



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

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OFFICE OF THE COURT
ADMINISTRATOR,
Complainant,

A.M. No. P-15-3398
[Formerly A.M. No. 15-09-
320-RTC]

Present:

GESMUNDO, C.J.,
LEONEN,
CAGUIOA,
HERNANDO,
LAZARO-JAVIER,
INTING,
ZALAMEDA,
LOPEZ, M.,
GAERLAN,
ROSARIO,
LOPEZ, J.,
DIMAAMPAO,
MARQUEZ,*
KHO, JR., and
SINGH, JJ

-versus-

CLERK OF COURT VI EDIPOLO
P. SARABIA, JR.; CASH CLERK III
HAYDEE B. SALAZAR; CASHIER
UNIT CLERKS III MARIFI A.
OQUINDO, AIMEE MAY D.
AGBAYANI, AND ORLANDO A.
MARQUEZ; ALL OF THE OFFICE
OF THE CLERK OF COURT,
REGIONAL TRIAL COURT,
DAVAO CITY, DAVAO DEL SUR,
Respondents.

Promulgated:

July 12, 2022

X-----*[Signature]*-----X

DECISION

PER CURIAM:

Before this Court is an administrative matter concerning officers of the Office of the Clerk of Court (OCC) of the Regional Trial Court (RTC), Davao

* No part.

City, Davao Del Sur, namely: Edipolo P. Sarabia, Jr. (Clerk of Court VI), Haydee B. Salazar (Cash Clerk III), Marifi A. Oquindo (Clerk III), Aimee May D. Agbayani (Clerk III), and Orlando A. Marquez (Clerk III).

In a Memorandum dated April 30, 2010 from Deputy Court Administrator Thelma C. Bahia, an immediate financial audit on the books of accounts of the OCC, RTC, Davao City was ordered due to the continued failure of Clerk of Court VI Edipolo P. Sarabia, Jr. (Sarabia) to submit his monthly financial report of collections, deposits and withdrawals despite notice from the OCA's Financial Management Office's (FMO) Accounting Division.

Pursuant to Travel Order¹ No. 83-2015 dated August 7, 2015 issued by the Office of the Court Administrator (OCA), a financial audit was conducted by a team led by Mr. Romulo E. Tamanu, Jr. in the Office of the Clerk of Court OCC, RTC, Davao City.

The extensive findings of the audit examination is partly² reproduced as follows:³

III. For the Judiciary Development Fund (JDF), Special Allowance for the Judiciary Fund (SAJF) and Mediation Fund (MF)

The examination of the above-mentioned funds disclosed the following:

A. Atty. Edipolo P. Sarabia, Jr.
Clerk of Court VI
1 November 2010 to 18 July 2015

	JDF	SAJF	MF
Total Collections	₱ 88,633,432.87	₱ 82,362,718.46	₱ 2,949,500.00
Total Deposits	<u>88,559,385.87</u>	<u>82,299,768.34</u>	<u>2,950,000.00</u>
Balance	₱ 74,047.00	₱ 62,950.12	₱ 500.00
Add/(Deduct):			
SAJF collections erroneously deposited to JDF Account	10,632.60	(10,632.60)	
Balance of Accountability – Shortage(Overage)	₱ <u>84,679.60</u>	₱ <u>52,317.52</u>	(₱ <u>500.00</u>)

¹ *Rollo*, p. 16.

² The audit examination included Atty. Francisco M. Campaner, Clerk of Court V, who is not a respondent in the present case. The audit examination concluded that there was no shortage attributable to Atty. Campaner. Hence, the findings insofar as Atty. Campaner is concerned have been omitted; *Id.* at 7.

³ *Id.* at 6-12.

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The computed shortage in JDF and SAJF resulted from the following:

	JDF	SAJF
Remittances Recorded in Cashbook & Monthly Reports but no Deposit Slips presented for examination		
October 30, 2013	₱ 1,500.00	₱ 1,000.00
October 30, 2013	50,000.00	
April 1, 2015	31,890.99	50,613.99
Accumulated under/(over) remittances of collections	<u>1,288.61</u>	<u>703.53</u>
TOTAL	₱ <u>84,679.60</u>	₱ <u>52,317.52</u>

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IV. For the Sheriff's Trust Fund (STF)

The examination of the court's Sheriff's Trust Fund (STF) collections disclosed an Unwithdrawn Sheriff's Trust Fund balance of P10,466,811.20 as of 31 July 2015 and the reconciliation of said amount as against the adjusted LBP S/A No. 0161-2172-71 resulted to a shortage of P39,167.66, computed as follows:

Unwithdrawn Sheriff's Trust Fund as of 31 July 2015	₱ 10,466,811.20
Adjusted Bank Balance as of 31 July 2015 LBP S/A No. 0161-2172-71	<u>(10,427,643.54)</u>
Balance of Accountability-Shortage	₱ <u>39,167.66</u>

Book Balance:

Sheriff's Trust Fund Beginning Balance	₱ 5,899,587.40
Total STF Collections (1 Nov 2010 – 31 July 2015)	<u>6,589,361.41</u>
Total Collections Available for Withdrawals	₱ 12,488,948.81
Less: Total Withdrawals (same period)	<u>2,022,137.61</u>
Unwithdrawn Sheriff's Trust Fund as of 31 July 2015	₱ <u>10,466,811.20</u>

Bank Balance:

Unadjusted Bank Balance as of 31 July 2015	₱ 10,447,539.14
Add: Deposit in Transit – Aug. 3, 2015	6,000.00
Less: Unwithdrawn Interest as of 30 July 2015	<u>25,895.60</u>
Adjusted Bank Balance as of 31 July 2015	₱ <u>10,427,643.54</u>

The computed shortage of P39,167.66 resulted from the following:

