgated on June 26, 2012.</p>
DU - 10790	Valiente	Murder	<p>Order dated Dec. 3, 2008 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Decision was rendered on June 25, 2012 by Judge Yrastorza. It was promulgated on June 26, 2012.</p>
DU - 11129	Abe	Rape	<p>Order dated Jan. 14, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on July 23, 2012 by Judge Yrastorza.</p>
DU - 13573	Heyrosa	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Jan. 22, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 22, 2010 (Judge Yap), case was submitted for decision.</p>

DU - 6574	Boctor, et al.	Viol. of Sec. 8, Art. II, RA 6425	<p>Order dated Feb. 9, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>Memorandum (Accused Hibionada) filed on March 20, 2000.</p> <p>Order dated Feb. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Jan. 14, 2013 by Judge Yrastorza.</p>
DU - 6575	Boctor, et al.	Viol. of Sec. 16, Art. III, RA 6425	<p>Order dated Feb. 9, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>Memorandum (Accused Hibionada) filed on March 20, 2000. (sic)</p> <p>Order dated Feb. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Jan. 14, 2013 by Judge Yrastorza.</p>
DU - 9498	Pareja	Viol. of Sec. 16, Art. III, RA 6425	<p>Order dated Feb. 18, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Aug. 7, 2012 by Judge Yrastorza.</p>

DU - 10493	Magallon	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Jan. 20, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>Memorandum (Accused) filed on Feb. 20, 2009</p> <p>Order dated June 22, 2010 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Nov. 26, 2012 by Judge Yrastorza.</p>
DU - 10776	Flores	Viol. of Sec. 5, Art. II, RA 9165	<p>Joint Order dated Feb. 24, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>No memorandum filed.</p> <p>Joint Order dated June 22, 2010 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Aug. 13, 2012 by Judge Yrastorza.</p>
DU - 10777	Flores	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Feb. 24, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>No memorandum filed.</p> <p>Joint Order dated June 22, 2010 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Aug. 13, 2012 by Judge Yrastorza.</p>

DU - 9254	Ampaso	Viol. of Sec. 16, Art. III, RA 6425	<p>Order dated Mar. 11, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Jan. 21, 2013 (Judge Yrastorza).</p>
DU - 10962	Piamonte, et al.	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Mar. 19, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 22, 2010 (Judge Yap), case was submitted for decision.</p> <p>Order dated May 21, 2012 (Judge Yrastorza), case against accused Piamonte is hereby dismissed (Death).</p>
DU - 14309	Cortes	Estafa	<p>Order dated Mar. 31, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Motion for resolution (accused) Sept. 27, 2010.</p> <p>Order dated Jan. 5, 2011, (Judge Yap), case was submitted for decision.</p> <p>Reiterated motion for resolution Mar. 27, 2012</p>
DU - 12468	Colina, et al.	Viol. of RA 6539	<p>Order dated Mar. 16, 2009 (Judge Yap), the parties were required to simultaneously</p>

			<p>submit their respective Memorandum within 30 days upon receipt of the Order.</p> <p>Memorandum for accused filed Apr. 17, 2009</p> <p>Order dated June 22, 2010 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Sept. 10, 2012 by Judge Yrastorza. It was promulgated on Sept. 19, 2012.</p>
DU - 7843	Tolo, et al.	Viol. of Sec. 16, Art. III, RA 6425	<p>Order dated July 6, 2009 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Aug. 6, 2012 by Judge Yrastorza. It was promulgated on Aug. 7, 2012.</p>
DU - 9206	Verallo, et al.	Murder	<p>Order dated July 8, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 21, 2011 (Judge Yap), case was submitted for decision.</p> <p>Decision was rendered on July 9, 2012 by Judge Yrastorza.</p>
DU - 7960	Abellanos	Viol. of Sec. 15, Art. III, RA 6425	<p>Order dated Aug. 26, 2009 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Oct. 8, 2012 by Judge Yrastorza. Decision was amended on the same date Oct. 8, 2012.</p>
DU - 9493	Atay	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated March 10, 2008 (Judge Yap), the parties were required to simultaneously submit their respective</p>

			<p>Memorandum within 30 days from receipt of the Order.</p> <p>Memorandum (Defense) filed [on] May 5, 2009</p> <p>Expanded Memorandum (defense) filed on Sept. 1, 2009</p> <p>Order dated Feb. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Jan. 22, 2013 by Judge Yrastorza.</p>
DU - 10728	Burdadora	Carnapping	<p>Order dated Sept. 22, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment rendered on Dec. 17, 2012 by Judge Yrastorza.</p>
DU - 13481	Sampan	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Oct. 5, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013</p>
DU - 10551	Pepito, et al.	Viol. of Sec. 15, Art. II, RA 9165	<p>Joint Order dated Oct. 13, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum</p>

			<p>within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p>
DU - 10554	Pepito, et al.	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated Oct. 13, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p>
DU - 14146	Daligdig, Sr.	Murder	<p>Order dated Oct. 22, 2009 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on July 9, 2012 by Judge Yrastorza.</p>
DU - 12473	Licaroz	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated Oct. 7, 2009 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>Memorandum (Accused) filed on Nov. 18, 2009.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment rendered on Aug. 28, 2012 by Judge Yrastorza.</p>
DU-17443A	Barazan	Viol. of Art. 179, RPC (Appeal)	<p>Memorandum (Accused) filed on Nov. 18, 2009</p>
DU - 8357	Mahinay	Murder	<p>Order dated Dec. 2, 2009 (Judge Yap), the parties were required to simultaneously submit their respective</p>

			<p>Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Mar. 2, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on July 24, 2012 by Judge Yrastorza.</p>
DU-17438-A	Ruiz	Estafa (Appeal)	<p>Order dated October 29, 2009 (Judge Yap), accused given an additional period of 30 days from Nov. 8, 2009 to December 9, 2009 to submit memorandum.</p> <p>Memorandum (accused) filed on Dec. 12, 2009</p>
DU-17336A	Ymbong, et al.	Estafa (Appeal)	<p>Appeal Memorandum (Private Complainant) filed on Nov. 17, 2009</p> <p>Appeal Memorandum (Accused-Appellant) filed on April 28, 2010</p>
DU-17957A	Antonio Siao In Hok	BP 22 (Appeal)	<p>Memorandum (Appellant) filed on May 17, 2010</p> <p>Resolution dated Sept. 19, 2012, appeal is dismissed by Judge Yrastorza.</p>
DU - 10994	Pilar	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Oct. 27, 2009 (Judge Yap), the case as to Petitioner who had already waived the right to present evidence was deemed submitted for decision.</p> <p>Joint Order dated Feb. 22, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>

			<p>Joint Order dated Feb. 27, 2011 (Judge Yap), case was submitted for decision</p> <p>Joint Judgment was rendered on Feb. 11, 2013 by Judge Yrastorza.</p>
DU - 11034	Demape	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Oct. 27, 2009 (Judge Yap), the case as to Petitioner who had already waived the right to present evidence was deemed submitted for decision.</p> <p>Joint Order dated Feb. 22, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Feb. 27, 2011 (Judge Yap), case was submitted for decision</p> <p>Joint Judgment was rendered on Feb. 11, 2013 by Judge Yrastorza.</p>
DU - 10766	Antolijao	Viol. of Sec. 5, Art. II, RA 9165	<p>Joint Order dated Feb. 24, 2010 (Judge Yap), parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Dec. 4, 2012 by Judge Yrastorza. The Decision was promulgated on Dec. 17, 2012.</p>
DU - 10767	Antolijao	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Feb. 24[,] 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum</p>