Outstanding shortage of Atty. Aldevera			₱ 5,667.06
Unaccounted deposit (bank error in running balance)			(5,000.00)
Undeposited Collections			
Date Collected	OR No.	Amount	
03/30/15	3182597	1,000.00	
03/30/15	3182614	1,000.00	
03/31/15	3182510	1,000.00	
03/31/15	3182522	1,000.00	
03/31/15	3182741	1,000.00	
03/31/15	3182744	1,000.00	

Aldevera

03/31/15	3182750	1,000.00	
03/31/15	3182754	1,000.00	8,000.00
Unaccounted Withdrawals (No supporting documents)			
September 2011		8,700.00	
October 2011		13,800.00	
January 2012	4758427	1,000.00	23,500.00
Over-withdrawal of Collections			
4586978	CL. 31826-07	500.00	
1924998	CL. 33544-10	500.00	1,000.00
TOTAL			₱ 39,167.06⁴

V. For the Fiduciary Fund (FF)

The court's Fiduciary Fund (FF) disclosed an Unwithdrawn Fiduciary Fund balance of P197,001,702.75 as of 31 July 2015 and the reconciliation of the said amount as against the adjusted LBP S/A No. 0161-1521-45 resulted to a shortage of P24,711,252.70, computed as follows:

Unwithdrawn Fiduciary Fund as of 31 July 2015	₱	197,001,702.75
Adjusted Bank Balance as of 31 July 2015		
LBP S/A No. 0161-1521-45		<u>(172,290,450.05)</u>
Balance of Accountability-shortage	₱	<u>24,711,252.70</u>

Book Balance:

Fiduciary Fund Beginning Balance	₱	98,307,454.58
Total FF Collections (1Nov. 2010 – 31 July 2015)		<u>235,118,852.28</u>
Total Collections Available for Withdrawals	₱	333,426,306.86
Less: Total Withdrawals (same period)		<u>136,424,604.11</u>
Unwithdrawn Fiduciary Fund as of 31 July 2015	₱	<u>197,001,702.75</u>

Bank Balance:

Unadjusted Bank Balance as of 31 July 2015	₱	172,121,171.84
Add: Deposit in Transit – Aug. 3, 2015		229,000.00
Less: Unwithdrawn Interest as of 30 July 2015		<u>59,721.79</u>
Adjusted Bank Balance as of 31 July 2015	₱	<u>172,290,450.05</u>

The computed shortage of P24,711,252.70 resulted from the following:

1. Unaccounted Withdrawals (see Schedule 1)
 - Withdrawals debited from the passbooks but not reported in the cashbook and monthly reports ₱ 383,800.00
2. Undeposited Collections (see Schedule 2) 14,996,995.82
3. Shortage of Amount Redeposited due to Erroneous Withdrawal of Consignation deposits of – Date Withdrawn – 6 November 2014
Silver Arrow Medical Supplies ₱ 740,000.00

⁴ Note: this computation appears to be over by ₱1,000.00 based on the total amount of the items in the same column.

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Hannah's Pawnshop		620,600.00	
Fortune Bread Bakeshoppe		<u>440,000.00</u>	
Total Amount Withdrawn	₱	1,800,600.00	
Less: Amount Redeposited on			
13 November 2014		740,000.00	
17 November 2014		<u>250,000.00</u>	810,600.00
4. Double Withdrawals of Bonds			
Petition to Bail#210- 1667918			
13	₱	120,000.00	
Petition to Bail#210- 1667919			
13		80,000.00	
Petition to Bail#222- 1669111			
13		300,000.00	
Petition to Bail#329- 2105654			
14		<u>10,000.00</u>	510,000.00
5. Over-withdrawal of Cash Bond on 11 Nov. 2013 under Case No. 76560-13 Irineo Gauran Talamor			10,000.00
6. STF Interest Erroneously Withdrawn from Fiduciary Fund Account on –			
8 July 2011	₱	6,434.06	
1 August 2014		4,676.05	
18 March 2015		<u>4,971.85</u>	16,081.96
7. Restitution made by Atty. Sarabia on 12 Mar. 2013			(200,000.00)
8. Over-Deposit of OR No. 2997743			(0.03)
9. Shortage as of 31 October 2010			
a. Atty. Aldevera's shortage	₱	8,156,774.40	
b. Atty. Sarabia's shortage			
Amt. Recognized			
as Deposit in			
Transit	₱	158,000.55	
Deposit in Transit			
Credited in			
Passbook		<u>140,000.00</u>	
Shortage in DIT	₱	18,000.55	
Redeposited			
Amount			
Recognized as			
part Total			
Deposits		<u>6,000.00</u>	24,000.55
c. Bank Error – November 2007		<u>3,000.00</u>	<u>8,183,774.95</u>
TOTAL			₱ <u>24,711,252.70</u>

VI. Recapitulation of Accountability

In summary, the total **INITIAL** computed shortages of Atty. Sarabia amounted to ₱16,704,893.46, broken down as follows:

Fiduciary Fund (FF)	₱	16,535,396.34
Judiciary Development Fund (JDF)		84,679.60
Special Allowance for the Judiciary Fund (SAJF)		52,317.52
Sheriff's Trust Fund (STF)		32,500.00
Total	₱	16,704,893.46

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The computed shortage of Atty. Sarabia resulted mainly from his failure to deposit his Fiduciary Fund collections in full and intact.

The audit team observed that his Fiduciary Fund collections, particularly for the period March 2012 to January 2013 and June 2013 to May 2015, disclosed that daily cash bonds collected were either under-deposited or not deposited at all.

It is the procedure of the OCC, RTC, Davao City, that all judiciary collections for the day are picked-up by the Land bank of the Philippines (LBP) roving teller in the afternoon of the next day. Thus, all judiciary collections, including cash bonds, are kept in the safety vault in the office of Atty. Sarabia, before it is turned-over to the LBP roving teller the next day.

Supreme Court Circular No. 13-92 commands that "all fiduciary fund collections shall be deposited immediately by the Clerk Of Court concerned, upon receipt thereof, with an authorized depository bank."