			<p>within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Judgment was rendered on Dec. 4, 2012 by Judge Yrastorza. The Decision was promulgated on Dec. 17, 2012.</p>
DU - 12447	Camsali	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Jan. 20, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Mar. 1, 2013 by Judge Paderanga. It was promulgated on March 12, 2013.</p>
DU - 10964	Ouano	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Feb. 4, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Judgment was rendered on Jan. 28, 2013 by Judge Yrastorza.</p>
DU - 11008	Barrientos, et al.	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Feb. 25, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>

			<p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Decision was rendered on Mar. 22, 2013 by Judge Paderanga.</p>
DU - 11009	Barrientos	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated Feb. 25, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Mar. 22, 2013 by Judge Paderanga.</p>
DU - 11038	Zulieta	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated Mar. 2, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision</p> <p>Judgment was rendered on Mar. 18, 2013 by Judge Yrastorza.</p>
DU - 13579	Tayong	Murder	<p>Order dated Mar. 11, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p>

			Judgment was rendered on July 17, 2012 by Judge Yrastorza.
DU - 13953	Macalipay, Jr.	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Mar. 25, 2010 (Judge Yap), the court found that accused had waived his right to present evidence to prove his innocence; case was submitted for decision.</p> <p>Joint decision was rendered on Aug. 28, 2012 by Judge Yrastorza. There was a typographical error on the date of decision.</p>
DU - 13954	Macalipay, Jr.	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated Mar. 25, 2010 (Judge Yap), the court found that accused had waived his right to present evidence to prove his innocence; case was submitted for decision.</p> <p>Joint decision was rendered on Aug. 28, 2012 by Judge Yrastorza. There was a typographical error on the date of decision.</p>
DU - 13454	Dacuyan	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated April 12, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on Jan. 10, 2013 by Judge Paderanga.</p>
DU - 11144	Cabido	Viol. of Sec. 5, Art. II, RA 9165	<p>Joint Order dated Apr. 26, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p>

			<p>No Memorandum filed.</p> <p>Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013.</p>
DU - 11145	Cabido	Viol. of Sec. 6, Art. II, RA 9165	<p>Joint Order dated Apr. 26, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision</p> <p>Joint Decision was rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013.</p>
DU - 11146	Cabido	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated Apr. 26, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013.</p>
DU - 11147	Cabido	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated Apr. 26, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum</p>

			<p>within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013.</p>
DU - 11148	Cabido	Viol. of Sec. 7, Art. II, RA 9165	<p>Joint Order dated Apr. 26, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013.</p>
DU - 11149	Cabido	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated Apr. 26, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013.</p>
DU - 12224	Cabido	Viol. of Sec. 15, Art. II, RA 9165	<p>Joint Order dated Apr. 26, 2010 (Judge Yap), the parties were required to simultaneously submit their</p>

			<p>respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Order dated Jan. 10, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Jan. 10, 2013 by Judge Paderanga. It was promulgated on Jan. 24, 2013.</p>
DU - 10942	Inoc	Violation of Sec. 11, Art. II, RA 9165	<p>Order dated May 5, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 27, 2011 (Judge Yap), case was submitted for decision.</p> <p>Order March 1, 2013, case was dismissed provisionally by Judge Paderanga.</p>
DU - 10940	Lauron	Viol. of Sec. 12, Art. II, RA 9165	<p>Order dated May 5, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 27, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint decision was rendered on Feb. 1, 2013 by Judge Paderanga. It was promulgated on February 15, 2013</p>
DU - 10941	Lauron	Viol. of Sec. 12, Art. II, RA 9165	<p>Order dated May 5, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p>

			<p>No Memorandum filed.</p> <p>Order dated June 27, 2011 (Judge Yap), case was submitted for decision.</p> <p>Joint Decision was rendered on Feb. 1, 2013 by Judge Paderanga. It was promulgated on February 15, 2013</p>
DU - 15312	Daan, et al.	Theft	<p>Order dated June 8, 2010 (Judge Yap), case was submitted for decision.</p>
DU - 13927	Maloloy-on	Viol. of Sec. 5, Art. II, RA 9165	<p>Joint Order dated June 28, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Aug. 14, 2012 by Judge Yrastorza.</p>
DU - 13928	Maloloy-on	Viol. of Sec. 11, Art. II, RA 9165	<p>Joint Order dated June 28, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Aug. 14, 2012 by Judge Yrastorza.</p>
DU - 13929	Maloloy-on	Viol. of Sec. 12, Art. II, RA 9165	<p>Joint Order dated June 28, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>

			Joint Judgment was rendered on Aug. 14, 2012 by Judge Yrastorza.
DU - 14694	Carolasan	Viol. [of] Sec. 5, Art. II, RA 9165	Order dated June 28, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed. Order dated Jan. 7, 2011 (Judge Yap), case was submitted for decision. Judgment was rendered on Dec. 28, 2012 by Judge Paderanga.
DU - 10273	Tumabini	Viol. of Sec. 11, Art. II, RA 9165	Order dated July 14, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed. Order dated Feb. 10, 2011 (Judge Yap), case was submitted for decision. Joint Judgment was rendered on Oct. 15, 2012 by Judge Yrastorza.
DU - 10274	Tumabini	Viol. of Sec. 12, Art. II, RA 9165	Order dated July 14, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed. Order dated Feb. 10, 2011 (Judge Yap), case was submitted for decision. Joint Judgment was rendered on Oct. 15, 2012 by Judge Yrastorza.

DU16802-A DU16803-A	Quisumbing, et al.	BP 22 (Appeal)	<p>Notice dated Jan. 30, 2009, requiring the parties to submit memorandum within 15 days from receipt.</p> <p>Memorandum (Accused) filed on April 2, 2009</p> <p>Supplemental Memorandum filed on July 21, 2010</p>
DU - 13696	Bito, et al.	Robbery	<p>Order dated Aug. 2, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>
DU - 8232	Tumayao, et al.	Murder	<p>Order dated Aug. 11, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Order dated June 27, 2011 (Judge Yap), case was submitted for decision.</p> <p>Judgment was rendered on July 23, 2012 by Judge Yrastorza.</p>
DU - 13595	Gulfan	Theft	<p>Order dated Aug. 17, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Judgment was rendered on April 29, 2013, 2012 (<i>sic</i>) by Judge Yrastorza.</p>
DU - 14675	Escalona	Sec. 11, Art. II, RA 9165	<p>Order dated Sept. 2, 2010 (Judge Yap), the parties were required to simultaneously submit their respective</p>

			<p>Memorandum within 30 days from receipt of the Order.</p> <p>Memorandum (Accused) filed on Oct. 4, 2010</p> <p>Order dated Feb. 10, 2011 (Judge Yap), case was submitted for decision.</p>
DU - 14900	Avila	Acts of Lasciviousness in relation to RA 7610	Order dated Oct. 21, 2010 (Judge Yap), case was submitted for decision.
DU - 12320	Pilapil	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated Oct. 27, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Judgment was rendered on Feb. 25, 2013 by Judge Yrastorza.</p>
DU - 14317	Bacusmo	Murder	<p>Order dated October 11, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>Memorandum (Accused) filed on Nov. 8, 2010</p> <p>Judgment was rendered on Apr. 30, 2013 by Judge Paderanga and promulgated on May 2, 2013.</p>
DU - 12463	Trangia	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated Nov. 24, 2010 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Judgment was rendered on Mar. 4, 2013 by Judge Yrastorza.</p>

DU - 10908	Tabotabo	Viol. of Sec. 11, Art. II, RA 9165	Order dated Jan. 13, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed. Decision was rendered on Mar. 18, 2013 by Judge Yrastorza.
DU - 13202	Tolo	Viol. of Sec. 5, Art. II, RA 9165	Order dated Jan. 26, 2011 (Judge Yap), the parties were x x x required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed. Judgment was rendered on Mar. 4, 2013 by Judge Yrastorza.
DU - 13986	Pescador	Attempted Murder	Order dated Feb. 10, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed.
DU - 13821	Lapaceros	Estafa	Order dated Feb. 10, 2011 (Judge Yap), case was submitted for decision. Judgment was rendered on Aug. 28, 2012 by Judge Yrastorza. It was promulgated on September 4[,] 2012.
DU - 11170	Oliverio	Viol. of Sec. 11, Art. II, RA 9165	Order dated Feb. 24, 2011 (Judge Yap), case was submitted for decision. Decision was rendered on Feb. 7, 2013 by Judge Paderanga. It was promulgated on Feb. 21, 2013
DU - 12232	Mendoza	Viol[.] of RA 6539	Order dated Mar. 7, 2011 (Judge Yap), the parties were required to simultaneously

			<p>submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint decision was rendered on Feb. 7, 2013 by Judge Paderanga.</p>
DU - 12294	Mendoza	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated Mar. 7, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint decision was rendered on Feb. 7, 2013 by Judge Paderanga.</p>
DU - 12295	Mendoza	Viol. of Sec. 12, Art. II, RA 9165	<p>Order dated Mar. 7, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint decision was rendered on Feb. 7, 2013 by Judge Paderanga.</p>
DU - 15497	Regencia, et al.	RA 8294 (Paltik)	<p>Order dated Mar. 14, 2011 (Judge Yap), case was considered submitted for decision.</p> <p>Judgment was rendered on Sept. 19, 2012 by Judge Yrastorza</p>
DU - 13425	Alutaya, et al.	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Mar. 15, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>

			Joint decision was rendered on Feb. 7, 2013 by Judge Paderanga.
DU - 13426	Alutaya, et al.	Viol. of Sec. 5, Art. II, RA 9165	Order dated Mar. 15, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed. Joint decision was rendered on Feb. 7, 2013 by Judge Paderanga.
DU - 15358	Marababol	Sec. 11, Art. II, RA 9165	Order dated Mar. 15, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed.
DU - 9742	Mondares, et al.	Viol. of Sec. 6, Art. II, RA 9165	Order dated Apr. 18, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed.
DU - 10539	Obrero	Viol. of Sec. 11, Art. II, RA 9165	Order dated Apr. 28, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of this Order. No Memorandum filed. Joint Judgment was rendered on Nov. 27, 2012 by Judge Yrastorza.
DU - 10540	Obrero	Viol. of Sec. 5, Art. II, RA 9165	Order dated Apr. 28, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.

			<p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Nov. 27, 2012 by Judge Yrastorza.</p>
DU - 10541	Obrero	Viol. of Sec. 11, Art. II, RA 9165	<p>Order dated Apr. 28, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Nov. 27, 2012 by Judge Yrastorza</p>
DU - 12489	Polinar	Viol. of Sec. 5, Art. II, RA 9165	<p>Order dated Mar. 30, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>Memorandum (Accused) filed on May 2, 2011</p> <p>Judgment was rendered on Mar. 1, 2013 (promulgated on March 14, 2013) by Judge Paderanga</p>
DU - 13126	Jordan, et al.	Slight Physical Injuries	<p>Order dated July 4, 2011 (Judge Yap), Prosecutor Pascua said he had no rebuttal evidence to present. There was no other document attached except for the Notice dated Jan. 15, 2013 setting the promulgation of judgment on January 17, 2012.</p> <p>Judgment was rendered on Dec. 28, 2012 by Judge Paderanga.</p>
DU - 15174	Bohol	Sec. 11, Art. II, RA 9165	<p>Order dated July 13, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from date of Order.</p>

			<p>No Memorandum filed.</p> <p>Judgment was rendered on Mar. 22, 2013 by Judge Paderanga and promulgated on Apr. 5, 2013.</p>
DU - 6506	Enriquez	Rape	<p>Joint Order dated July 27, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Nov. 19, 2012 (should be November 12, 2012) by Judge Yrastorza as it was promulgated on November 12, 2012.</p>
DU - 6507	Enriquez	Rape	<p>Joint Order dated July 27, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Nov. 19, 2012 (should be November 12, 2012) by Judge Yrastorza as it was promulgated on November 12, 2012.</p>
DU - 13930	Pilapil	Estafa	<p>Order dated July 4, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>Memorandum (Accused) filed on Aug. 4, 2011</p> <p>Judgment was rendered on Nov. 26, 2012 by Judge Yrastorza.</p>
DU - 9456	Hortilano	Murder	<p>Order dated Oct. 10, 2011 (Judge Yap), the parties were</p>

			<p>required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Judgment was rendered on June 25, 2012 by Judge Yrastorza and promulgated on June 25, 2012.</p>
DU - 9669	Bacalla, et al.	Murder	<p>Joint Order dated Oct. 12, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Apr. 15, 2013 by Judge Yrastorza.</p>
DU - 10166	Bacalla	Murder	<p>Joint Order dated Oct. 12, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p> <p>Joint Judgment was rendered on Apr. 15, 2013 by Judge Yrastorza.</p>
DU - 14119	Campos	Robbery with force upon things	<p>Order dated Nov. 3, 2011 (Judge Yap), the case was deemed submitted for decision as accused did not appear to prove his defense.</p>
DU - 10285	Bacusmo, et al.	Murder	<p>Order dated Nov. 14, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order.</p> <p>No Memorandum filed.</p>

			Judgment was rendered on Apr. 18, 2013 by Judge Paderanga.
DU - 14352	Duhaylungsod	Viol. of Sec. 11, Art. II, RA 9165	Order dated Oct. 12, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. Memorandum (Accused) filed on Nov. 18, 2011 Judgment was rendered on Nov. 26, 2012 by Judge Yrastorza. It was promulgated on Nov. 27, 2012
DU - 11877	Manatad	Murder	Order dated Nov. 22, 2011 (Judge Yap), the parties were required to simultaneously submit their respective Memorandum within 30 days from receipt of the Order. No Memorandum filed. Decision was rendered on Dec. 28, 2012 by Judge Paderanga and promulgated on January 17, 2013.
DU - 14607	Silva, et al.	Frustrated Homicide	Order dated Jan. 9, 2012 (Judge Yap), case was submitted for decision. Judgment was rendered on Apr. 18, 2013 by Judge Paderanga.
DU - 14011	Rivas, Jr., et al.	Sec. 4 (e) in relation to Sec. 6 (a) of RA 9208	Order dated Jan. 10, 2012 (Judge Yap), the Defense was deemed to have waived the right to present further evidence and considers it to have rested. The court will set the proper date for the promulgation of Judgment.