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The audit team believed that Atty. Sarabia appropriated his cash bond collections for his personal use and violated SC Circular No. 13-92 and Amended Administrative Circular No. 35-2004, providing for the timely deposit of judiciary collections.

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However, the audit team is in a quandary whether Ms. Haydee B. Salazar, Cash Clerk II, OCC, RTC, Davao City, is in cohort with Atty. Sarabia for the undeposited Fiduciary Fund collections because, as cash clerk, she is the over-all in-charge in the safekeeping of the OCC, RTC, Davao City, judiciary collections before the same is deposited/turned-over to the LBP roving teller. Besides, she and Atty. Sarabia, are the only persons who knew the safety vault combination lock.

Also, the audit team questioned Ms. Salazar's intention for not reporting, either to OCA or to the Executive Judge, the alleged misappropriation of Atty. Sarabia's Fiduciary Fund collections which happened for four (4) years already. Had Ms. Salazar reported Atty. Sarabia's alleged misappropriation of funds, the computed shortage in the Fiduciary Fund could have been minimized and/or prevented.

The audit team noted that the alleged misappropriation of the Fiduciary Fund collections were kept secret by Atty. Sarabia and Ms. Salazar.

According to the Deputy Court Administrator (DCA) Thelma C. Bahia, Executive Judge Emmanuel C. Carpio of the Regional Trial Court, Davao City, conducted a preliminary investigation and he verbally reported to DCA Bahia that Ms. Salazar allegedly acquired a condominium unit where she now lives, has three (3) cars and undergone aesthetic surgery (face-lift). With her present lifestyle, there is a possibility that she might be involved in the anomaly.

On 6 November 2014, the OCC, RTC, Davao City withdrew from the court's Fiduciary Fund Account the following consignment deposits for refund, to wit:

Silver Arrow Medical Supplies & Services	₱	740,000.00
Hannah's Pawnshop		620,600.00
Fortune Bread Bakeshoppe		440,000.00
TOTAL	₱	1,800,600.00

However, the above-mentioned withdrawn consignment deposits were not refunded to the consignee for the reason that the claimant was not properly authorized to claim the same. The withdrawn amount of ₱1,800,600.00 should have been re-deposited to the court's Fiduciary Fund Account immediately, but only ₱740,000.00 and ₱250,000.00 were re-deposited on 13 November 2014 and 17 November 2014, respectively. The amount redeposited totaling to ₱990,000.00 was still short by ₱810,600.00.

In addition, the following double withdrawals also form part of Atty. Sarabia's accountability, to wit:

	<i>1st Withdrawal</i>	<i>2nd Withdrawal</i>
Dominique Lansang Petition to Bail No. 210-13 OR No. 16679118 OR No. 16679119	April 22, 2013 120,000.00 80,000.00	October 20, 2014 120,000.00 80,000.00
James Carlo Segue Petition to Bail No. 222-13	August 14, 2013 300,000.00	September 22, 2014 300,000.00
Ritchie Recopelascon Lumain Petition to Bail No. 329-14	February 13, 2014 10,000.00	October 2, 2014 10,000.00
TOTAL Double Withdrawals		₱ 510,000.00

Furthermore, the deposit of ₱200,000.00 on 12 March 2013 to the Fiduciary Fund Account without any corresponding collection and issued official receipt for the said fund was considered as restitution of the shortages incurred and may be deemed as an implied admission that he indeed misappropriated for his personal use the Fiduciary Fund collections of the OCC, RTC, Davao City.⁵

In view of the foregoing findings, the audit team recommended, among others, for its report to be docketed as a regular administrative complaint against respondents Sarabia and Haydee B. Salazar (Salazar).⁶ Salazar was also directed to explain why she should not be impleaded in the administrative and criminal cases to be filed against the former.⁷ The audit team also recommended that the Executive Judge of the RTC of Davao City be directed

⁵ Id.

⁶ Id. at 13.

⁷ Id. at 14.

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to conduct an investigation on the participation of respondent Salazar and other potentially responsible officers in the OCC, RTC, Davao City.⁸

In its Memorandum⁹ dated September 28, 2015, the OCA adopted the findings of the audit team's report and requested the approval of then Chief Justice Maria Lourdes P.A. Sereno of the audit team's recommendation.

The Court issued a Resolution¹⁰ dated November 11, 2015 resolving, among others, to (1) docket the OCA's report as a regular administrative complaint against respondents; (2) indefinitely suspend respondent Sarabia from office pending resolution of the administrative case; (3) direct respondent Sarabia to (a) explain in writing why no administrative and criminal cases should be filed against him for failure to account for the computed shortage totaling ₱16,704,893.46; (b) reconstitute the amount of ₱16,321,093.46 representing the computed shortages for various funds; and (c) submit to the Fiscal Monitoring Division, CMO, OCA valid documents, e.g., court orders and acknowledgment receipts, to support the withdrawals of the unaccounted credits in the Fiduciary Fund LBP Passbook amounting to ₱383,800.00, otherwise, reconstitute the same; (4) indefinitely suspend respondent Salazar from office pending resolution of the administrative case; (5) direct respondent Salazar to explain why she should not be impleaded and administratively and criminally charged for the undeposited collections; and (6) issue a hold departure order against respondents Sarabia and Salazar.

In response, respondent Sarabia submitted a one-page Memorandum¹¹ dated April 4, 2016, which he characterized as his compliance with the Courts Resolution dated November 11, 2015. In the Memorandum, he stated that he wished to apologize for his negligence in failing to account for the computed shortage amounting to ₱16,704,893.40 as reported by the audit team; that the failure was due to his full trust and confidence in the staff of the cash section; that he would not wash his hands of the matter because of the principle of command responsibility; and that he is asking for the Court's understanding and compassion for his negligence.¹²

For her part, respondent Salazar claims that she had no participation in the anomaly imputed to respondent Sarabia. She rationalized her current lifestyle by presenting the Affidavit¹³ of her live-in partner, stating that the condominium unit where she was staying had been given to her by P/Supt. Querubin L. Manalang, Chief of Police of Digos City, with whom she has a daughter. She also claimed that her ownership of the three (3) vehicles were acquired through proceeds from her car rental business.¹⁴

⁸ Id.