CRIMINAL CASE
WITH PENDING MOTION

CASE NO.	ACCUSED	NATURE	LATEST COURT ACTION
DU-15819	Oliveros	Homicide	Demurrer to Evidence Jan. 10[,] 2012 Case was dismissed on Nov. 19, 2012 by Judge Yrastorza

CIVIL CASES
SUBMITTED FOR DECISION

CASE NO.	PARTIES	NATURE	LATEST COURT ACTION
LRC N 704	Aboitiz & Co.	Registration	Order dated Jan. 22, 2010 (Judge Yap), Applicant was deemed to have rested. Decision was rendered on Nov. 26, 2012 by Judge Yrastorza.
Man-6259-A	Sps. Lagahit vs. Pepito	Ejectment (Appeal)	Memorandum (Appellants) filed on Jan. 22, 2010 Memorandum (Appellees) filed on Feb[.] 18, 2010
Man-5907	Lim vs. Macasero	Declaration of Nullity of Marriage	Order dated July 6, 2010 (Judge Yap), case was submitted for decision. Decision was rendered on July 17, 2012 by Judge Yrastorza x x
LRC N-692	Sps. Aboitiz	Registration and Confirmation of Title	Order dated July 15, 2010 (Judge Yap), case was submitted for decision. (Notice of Order dated July 16, 2010 appears to be that cases LRC N-692 and LRC N-693 are being tried jointly)
LRC N-693	Sps. Aboitiz	Registration and Confirmation of Title	Order dated July 15, 2010 (Judge Yap), case was submitted for decision (Notice of Order dated July 16, 2010 appears to be that cases LRC N-692 and LRC N-693 [are] being tried jointly)

Man-6079	Villa vs. Villa	Declaration of Nullity of Marriage	Memorandum of Exhibits and Formal Offer of Exhibits filed on July 16, 2010. Order dated Aug. 5, 2010 (Judge Yap), Exhibits were admitted. Order dated Aug. 19, 2010 (Judge Yap), case was submitted for decision.
LRC N-714	Aboitiz & Co.	Registration	Order dated Sept. 16, 2010 (Judge Yap), case was submitted for decision. Decision was rendered on Oct. 1, 2012 by Judge Yrastorza.
Man-5574	Pilapil vs. Llorag	Rescission of Contract, etc.	Order dated Sept. 3, 2010 (Judge Yap), Atty. Reviral given a period of 15 days from receipt of this Order to file his memorandum for the Plaintiff. After the period provided has lapsed or after his submission of the memorandum, this case shall be submitted for decision. Order dated Oct. 4, 2010 (Judge Yap), Plaintiff given an extension of 10 days or until Oct. 11, 2010 to file memorandum. Memorandum (Plaintiff) filed [on] Oct. 20, 2010
Man-5886	Roble vs. Roble	Declaration of Nullity of Marriage	Order dated Oct. 20, 2010 (Judge Yap), Petition was deemed submitted for decision.
LRC N-705	Mission of the Immaculate, Inc.	Registration	Order dated Jan. 20, 2011 (Judge Yap), the case was submitted for decision.
Man-5940	Sison vs. Sison	Declaration of Nullity of Marriage	Order dated Feb. 3, 2011 (Judge Yap), Petition was submitted for decision. Decision was rendered on Aug. 13, 2012 by Judge Yrastorza and promulgated on August 27, 2012.

Man-6188	Ornopia vs. Enriquez	Declaration of Nullity of Marriage	<p>Order dated Dec. 21, 2010 (Judge Yap), Exhibits are admitted.</p> <p>Order dated Feb. 22, 2011 (Judge Yap), case was submitted for decision.</p> <p>Decision was rendered on May 28, 2012 by Judge Yrastorza.</p>
Man-6206	Agbay vs. Yuson	Declaration of Nullity of Marriage	<p>Order dated December 7, 2010 (Judge Yap), with the admission of the formal offer, the petitioner was deemed to have rested.</p> <p>Order dated Feb. 22, 2011 (Judge Yap), the petition was deemed submitted for decision.</p> <p>Order dated May 2, 2013 (Judge Paderanga), case was dismissed for lack of jurisdiction over the defendant.</p>
Man -5299	Cortes vs. Cortes	Declaration of Nullity of Marriage	<p>Order dated Oct. 29, 2010 (Judge Yap), parties were given 30 days from receipt to submit simultaneous their respective memorandum.</p> <p>Memorandum (Defendant) filed on Dec. 28, 2010</p> <p>Memorandum (Plaintiff) filed on Jan. 3, 2011</p> <p>Order dated Feb. 25, 2011 (Judge Yap), case was submitted for decision.</p> <p>Decision was rendered on Aug. 28, 2012 by Judge Yrastorza</p>
Man-5875	Sanchez, et al. vs. Mun. of Consolacion, Cebu, et al.	Revocation of Deed of Conditional Donation	<p>Order dated Sept. 3, 2010 (Judge Yap), Atty. Piasidad was directed to submit memorandum within 15 days from receipt of the Order.</p> <p>Order dated Oct. 7, 2010 (Judge Yap), Plaintiff was given 15 days from Oct. 4 or until Oct. 19, 2010 to file memorandum.</p>

			Memorandum (Plaintiff) filed on Oct. 26, 2010 Order dated Feb. 17, 2011 (Judge Yap), case was deemed submitted for decision.
Man-5804	Sinogbuhan vs. Lim	Nullity of Marriage	Order dated Mar. 7, 2011 (Judge Yap), case was submitted for decision. Decision was rendered on Aug. 28, 2012 by Judge Yrastorza.
Man-5619	Fat, et al. vs. Alesna, et al.	Annulment of REM, Injunction, WPI, Damages	Order dated May 10, 2011 (Judge Yap), case was submitted for decision.
Man-5957	Seno vs. Seno	Declaration of Nullity of Marriage	Order dated Mar. 7, 2011 (Judge Yap), Exhibits are admitted. Order dated May 5, 2011 (Judge Yap), Petition was deemed submitted for decision. Decision was rendered on Feb. 5, 2013 by Judge Yrastorza.
Man-5996	Bolingit vs. Salatan	Declaration of Nullity of Marriage	Order dated July 4, 2011 (Judge Yap), case was submitted for decision. Decision was rendered on Mar. 14, 2013 by Judge Paderanga and promulgated on Mar. 21, 2013.
Man-5674	Maxima Equipment Co. Inc. vs. CNL Multicraft	Recovery of Possession, Replevin, Damages w/ Application for WR	Order dated July 8, 2011 (Judge Yap), Atty. Ysores was directed to submit within 30 days a memorandum which will aid the court in deciding the case.
Man-6165	Valencia vs. Valencia	Declaration of Nullity of Marriage	Order dated June 21, 2011, FOE of Plaintiff, admitted Order dated July 8, 2011 (Judge Yap), the petition for Nullity of Marriage was submitted for decision.

			Decision was rendered on Sept. 3, 2012 by Judge Yrastorza.
Man-1963	Ordiway, Jr. vs. Udtohan, et al.	Habeas Corpus in rel. to Custody of Minor Charles U. Ordiway	Order dated June 24, 2011 (Judge Yap), granting Atty. Triya until July 15, 2011 to submit memorandum for petitioner. Memorandum (Petitioner) filed on July 25, 2011 Decision was rendered on Sept. 24, 2012 by Judge Yrastorza and was promulgated on October 9, 2012.
Man-6139	Esquivel vs. Esquivel III	Declaration of Nullity of Marriage	Order dated July 28, 2011 (Judge Yap), Petition was submitted for decision.
Man-6267	Tigmo vs. Tigmo, Jr.	Declaration of Nullity of Marriage	Order dated Aug. 22, 2011 (Judge Yap), Petition was submitted for decision. Decision was rendered on Oct. 1, 2012 by Judge Yrastorza.
Man-6002	Lacbay an vs. Mirabueno	Declaration of Nullity of Marriage	Order dated Aug. 31, 2011 (Judge Yap), Exhibits admitted, petitioner was deemed to have rested her case. Order dated Sept. 1, 2011 (Judge Yap), Petition for Nullity of Marriage was submitted for decision.
Man-5855	Andrin vs. Andrin	Annulment of Marriage	Order dated Sept. 21, 2011 (Judge Yap), the petition was submitted for decision. Motion for early resolution filed on Apr. 3, 2012. Memorandum (Plaintiff) filed on Apr. 3, 2012. Decision was rendered on July 2, 2012 by Judge Yrastorza.
Man-6215	Buenaventura vs. Buenaventura	Declaration of Nullity of Marriage	Order dated Aug. 25, 2011 (Judge Yap), Formal offer of exhibits were admitted[.]

			Order dated Oct. 13, 2011 (Judge Yap), Petition for Declaration of Nullity of Marriage was submitted for decision.
LRC N-735	Aboitiz & Co., Inc.	Registration	Formal offer of exhibits Nov. 8, 2011. No Order attached resolving the FOE Decision was rendered on Jan. 14, 2013 by Judge Yrastorza.
Man-6014	Cortes vs. Cortes	Declaration of Nullity of Marriage	FOE filed on Jan. 27, 2011 was admitted on Feb. 24, 2011 Order dated Nov. 10, 2011 (Judge Yap), the petition was deemed submitted for decision. Decision was rendered on Jan. 24, 2013 by Judge Paderanga and promulgated on February 7, 2013.
Man-6149	Montefolka vs. Montefolka	Declaration of Absolute Nullity of Void Marriage	Formal Offer of Exhibits Nov. 10, 2011 was admitted on Nov. 17, 2011 (Judge Yap). Order dated Nov. 21, 2011 (Judge Yap), Petition was submitted for decision. Decision was rendered on Aug. 7, 2012 by Judge Yrastorza.
Man-6208	Ybañez vs. Ybañez	Declaration of Nullity of Marriage	Order dated Nov. 24, 2011 (Judge Yap), Petition for Declaration of Nullity of Marriage was submitted for decision.
Man-6029	Celerio vs. Celerio	Declaration of Nullity of Marriage	Order dated Dec. 7, 2011 (Judge Yap), Exhibits of Petitioner were admitted. Petitioner was deemed to have rested her case. Order dated Dec. 5, 2011 (should be Dec. 9, 2011) (Judge Yap), Petition for Declaration of Nullity of Marriage was submitted for decision.

LRC N-739	Aboitiz & Co., Inc.	Registration	Formal Offer of Exhibits Dec. 20, 2011. Decision was rendered on Mar. 28, 2012 by Judge Yrastorza.
Man-6164	Pepito et al. vs. Sps. Cagalawas, et al.	Nullification of Extra-Judicial Settlement of Estate, etc.	Order dated Dec. 12, 2011 (Judge Yap), Atty. Dungog was given 30 days from date of Order to file Memorandum. Memorandum filed on February 8, 2012 Decision was rendered on August 13, 2012 by Judge Yrastorza.
MDE-155	Heirs of Delfin Sanchez, et al. vs. Lucmayon, et al.	Certiorari, PI, TRO	Order dated Sept. 5, 2006 (Judge Yap), petition was submitted for decision. Order January 26, 2008, resolution was deferred pending the certiorari proceedings raised to the Court of Appeals. CA GR SP. No. 02112 dated March 5, 2012, affirmed the Order dated July 3, 2006 which denied that petition for TRO and Order dated August 25, 2006, denying the Motion for reconsideration.

CIVIL CASES
WITH PENDING MOTIONS

CASE NO.	PARTIES	NATURE	LATEST COURT ACTION
LRC N-656	Duros Dent Corp.	Registration	Formal Offer of Exhibits Sept. 6, 2011.
Man-5857	Heirs of Marcelino Maglasang, et al. vs. Dane Tan Lim, et al.	Annulment of Tax Dec. No. 47358	Motion to Dismiss July 22, 2011. Order dated Sept. 16, 2011 (Judge Yap), Atty. Canete was given 15 days from date of Order to submit his opposition, thereafter Motion to Dismiss shall be resolved.

Man-6336	Eleuterio P. Villamor vs. Alvin Rey Cortes, in his capacity as Pres. of Sr. San Roque Santa Cruz Chapel, et al.	Recovery of Possession	Motion for Summary Judgment Sept. 27, 2011 with Opposition Order dated Dec. 2, 2011 (Judge Yap), Motion for Summary Judgment was submitted for resolution. Order dated Nov. 12, 2012 (Judge Yrastorza), Motion for Summary Judgment was denied by Judge Yrastorza.
Man -6255	First Malayan Leasing and Finance Corp. vs. Sps. Tumampos	Replevin, SOM, Damages and attorney's fees	Motion to Hold in Abeyance Public Auction Dec. 8, 2011 Opposition Dec. 9, 2011
Man-5517	Bascon, et al. vs. Ouano, et al.	Annulment of Decision w/ Prayer for Permanent Injunction with Damages	Order dated Aug. 2, 2011 (Judge Yap), Atty. Violoces shall formally offer his exhibits within 15 days upon receipt of this Order. Atty. Reales is given same period to comment/oppose. Order dated Dec. 8, 2011 (Judge Yap), four months have lapsed and defendants have not formally offered their evidence. Defendants are given a non-extendable period of 5 days to formally offer. After the lapse of said period, this case shall be deemed submitted for decision. Formal Offer of Exhibits for Respondent Jan. 12, 2012 ⁸

In summary, the OCA reported that the actual number of cases left undecided by Hon. Lagura-Yap in Branch 28, RTC, Mandaue City, Cebu is one hundred thirty-three (133) criminal cases and thirty-five (35) civil cases. She likewise left unresolved pending incidents in one (1) criminal case and five (5) civil cases.⁹

⁸ *Id.* at 115-146.

⁹ *Id.* at 57.

Furthermore, in relation as to whether Hon. Lagura-Yap failed to indicate in her application for the position of Associate Justice of the Court of Appeals her caseload and/or cases submitted for decision that were pending before her court in Branch 28, RTC, Mandaue City, Cebu, Atty. Annaliza S. Ty-Capacite, JBC Executive Officer, in Memorandum JBC-OEO No. 48-2013¹⁰ dated June 7, 2013, stated that the Personal Data Sheet which Hon. Lagura-Yap submitted did not contain a disclosure on her caseload or number of cases submitted for decision. However, based on the information provided by the Statistical Reports Division, Court Management Office, OCA, a performance report as of August 2011 stated, among others, the following:

Pending Cases	:	933
Submitted for Decision	:	5 (within the period)
		3 (beyond the period)

		8 (Cases Submitted for Decision) ¹¹

Atty. Capacite also mentioned that the above report was reflected in Hon. Lagura-Yap's profile matrix, which was used by the JBC on November 14, 2011 when she was nominated for the post of Associate Justice of the Court of Appeals.

In a Letter¹² dated May 18, 2018, Atty. Socorro D' Marie T. Inting, Chief of Office, Office of Recruitment, Selection and Nomination, JBC, confirmed that the only certification issued and submitted to them by Hon. Lagura-Yap regarding her caseload and cases submitted for decision was the Certification¹³ dated August 28, 2007 which stated the following:

- 1) My case load as of July 2007 is 764 cases;
- 2) My average monthly output of all actions and proceedings during the immediately preceding 2-year period is 22 cases per month or a total of 269 cases;
- 3) From October 2005 to July 2007, there are now 118 cases deemed submitted for decision;
- 4) There are only 8 cases which I have decided during the immediately preceding 2-year period that are now on appeal with the Court of Appeals.