⁹ Id. at 1-3.

¹⁰ Id. at 52-54

¹¹ Id. at 140.

¹² Id.

¹³ Id., p. 74.

¹⁴ Id. at 68.

The audit team submitted to the OCA its Final Audit Report through a Memorandum¹⁵ dated April 5, 2016, where the audit team found respondent Sarabia also accountable for the following undocumented withdrawals:¹⁶

Undocumented Withdrawals:		
Withdrawals with No Court Orders and Acknowledgement Receipts	₱	357,000.00
With No Court Orders		3,000.00
With No Acknowledgement Receipts		404,000.00
Unremitted/Undeposited Withdrawn FF Interest		931,095.34
Unremitted/Undeposited Withdrawn STF Interest		58,367.84
TOTAL	₱	1,753,463.18

In his Investigation Report¹⁷ dated June 6, 2016, Executive Judge Emmanuel Carpio of RTC, Davao City found respondent Salazar guilty of gross neglect of duty and dishonesty, and recommended the penalty of dismissal from service. As for the other officers investigated, Ms. Marifi Oquindo was found guilty of simple neglect of duty and was recommended the penalty of reprimand; and Ms. Aimee May Agbayani and Mr. Orlando Marquez were recommended to be exonerated for want of basis to hold them administratively liable.

In a Resolution¹⁸ dated June 3, 2019, the OCA was instructed to evaluate the final audit report dated April 5, 2016 for an appropriate report and recommendation for the Court's approval.

In its Memorandum¹⁹ dated November 20, 2019 addressed to Senior Associate Justice Estela M. Perlas-Bernabe, the OCA recommended that the Court order the following:

1. **[Respondent Sarabia]** be found **GUILTY OF GROSS MISCONDUCT, GROSS NEGLIGENCE OF DUTY, DISHONESTY, and MALVERSATION OF PUBLIC FUNDS** amounting to Eighteen Million Four Hundred Fifty-Eight Thousand Three Hundred Fifty-Six and Sixty-Four Centavos (**PHP18,458,356.64**) and be ordered **DISMISSED** from the service, with forfeiture of all benefits except accrued leave credits, and prohibition from employment in any government agency or instrumentality, including government-owned or controlled corporation (*sic*) and be further **DIRECTED to RESTITUTE** the following accountabilities:

Fiduciary Fund (FF)	PHP	16,535,396.34
Sheriff's Trust Fund (STF)		32,500.00
Judiciary Development Fund (JDF)		84,679.60
Special Allowance for the Judiciary Fund (SAJF)		52,317.52

¹⁵ See *id.* at 573-574.

¹⁶ *Id.* at 574.

¹⁷ *Id.* at 152-167.

¹⁸ *Id.* at 568.

¹⁹ *Id.* at 570-583.

Order

TOTAL SHORTAGES	PHP	16,704,893.46
Add the Undocumented Withdrawals:		
Withdrawals with No Court Orders and Acknowledgment Receipts	PHP	357,000.00
With No Court Orders		3,000.00
With No Acknowledgement Receipts		404,000.00
Unremitted/undeposited withdrawn FF interest		931,095.34
Unremitted/undeposited withdrawn STF interest		58,367.34
TOTAL UNDOCUMENTED WITHDRAWALS	PHP	1,753,463.18
GRAND TOTAL OF ACCOUNTABILITIES	PHP	18,458,356.64

2. the Legal Office, Office of the Court Administrator be **DIRECTED** to file the appropriate criminal charges against [respondent Sarabia];
3. a **WRIT of PRELIMINARY ATTACHMENT** be **ISSUED** directing Atty. Francisco M. Campaner, Clerk of Court V/Officer-in-Charge, OCC, RTC, Davao City to attach so much of the real properties and bank deposits of [respondent Sarabia], not exempt from execution, as may be sufficient to satisfy the total shortages in the amount of [PHP]18,458,356.64 which he incurred in his accounts;
4. [Respondent Salazar] be found **GUILTY of GROSS NEGLECT of DUTY and DISHONESTY** for failure to report to the Court the wrongdoings/malversation of [respondent Sarabia], resulting in the loss of court collections amounting to Eighteen Million Four Hundred Fifty-Eight Thousand Three Hundred Fifty-Six and Sixty-Four Centavos (**PHP18,458,356.64**) and be **DISMISSED** from the service, with forfeiture of all benefits except accrued leave credits, and prohibition from employment in any government agency or instrumentality, including government-owned or controlled corporation (*sic*);
5. [Respondent Oquindo] be found **GUILTY OF SIMPLE NEGLECT OF DUTY** and be **FINED** in the amount of **TEN THOUSAND PESOS (PHP10,000.00)** and **WARNED** that a similar offense in the future will be dealt with more severely; and
6. [Respondents Agbayani and Marquez] be **EXONERATED** for want of basis to hold them administratively liable as charged.²⁰

We resolve to partially adopt and approve the OCA's recommendations.

In no uncertain terms, the Constitution provides that "a public office is a public trust" and "public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency."²¹ This clause applies equally to all public officers,

²⁰ Id. at 582-583.

²¹ 1987 PHIL. CONST., Art. XI, Sec. 1.

including court employees such as those involved in the present administrative case.