In a Memorandum dated July 2, 2018,¹⁴ the OCA concluded that there were one hundred thirty (130) criminal cases and thirty (30) civil cases, or a

¹⁰ *Id.* at 70-71.

¹¹ *Id.* at 115.

¹² *Id.* at 72.

¹³ *Id.* at 73.

¹⁴ *Id.* at 108-151.

total of one hundred sixty (160) cases submitted for decision which were already beyond the reglementary period to decide at the time of Hon. Lagura-Yap's appointment to the Court of Appeals on February 24, 2012. In particular, there were one hundred forty (140) cases submitted for decision that were beyond the reglementary period to decide even prior to the filing of her application before the JBC on September 20, 2011, but which she failed to disclose in her application submitted to the JBC.

Thus, upon the recommendation of the OCA, in a Resolution¹⁵ dated February 13, 2019, the Court resolved to (1) TREAT the instant memorandum as an administrative complaint against Hon. Lagura-Yap, Associate Justice of the Court of Appeals, in her capacity as then Presiding Judge, Branch 28, RTC, Mandaue City, Cebu; (2) FURNISH Hon. Lagura-Yap with a copy of the OCA Memorandum dated July 2, 2018; and (3) DIRECT her to file her COMMENT thereon within twenty (20) days from notice, explaining why she should not be administratively held liable for gross inefficiency and incompetence for failing to decide one hundred sixty (160) cases within the reglementary period to decide, and for dishonesty for her failure to indicate in her application for the position of Associate Justice of the Court of Appeals her caseload and/or cases submitted for decision, and for failing to accurately and truthfully reflect the actual number of cases submitted for decision in the Monthly Report of Cases submitted to the OCA.

In her Comment¹⁶ dated June 20, 2019, Hon. Lagura-Yap alleged that the ninety (90)-day period to decide cannot be reckoned with in some cases because there was no memorandum filed and/or that there was no order issued submitting the case for decision. She further asserted that if there were such orders, the ninety (90)-day period could not have expired during her time because she had transferred to the Court of Appeals on February 24, 2012. She claimed that if the Court will consider her justifications, the reported one hundred sixty (160) cases can be reduced to only one hundred eighteen (118) cases.

She further alleged that Branch 28, RTC, Mandaue City, Cebu, is not a special drugs court. Hon. Lagura-Yap implores the indulgence of the Court not to consider the period of fifteen (15) days to decide drug cases, as mandated by Section 90 of Republic Act No. 9165, against her. She alleged that Branch 28, RTC, Mandaue City, Cebu, where she presided then, was not a special drugs court. It was a regular court which also became a special court to hear, try and decide cases involving the (1) killings of political activists and a member of the media; (2) election contests of elective municipal officials; and (3) environmental cases.

¹⁵ *Id.* at 168-173.

¹⁶ *Id.* at 177-201.

Hon. Lagura-Yap also seeks the indulgence of the Court in that she gave preference in deciding the shabu laboratory drugs cases assigned to her and left the others pending as she moved to the Court of Appeals. She claimed that the high-profile drugs cases spanned a period of seven (7) years, from 2005 to 2012. However, on February 1, 2012, in DU-12549 and DU-12780, she promulgated a Joint Judgment convicting the accused. She also claimed that she prioritized two environmental cases, MDE-182 and MAN-646, due to the urgent nature of the applications for environmental protection orders and/or injunctive reliefs.¹⁷

She further alleged that on top of her numerous responsibilities, she was also the Executive Judge of the RTC, Mandaue City, from February 28, 2007 to February 24, 2012. She also averred that in May 2010, Atty. Grace V. Fernandez, who was the branch clerk of court of Branch 28, transferred to Branch 18, and it was only in July 2011 that another branch clerk of court was appointed to the position. For these reasons, Hon. Lagura-Yap claimed that the number of cases in her previous court that were not decided on time rose significantly from 2010 to 2011 when there was no branch clerk of court.¹⁸

Hon. Lagura-Yap seeks the kind understanding of the Court as during her stint as presiding judge of Branch 28, RTC, Mandaue City, Cebu, she also lost her husband and her mother on August 9, 2008 and September 26, 2010, respectively. She lamented that as she was grieving over their loss, her docket continued to rise and it eventually took a toll on her ability to dispose cases on time.

As to her alleged failure to file the true and accurate reports of the status of pending cases and cases submitted for decision prior to and at the time of her application for the position of Associate Justice of the Court of Appeals, Hon. Lagura-Yap explained that when she applied for the position of Associate Justice of the Court of Appeals, Atty. Ma. Theresa B. Magturo, JBC Chief of Office, Office of Recruitment, Selection and Nomination, wrote her a letter on July 19, 2007 and August 14, 2007, requiring her to submit certain documents, among which was a verified statement of her caseload and average monthly output of actions during the preceding two (2)-year period. As proof of compliance, she gave a certification dated August 28, 2007. However, she was not considered for the position.

Three years later, when she applied for the second time on September 22, 2010, Atty. Capacite required her to submit the following documents only, to wit:

¹⁷ *Id.* at 186-188.

¹⁸ *Id.* at 188-189.

1. IBP Certificate of Good Standing
2. Sworn Medical Certificate with findings or impressions on the results of the medical examination
3. Transcript of School Records
4. Certification of Admission to the Bar with Bar rating
5. Income Tax Return
6. Clearances from NBI, Ombudsman, Office of the Bar Confidant
7. Police Clearance
8. Sworn Statement that applicant was not a candidate for any elective office in the immediately preceding election
9. Two sample decisions¹⁹

Hon. Lagura-Yap was under the impression that the tenor of the September 22, 2010 letter was to the effect that the JBC no longer required her to submit another certification of her current caseload, thus, in good faith, she did not anymore execute another certification of her current caseload. She claimed that she believed in good faith that the only requirements needed were only the ones stated in Atty. Capacite's letter.

Hon. Lagura-Yap emphasized that while it is true that she submitted a certification dated August 28, 2007 in her application in 2006, she denied that she used the same certification in her application on September 20, 2011. She reiterated that it was Atty. Capacite who wrote her on September 22, 2010, requiring her to submit certain documents and it did not include the certification of current caseload. Thus, in compliance, she submitted only the required documents as stated in Atty. Capacite's letter, and without the certification of caseload. Hon. Lagura-Yap lamented that it was unfair to insinuate that she used the same 2007 Certification of Caseload to support her 2011 application or that she omitted to submit it.

She further bewailed the fact that the audit team used the August 2011 and January 2012 Monthly Report of Cases as bases to prove that she did not file the true and accurate reports with respect to the status of pending cases and cases submitted for decision, prior to and at the time of her application as Associate Justice. She asserted that the monthly reports in August 2011 and January 2012 relate to two specific months that do not constitute as bases to reckon the average monthly output of actions during the two (2)-year period that preceded the 2011 application.

As to her failure to comply with A.M. No. 04-5-19-SC,²⁰ Hon. Lagura-Yap resented that she failed to comply with the requirement of Section 8. She, however, asserted that it was by mere inadvertence as she really thought that she had already complied with all her requirements since she was not notified

¹⁹ *Id.* at 191-192.