In *Office of the Court Administrator v. Isip*,²² the Court eruditely stressed the role, duty, and mission of court employees in the following wise:

[A]ll court employees must exercise at all times a high degree of professionalism and responsibility, as service in the Judiciary is not only a duty but also a mission. The Court has repeatedly emphasized that everyone in the judiciary, from the presiding judge to the clerk, must always be beyond reproach, free of any suspicion that may taint the judiciary. Public service requires utmost integrity and discipline. A public servant must exhibit at all times the highest sense of honesty and integrity, for no less than the Constitution mandates the principle that “a public office is a public trust and all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency.” As the administration of justice is a sacred task, the persons involved in it ought to live up to the strictest standards of honesty and integrity. Their conduct, at all times, must not only be characterized by propriety and decorum, but must also be above suspicion. Thus, every employee of the judiciary should be an example of integrity, uprightness, and honesty.²³

The Court has also expounded on the important role that clerks of court perform in the administration of justice, shedding light on the gravity of the infractions committed by the officers in the present case, thus:

The Clerk of Court is an important officer in our judicial system. [The] office [of the Clerk of Court] is the nucleus of all court activities, adjudicative and administrative. [The] administrative functions [of the Clerk of Court] are as vital to the prompt and proper administration of justice as [the] judicial duties [of said office].²⁴

x x x [T]he Clerk of Court performs a very delicate function. He or she is the custodian of the court's funds and revenues, records, property and premises. Being the custodian thereof, the Clerk of Court is liable for any loss, shortage, destruction or impairment of said funds and property. Needless to say, thus, Clerks of Court should be steadfast in their duty to submit monthly reports on the court's finances pursuant to OCA Circular Nos. 50-95 and 113-2004 and to immediately deposit the various funds received by them to the authorized government depositories.²⁵

It is also worth stressing that the quantum of evidence required in administrative cases such as the present is substantial evidence or such relevant evidence as a reasonable mind might accept as adequate to support a

²² 613 Phil. 32 (2009).

²³ Id. at 38-39.

²⁴ *Re: Report on the Financial Audit Conducted in the RTC, Branch 34, Balaoan, La Union*, 480 Phil. 484, 493 (2004).

²⁵ *Re: Report on the Financial Audit Conducted in the Municipal Trial Court, Labo, Camarines Norte*, A.M. No. P-21-4102 (Formerly A.M. No. 18-04-42-MTC), January 5, 2021.

conclusion.²⁶ In *Miro v. Vda. De Erederos*,²⁷ the Court expounded on this standard of proof as follows:

It is more than a mere scintilla of evidence. The standard of substantial evidence is satisfied when there is reasonable ground to believe, based on the evidence submitted, that the respondent is responsible for the misconduct complained of. It need not be overwhelming or preponderant, as is required in an ordinary civil case, or evidence beyond reasonable doubt, as is required in criminal cases, but the evidence must be enough for a reasonable mind to support a conclusion.²⁸

For purposes of determining the proper charge and corresponding penalty for erring court officers in administrative cases, the Court relies on its recently promulgated further amendments to Rule 140 of the Rules of Court,²⁹ governing the discipline of members, officials, employees, and personnel of the Judiciary. Although the respondents' acts were perpetrated prior to the effectivity of the amendments, the same nonetheless still apply, pursuant to Section 24 thereof, which provides:

SECTION 24. *Retroactive Effect.* — All the foregoing provisions shall be applied to **all pending and future administrative cases involving the discipline of Members, officials, employees, and personnel of the Judiciary**, without prejudice to the internal rules of the Committee on Ethics and Ethical Standards of the Supreme Court insofar as complaints against Members of the Supreme Court are concerned. (Emphasis supplied.)

Prescinding from the foregoing, the individual liabilities of the court officers involved in this administrative complaint is discussed hereunder.

Atty. Edipolo P. Sarabia, Jr., Clerk of Court VI

Respondent Sarabia's guilt for Gross Misconduct, Gross Neglect of Duty, and Malversation of Public Funds has been proven by more than substantial evidence, which includes his admission that he indeed failed to account for the shortage computed by the audit team.

Section 14(a), Rule 140 of the Rules of Court denominates “[g]ross misconduct constituting violations of the Code of Judicial Conduct or of the Code of Conduct for Court Personnel” as a *serious charge*.

Notably, gross misconduct under civil service laws is different from that under Rule 140 of the Rules of Court, Section 14(a), which expressly refers to “violations of the Code of Judicial Conduct or of the Code of Conduct for Court Personnel.” In order to elevate the violation as gross misconduct, the same must involve “the elements of corruption, clear intent to violate the

²⁶ *Miro v. Vda. De Erederos*, 721 Phil. 772, 788 (2013).

²⁷ *Id.*

²⁸ *Id.* at 788-789.

²⁹ A.M. No. 21-08-09-SC, February 22, 2022.

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law or flagrant disregard of established rules that must be manifest and established by substantial evidence.”³⁰ Hence, in this case, reference to the Code of Conduct for Court Personnel (CCCP)³¹ is in order.

In this regard, We find respondent Sarabia to have violated Canon 1 of the CCCP, which provides, in part:

CANON I

FIDELITY TO DUTY

SECTION 1. Court personnel shall not use their official position to secure unwarranted benefits, privileges or exemptions for themselves or for others.

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SECTION 5. Court personnel shall use the resources, property and funds under their official custody in a judicious manner and solely in accordance with the prescribed statutory and regulatory guidelines or procedures.

Further, respondent Sarabia’s violation of the foregoing Canon involves clear elements of corruption and flagrant disregard of established rules. We also take into account the considerable amount involved in the present case and Sarabia’s apparent lack of remorse and willingness to cooperate in the investigation conducted by the Executive Judge and the OCA, as shown by respondent Sarabia’s one (1)-page response to the charges against him.

Clearly, therefore, respondent Sarabia is guilty of Gross Misconduct.

As for gross neglect of duty, the same is also denominated as a serious charge under Section 14(d) of Rule 140 of the Rules of Court. Gross neglect of duty “refers to negligence characterized by the want of even slight care, or by acting or omitting to act in a situation where there is a duty to act, not inadvertently but wilfully and intentionally, with a conscious indifference to the consequences, insofar as other persons may be affected.”³²

Anent malversation of public funds under Article 217 of the Revised Penal Code, its elements are the following:

(a) that the offender be a public officer;

³⁰ *Office of the Court Administrator v. Del Rosario*, A.M. No. P-20-4071, September 15, 2020.

³¹ A.M. No. 03-06-13-SC dated May 15, 2004.

³² See *Re: Complaint of Aero Engr. Darwin Reci Against CA Marquez and DCA Bahia Relative to Crim. Case No. 05-236956*, 805 Phil. 290, 292 (2017).

(b) that the offender had custody or control of funds or property by reason of the duties of the office;

(c) that those funds or property were public funds or property for which the offender was accountable; and

(d) that the offender appropriated, took, misappropriated or consented, or through abandonment or negligence, permitted another person to take them.³³

We quote with approval the OCA's disposition of the administrative case insofar as respondent Sarabia is concerned:

As the accountable officer of the OCC, RTC, Davao City, in charge of the collection, deposit and safekeeping of court funds, Atty. Sarabia was indeed remiss in the performance of his sworn duty. Worse, the team found that he was the one who misused the court's funds and not his subordinates. The numerous instances of malversation of the court's funds were confirmed by the testimonies of some witnesses pointing to him as the sole culprit of the grand theft. The team surmised that this was the reason why he did not bother to contradict the findings of the audit team. Thus, [We] need not delve deeply into all his nefarious activities as they have been conclusively established in the audit findings and in the investigation conducted by Executive Judge Carpio. His liability is without a modicum of uncertainty as he himself did not refute the allegations against him, and without shame, he betrayed his own people in the end, desperately trying to show that his failure to remit his collections was the result of his full trust and confidence on his staff from the Cash Section. Clearly, he is guilty of serious dishonesty, gross neglect of duty and grave misconduct and should be dismissed from the service and be also criminally charged for malversation of public funds and graft and corruption.³⁴

Indeed, Sarabia was notified of all the proceedings in this case, from the findings of the audit team, the investigation conducted by Executive Judge Carpio, to the findings of the OCA, but all he could muster to refute the allegations against him was a one (1)-page "memorandum" **expressly admitting** the wrongdoings charged against him, albeit characterizing the same as negligence, and asking the Court for its understanding and compassion.

We modify, however, the proper charge in relation to malversation of public funds. Rule 140 does not specifically provide for malversation of public funds as one of the administrative charges enumerated in Sections 14-16. However, Section 14(f) includes commission of a crime involving moral turpitude as a serious charge.

The annotated version of Rule 140 of the Rules of Court provides for an explanatory note to Section 14(f) thereof which reads as follows:

³³ See *Corpuz v. People of the Philippines*, G.R. No. 241383, June 8, 2020.

³⁴ *Rollo*, p. 576.

The 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) has the counterpart offense of “Conviction of a crime involving moral turpitude.” Here, the term “conviction” is changed to “commission” because the former tends to imply that a final conviction before the criminal courts is required before a respondent may be charged with this offense. The Court has discussed that “to sustain a finding of administrative culpability, only substantial evidence is required. The present case is an administrative case, not a criminal case, against respondent. Therefore, the quantum of proof required is only substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to support a conclusion. Evidence to support a conviction in a criminal case is not necessary, and the dismissal of the criminal case against the respondent in an administrative case is not a ground for the dismissal of the administrative case. We emphasize the well-settled rule that a criminal case is different from an administrative case and each must be disposed of according to the facts and the law applicable to each case.” (OCA v. Lopez, 654 Phil. 602, 607 [2011], *En Banc*)

As such, **if there is already substantial evidence to support the finding that a respondent has committed a crime involving moral turpitude, then it should be enough to find him administratively liable for this offense.** Besides, the new Section 1 (1) explicitly provides that mere institution of a criminal action against a respondent is sufficient basis to institute *motu proprio* proceedings against him or her. (Emphasis supplied.)

Without a doubt, malversation of public funds is a crime involving moral turpitude.³⁵ As correctly found by the OCA, respondent Sarabia has been shown, by substantial evidence, to have committed the crime of malversation of public funds. We hold, therefore, that respondent Sarabia is liable for violation of Section 14(f), Rule 140 of the Rules of Court.

As for the proper sanction for respondent Sarabia, the Court is guided by Section 17 of Rule 140, which provides:

SECTION 17. *Sanctions.* —

- (1) If the respondent is guilty of a serious charge, any of the following sanctions shall be imposed:
 - (a) Dismissal from service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations. *Provided, however,* that the forfeiture of benefits shall in no case include accrued leave credits;
 - (b) Suspension from office without salary and other benefits for more than six (6) months but not exceeding one (1) year; or
 - (c) A fine of more than ₱100,000.00 but not exceeding ₱200,000.00.

³⁵ See *Office of the Court Administrator v. Judge Ruiz*, 780 Phil. 133, 152 (2016).

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There is no question that respondent Sarabia should be meted the most severe administrative penalty of dismissal from the service, with all its accessory penalties provided above.

In *Re: Report on the Financial Audit Conducted in the Municipal Trial Court, Labo, Camarines Norte*,³⁶ the Court dismissed from the service Eden P. Rosare, Clerk of Court II, Municipal Trial Court, Labo, Camarines Norte after having been found guilty of dishonesty and gross neglect of duty. She was also ordered to reconstitute the total amount of ₱456,470.38. Her actions were summarized by the Court in the following manner:

Rosare's act of misappropriating court funds, as evidenced by the **shortages in her accounts**, by **delaying or not remitting or delaying the deposit of the court collections within the prescribed period** constitutes dishonesty which is definitely an act unbecoming of a court personnel. Failure of Rosare to remit funds upon demand by an authorized without any justifiable reason constitutes *prima facie* evidence that she has put such missing funds or property to personal use.