²⁰ Guidelines in the Inventory and Adjudication of Cases Assigned to Judges Who are Promoted or Transferred to Other Branches in the Same Court Level of the Judicial Hierarchy.

anymore to submit another certification of her caseload prior to her transfer. She claimed that she eventually became busy as she transitioned to her new job and station that she failed to recall to submit another certification.

Finally, Hon. Lagura-Yap admitted that (1) she was not able to decide one hundred eighteen (118) cases in Branch 28, RTC, Mandaue City, Cebu, within the ninety (90)-day period when she took her oath as Associate Justice of the Court of Appeals on February 24, 2012; (2) she failed to comply with Section 8 of A.M. No. 04-5-19-SC regarding the submission of another certification that she had disposed all cases assigned to her in Branch 28, upon her promotion to the Court of Appeals; (3) she had no certification of the status of pending cases and cases submitted for decision at the time of her application in September 2011 as she was not required by the JBC; but (4) she had filed a verified statement of her caseload and average output of actions during the preceding two (2)-year period when she first applied as Associate Justice of the Court of Appeals in 2006. She, thus, implored the Court's exercise of its benevolence and prayed that the recommended amount of fine be reduced after consideration of her justifications.

RULING

After a perusal of the records, the Court concurs with the findings and recommendations of the OCA.

The Constitution expressly provides that all lower courts should decide or resolve cases or matters within three (3) months from the date of submission.²¹ Section 5, Canon 6 of the New Code of Judicial Conduct²² likewise provides:

Sec. 5. Judges shall perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly and with reasonable promptness.

Accordingly, this Court has laid down certain guidelines to ensure compliance with this mandate. More particularly, Supreme Court Administrative Circular No. 13-87²³ provides:

3. Judges shall observe scrupulously the periods prescribed by Article VIII, Section 15, of the Constitution for the adjudication and resolution of all cases or matters submitted in their courts.

²¹ Constitution, Section 15, Article VIII.

²² A.M. No. 03-05-01-SC, June 1, 2004.

²³ Dated July 1, 1987.

Thus, all cases or matters must be decided or resolved within twelve (12) months from date of submission by all lower collegiate courts while all other lower courts are given a period of three (3) months to do so.

Supreme Court Administrative Circular No. 1-88²⁴ further states:

6.1 All Presiding Judges must endeavor to act promptly on all motions and interlocutory matters pending before their courts.

Given the foregoing rules, the Court cannot overstress its policy on prompt disposition or resolution of cases. Delay in the disposition of cases is a major culprit in the erosion of public faith and confidence in the judicial system, as judges have the sworn duty to administer justice without undue delay. Thus, judges have been constantly reminded to strictly adhere to the rule on the speedy disposition of cases and observe the periods prescribed by the Constitution for deciding cases, which is three (3) months from the filing of the last pleading, brief or memorandum for lower courts. To further impress upon judges such mandate, the Court has issued guidelines (Administrative Circular No. 3-99 dated January 15, 1999) that would ensure the speedy disposition of cases and has therein reminded judges to scrupulously observe the periods prescribed in the Constitution.²⁵

In the present case and by her admissions alone, Hon. Lagura-Yap's guilt is undisputed. She admitted her (1) failure to decide one hundred eighteen (118) pending cases within the ninety (90)-day period; (2) failure to comply with Section 8 of A.M. No. 04-5-19-SC regarding the submission of a certification that she had disposed all cases assigned to her in Branch 28, RTC, Mandaue City, Cebu, upon her promotion to the Court of Appeals; and (3) failure to submit a certification of the status of pending cases and cases submitted for decision at the time of her application in September 2011.²⁶

We have considered the justifications and explanations proffered by Hon. Lagura-Yap — heavy caseload, voluminous records, death of family members, and being understaffed — which, while may be recognized as true and reasonable, are not sufficient to exonerate her from liability. To be sure, the mandatory nature of the period to decide cases provided under the Constitution cannot be considered as beyond the limits of acceptability or fairness.

We are also aware of the heavy caseload of trial courts, as well as the different circumstances or situations that judges may encounter during trial,

²⁴ Dated January 28, 1988.

²⁵ *Bancil v. Judge Reyes*, 791 Phil. 401, 407-408 (2016).

²⁶ *Rollo*, pp. 199-200.

such as those averred by Hon. Lagura-Yap. Thus, the Court has allowed reasonable extensions of time needed to decide cases, but such extensions must first be requested from the Court. Whenever a judge cannot decide a case promptly, all he has to do is to ask the Court for a reasonable extension of time to resolve it.²⁷ Unfortunately for Hon. Lagura-Yap, she did not avail of such remedy. A judge cannot by herself choose to prolong the period for deciding cases beyond that authorized by law.²⁸

In *Office of the Court Administrator v. Lopez, et al.*,²⁹ the Court reminded “judges to decide cases with dispatch” and “that the failure of a judge to decide a case within the required period is not excusable and constitutes gross inefficiency, and non-observance of this rule is a ground for administrative sanction against the defaulting judge.”

Furthermore, we likewise cannot countenance Hon. Lagura-Yap’s failure to submit before the JBC the certification stating the status of pending cases and cases submitted for decision at the time of her application in September 2011 as former Presiding Judge of Branch 28, RTC, Mandaue City, Cebu.

However, we cannot simply impute upon Hon. Lagura-Yap that she was dishonest by the mere fact that she has failed to submit the certification. Other than her failure to submit the certification, there was no evidence at all that would show that she intentionally did not submit the certification in order to give herself an advantage and secure the promotion. While, we do not tolerate the acts of Hon. Lagura-Yap in failing to disclose in her application her caseload which could be material and relevant in assessing her eligibility for promotion, we, however, find it harsh to punish Hon. Lagura-Yap severely for her erroneous judgment. Suffice it to say that while her defense of good faith may be difficult to prove as clearly it is a question of intention, a state of mind, erroneous judgment on the part of Hon. Lagura-Yap does not, however, necessarily connote the existence of bad faith or malice, or an intention to defraud. Be that as it may, we must emphasize that while an erroneous judgment does not equate to bad faith or dishonesty, Hon. Lagura-Yap should likewise know that prudence demands that she should disclose such information no matter how irrelevant it may appear to her.³⁰

It must be likewise pointed out that we do not find anything on record to show that the JBC-ORSN reminded Hon. Lagura-Yap of her lacking certification during her application and before her promotion. It was only after Hon. Lagura-Yap requested for clearance that this issue of non-

²⁷ See *Fajardo v. Natino*, A.M. No. RTJ-16-2479, December 13, 2017, 848 SCRA 338, 348.

²⁸ *Re: Cases Submitted for Decision before Judge Baluma*, 717 Phil. 11, 17 (2013).

²⁹ 723 Phil. 256, 268 (2013).

³⁰ See *Re: Anonymous Complaint Against Ms. Bayani for Dishonesty*, 656 Phil. 222, 229 (2011).

submission of certification cropped up. The JBC-ORSN is the one tasked to determine the completeness of the applicant's documentary requirements. Thus, as a matter of procedure, they should have made the proper inquiry and verification with regard to the lacking requirements of Hon. Lagura-Yap, moreso, since said informations are easily verifiable considering that the latter is actually an official of the Court.