As a Clerk of Court, a vital post in the hierarchy of positions in the trial court, Rosare was expected to live up to the strictest standards of honesty and integrity. That she failed to adhere to the high ethical standards to preserve the court's good name and standing is undisputed. For failure of Rosare to: (a) regularly submit monthly reports of collections and deposits and official receipts and other documents despite due notice; (b) remit her fiduciary collections within the prescribed period; and (c) for incurring shortages in the total amount of ₱456,470.38, which acts constitute gross dishonesty and gross neglect of duty, **Rosare should be meted with a penalty of dismissal**. In addition, Rosare is subject to the following administrative disabilities, namely: (a) **cancellation of any civil service eligibility**; (b) **forfeiture of retirement and other benefits, except accrued leave credits, if any**; and (c) **perpetual disqualification from re-employment** in any government agency or instrumentality, including any government-owned and government-controlled corporation or government financial institution.³⁷ (Emphasis supplied.)

Here, respondent Sarabia committed similar actions, which, making matters worse, involve a much larger amount than that which Rosare was found liable for. As such, there is no other recourse but to hold respondent Sarabia liable to reconstitute the amount of **₱18,458,356.64**³⁸ and to dismiss him from the service, with forfeiture of all benefits, except accrued leave credits, if any, and perpetual disqualification from re-employment in any government agency or instrumentality, including any government-owned and government-controlled corporation or government financial institution.

³⁶ A.M. No. P-21-4102, January 5, 2021.

³⁷ *Id.*

³⁸ *Rollo*, p. 582.

Appropriate criminal proceedings should also be instituted against respondent Sarabia for malversation of public funds. The Court directs the OCA to undertake the institution of said criminal actions with utmost dispatch.

Haydee B. Salazar, Cash Clerk III

The OCA concurred with Executive Judge Carpio's finding that respondent Salazar is guilty of Gross Neglect of Duty and Dishonesty, and recommended the penalty of dismissal from the service, with the accompanying administrative disabilities relating to benefits and disqualification from re-employment in government.

While respondent Salazar was able to explain the audit team's and Executive Judge Carpio's initial suspicions that her lifestyle indicated her involvement in or benefit from the amounts misappropriated by respondent Sarabia, the OCA still found her liable for her failure to reflect her condominium unit and vehicles in her Statement of Assets, Liabilities and Net Worth (SALN) and, more importantly, for her inaction and silence on the malfeasance of respondent Sarabia.

We agree that respondent Salazar is guilty of Gross Neglect of Duty under Section 14(d), Rule 140 of the Rules of Court. Respondent Salazar's acts of acceding to requests of respondent Sarabia to not make monthly reports and consciously and willingly allowing respondent Sarabia to take possession of funds from her collections, without a doubt, constitute Gross Neglect of Duty.

However, We find her also guilty not just of Dishonesty, but of Serious Dishonesty under Section 14(c), Rule 140 of the Rules of Court.

Dishonesty has been defined as "the concealment or distortion of truth, which shows lack of integrity or a disposition to defraud, cheat, deceive, or betray, or intent to violate the truth."³⁹ Dishonesty becomes serious when it is qualified by any of the following circumstances:

- a. The dishonest act causes serious damage and grave prejudice to the government.
- b. The respondent gravely abused his authority in order to commit the dishonest act.
- c. Where the respondent is an accountable officer, the dishonest act directly involves property, accountable forms or money for which he is directly accountable and the respondent shows an intent to commit material gain, graft and corruption.
- d. The dishonest act exhibits moral depravity on the part of the respondent.

³⁹ *Alfornon v. Delos Santos*, 789 Phil. 462, 473 (2016).



- e. The respondent employed fraud and/or falsification of official documents in the commission of the dishonest act related to his/her employment.
- f. The dishonest act was committed several times or in various occasions.
- g. The dishonest act involves a Civil Service examination, irregularity or fake Civil Service eligibility such as, but not limited to, impersonation, cheating and use of crib sheets.
- h. Other analogous circumstances.⁴⁰

In this case, respondent Salazar is guilty of *concealment* of the truth relating to respondent Sarabia's criminal acts, showing a clear lack of integrity on respondent Salazar's character as a public servant. Her dishonesty is also clearly qualified by more than one of the circumstances enumerated above, namely: that the dishonest act causes serious damage and grave prejudice to the government; that the dishonest act was committed several times or on various occasions; and that the respondent gravely abused her authority to commit the dishonest act.

The record shows that respondent Salazar knew of respondent Sarabia's nefarious deeds even before the audit was ordered in 2010. To make matters worse, there had been no threats from respondent Sarabia for respondent Salazar to keep silent; instead, respondent Salazar kept silent of her own accord. The record also shows that other court officers, including respondents Oquindo and Marquez, have called respondent Salazar's attention to the irregularities in the financial records of the court; and yet, respondent Salazar, for an unreasonably long period of time, still did not report the same to the proper authorities. Verily, these circumstances qualify her dishonesty to Serious Dishonesty.

Furthermore, respondent Salazar's gross neglect of her duties and responsibilities and her dishonesty in performing her tasks as cash clerk allowed or contributed to respondent Sarabia's nefarious deeds that resulted in a total shortage of ₱18,458,356.64. As such, and following the Court's pronouncements in *Office of the Court Administrator v. Atty. Dureza-Aldevera*⁴¹ and *Office of the Court Administrator v. Bernardino*,⁴² in which the Court held accountable officers such as cash clerks jointly and severally liable with the responsible clerk of court for shortages, We also find respondent Salazar jointly and severally liable with respondent Sarabia to reconstitute the amount of ₱18,458,356.64.

⁴⁰ See Sec. 3, CSC Resolution No. 06-0538 (s. 2006), cited in *Madreo v. Baylon*, G.R. No. 237330, November 3, 2020 (Perlas-Bernabe, J., concurring and dissenting opinion); *Loreño v. Office of the Ombudsman*, G.R. No. 242901, September 14, 2020.

⁴¹ 534 Phil. 102, 138 (2006).

⁴² 490 Phil. 500, 533 (2005).

Hence, We find the penalty of dismissal, with all its accessory penalties, as recommended by the OCA, to be proper under the circumstances. In addition, respondent Salazar is also jointly and severally liable with respondent Sarabia to restitute the amount of **₱18,458,356.64**,⁴³ representing the total shortages found by the OCA.