Indeed, in administrative proceedings, only substantial evidence is required to warrant disciplinary sanctions. We define substantial evidence *as relevant evidence as a reasonable mind might accept as adequate to support a conclusion*. Thus, after much consideration of the facts and circumstances, while the Court has not shied away in imposing the strictest penalty to erring employees, neither can we think and rule unreasonably in determining whether an employee deserves disciplinary sanction.³¹

PENALTY

The administration of justice demands that those who don judicial robes be able to comply fully and faithfully with the task set before them. As frontline officials of the judiciary, judges should, at all times, act with efficiency and with probity. They are duty-bound not only to be faithful to the law, but likewise to maintain professional competence. The pursuit of excellence must be their guiding principle. This is the least that judges can do to sustain the trust and confidence which the public reposed on them and the institution they represent.³²

Thus, in *Office of the Court Administrator v. Ret. Judge Tandinco, et al.*,³³ the Court imposed a fine of One Hundred Thousand Pesos (₱100,000.00) on retired Judge Filemon A. Tandinco, Jr. for gross inefficiency due to his failure to decide one hundred sixty-three (163) cases and pending incidents before he retired. All cases and incidents had been submitted for decision or resolution, and the reglementary period to decide or resolve the cases or incidents had already lapsed on the date of his retirement.

In *OCA v. Judge Quilatan*,³⁴ the Court imposed a fine of Fifty Thousand Pesos (₱50,000.00) on retired Judge Leodegario C. Quilatan for having been found guilty of gross inefficiency for his failure to decide within the reglementary period thirty-four (34) cases submitted for decision prior to his date of retirement.

³¹ *Id.*

³² *Office of the Court Administrator v. Former Judge Leonida*, 654 Phil. 668, 678 (2011).

³³ 773 Phil. 141 (2015).

³⁴ 646 Phil. 45 (2010).

Again, in *Office of the Court Administrator v. Judge Chavez, et al.*,³⁵ the Court imposed on retired Judge Pablo R. Chavez a fine equivalent to three (3) months of his last salary for gross neglect of duty and undue delay of rendering decisions.

In the present case, considering the number of cases left undecided, *i.e.*, a total of one hundred sixty (160) cases, and the lack of any plausible explanation for such failure to decide within the reglementary period, and Hon. Lagura-Yap's failure to submit the certification of pending cases before the JBC, the recommended imposition of a fine equivalent to one (1) year of her current salary is proper.

WHEREFORE, the Court finds respondent Hon. Marilyn B. Lagura-Yap, then Presiding Judge³⁶ of Branch 28, Regional Trial Court, Mandaue City, Cebu, **GUILTY** of Gross Inefficiency for failing to decide one hundred sixty (160) cases within the reglementary period and to submit the required certification of caseload before the Judicial and Bar Council. She is thus **FINED** in the amount equivalent to one (1) year of her current salary, payable within thirty (30) days from receipt of notice. She is further **ADMONISHED** to be more diligent in the performance of her sworn duty as a dispenser of justice, especially that she is now an Associate Justice of the Court of Appeals, an appellate court likewise covered by the mandatory period for deciding cases prescribed by the Constitution.³⁷

This Decision is immediately executory.

SO ORDERED.



DIOSDADO M. PERALTA
Chief Justice



ESTELA M. PERLAS-BERNABE
Associate Justice

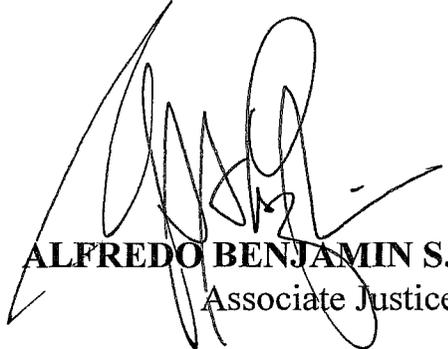


MARVIC MARIO VICTOR F. LEONEN
Associate Justice

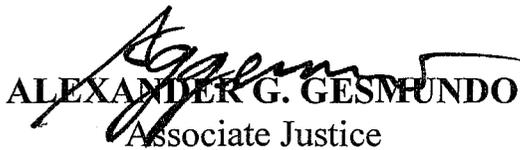
³⁵ 806 Phil. 932 (2017).

³⁶ Now Associate Justice of the Court of Appeals.

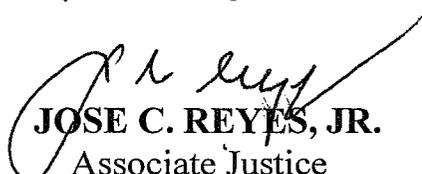
³⁷ Constitution, Article VIII, Section 15 (1); and *Re: Report on Judicial Audit*, 391 Phil. 222, 231 (2000).



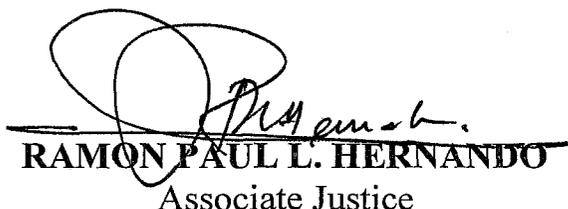
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



ALEXANDER G. GESMUNDO
Associate Justice



JOSE C. REYES, JR.
Associate Justice



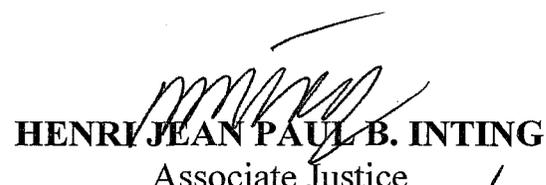
RAMON PAUL L. HERNANDO
Associate Justice



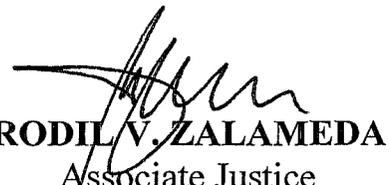
ROSMARIE D. CARANDANG
Associate Justice



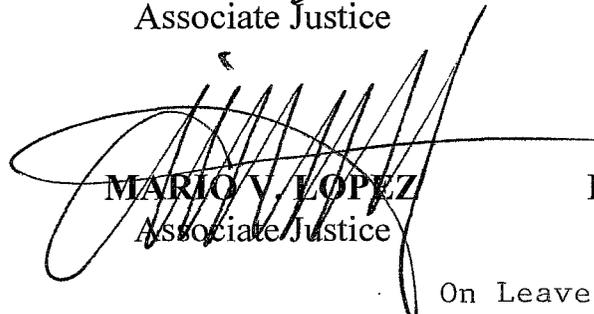
AMY C. LAZARO-JAVIER
Associate Justice



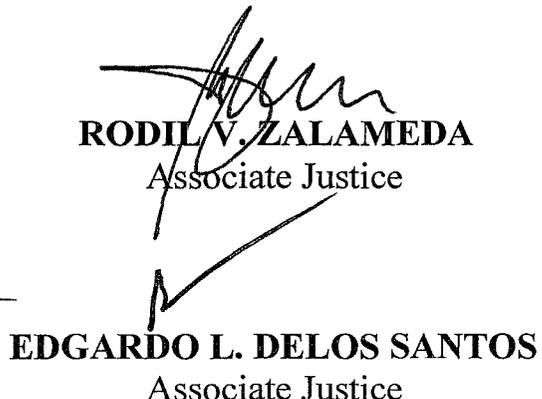
HENRI JEAN PAUL B. INTING
Associate Justice



RODIL V. ZALAMEDA
Associate Justice

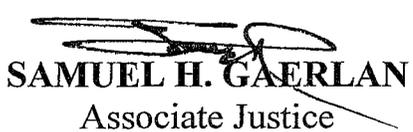


MARIO V. LOPEZ
Associate Justice



EDGARDO L. DELOS SANTOS
Associate Justice

On Leave



SAMUEL H. GAERLAN
Associate Justice