Marifi O. Oquindo, Clerk III

With respect to respondent Oquindo, Executive Judge Carpio found her guilty of simple neglect of duty and recommended the penalty of reprimand, reasoning that “her silence after becoming aware of the activity of [respondent Sarabia] is questionable, but the [c]ourt found no proof that she benefitted from the malversed funds.”⁴⁴ The OCA disagreed with this recommendation. It stated that this was much too light, considering that respondent Oquindo had concealed respondent Sarabia’s malfeasance for too long by not reporting the same to the Court. The OCA also recommended that instead of suspension or dismissal, the penalty of a fine of ₱10,000.00 was proper, since this was respondent Oquindo’s first offense.

While We agree that a fine should be imposed against respondent Oquindi, We do not wholly concur with the OCA’s reasoning, especially in view of the Court’s findings against respondent Salazar and with the amount of the fine.

For one, We find the proper charge to be Serious Dishonesty, instead of Simple Neglect of Duty.

Simple Neglect of Duty, which warrants suspension without pay, is characterized by failure of an employee or official to give proper attention to a task expected of him or her, signifying a disregard of a duty resulting from carelessness or indifference.⁴⁵ The OCA’s factual findings against respondent Oquindo does not fit the definition of Simple Neglect of Duty, as the crux of the charge against her consists mainly of her failure to report respondent Sarabia’s malfeasance, despite having knowledge of the same since 2011. This closely mirrors the charge against respondent Salazar, who had already known of respondent Sarabia’s activities even before the audit was ordered in 2010.

Serious Dishonesty, on the other hand, is Dishonesty qualified by any of the circumstances discussed previously, which include causing serious damage and grave prejudice to the government.

⁴³ *Rollo*, p. 582.

⁴⁴ *Id.* at 166.

⁴⁵ See *Re: Complaint of Aero Engr. Darwin A. Reci against Court Administrator Jose Midas P. Marquez and Deputy Court Administrator Thelma C. Bahia relative to Criminal Case No. 05-236956*, 805 Phil. 290, 292 (2017).

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Respondent Oquindo's silence despite knowledge of respondent Sarabia's malfeasance undoubtedly caused damage and prejudice to the government to the extent of the total accountabilities of respondent Sarabia.

As such, respondent Oquindo is guilty of Serious Dishonesty under Section 14(c), Rule 140 of the Rules of Court. Just like respondent Salazar, respondent Oquindo also had personal knowledge of respondent Sarabia's infractions and chose to keep silent on the matter by not reporting the same to the Court or to Executive Judge Carpio.

However, the extent of respondent Oquindo's liability is not on the same plane as respondent Salazar, whose serious dishonesty was coupled with gross neglect of duty and grave abuse of authority, consisting of purposely failing to make monthly reports and allowing respondent Sarabia to take possession of the court's collections. Further, the record shows that respondent Oquindo only receives instructions from respondent Salazar. The record also shows that respondent Oquindo prodded respondent Salazar to report respondent Sarabia's wrongdoings. To be clear, while this does not excuse respondent Oquindo from not reporting the anomalies plaguing the court, We nonetheless find this proper to consider the extent of respondent Oquindo's liability only under the circumstances of the present case.

All these considered, and following Section 17(1)(c), Rule 140 of the Rules of Court on imposing a fine even for findings of guilt for a serious charge, the Court finds the imposition of a fine to be just and proper under the circumstances. However, following the same section cited above, the fine for a serious charge should be more than ₱100,000.00 but not more than ₱200,000.00. Hence, respondent Oquindo is fined in the amount of ₱120,000.00, with a warning that a similar offense in the future will be dealt with more severely.

Aimee May Agbayani, former Clerk III
Orlando Marquez, Clerk III

As for respondents Agbayani and Marquez, Executive Judge Carpio's investigation revealed that they had no personal knowledge of respondent Sarabia's wrongful acts and only heard of the same through "loose talks" in the office.

In its initial Memorandum dated June 16, 2017, the OCA disagreed with the foregoing findings and instead found that respondents Agbayani and Marquez should be reprimanded for neglect of duty. Later, in its Memorandum dated November 20, 2019, the OCA agreed with Executive Judge Carpio as regards exonerating respondents Agbayani and Marquez.

We concur with the findings of Executive Judge Carpio and the OCA's recommendation to absolve Agbayani and Marquez from liability.

The record does not sufficiently show by substantial evidence that respondents Agbayani and Marquez had personal knowledge of respondent Sarabia's wrongdoings. In other words, respondents are not expected to report matters which would have been based on mere hearsay or gossip. This is consistent with the Court's ruling in *Valdez, Jr. v. Gabales*,⁴⁶ where the respondent judge was cleared of the charges considering the complainant's admission that his complaint for immorality was based merely on gossip.⁴⁷

As a final note, We deem it unnecessary to issue the writ of preliminary attachment recommended by the OCA. Instead, We declare this decision to be immediately executory.

WHEREFORE, Atty. **EDIPOLO P. SARABIA, JR.**, Clerk of Court VI, Office of the Clerk of Court, Regional Trial Court of Davao City, Davao del Sur, is hereby found **GUILTY** of Gross Misconduct, Gross Neglect of Duty, and Commission of a Crime Involving Moral Turpitude for malversation of public funds amounting to Eighteen Million Four Hundred Fifty-Eight Thousand Three Hundred Fifty-Six and 64/100 Pesos (₱18,458,356.64). Accordingly, he is **DISMISSED** from the service, with forfeiture of all benefits, except accrued leave credits, and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations.

The Court likewise **FINDS** and **DECLARES** Ms. **HAYDEE B. SALAZAR**, Cash Clerk III **GUILTY** of Gross Neglect of Duty, which allowed Atty. Sarabia, Jr. to commit his wrongdoings and Serious Dishonesty for failure to report to the Court the wrongdoings of Atty. Sarabia, Jr., and is ordered **DISMISSED** from the service, with forfeiture of all benefits except accrued leave credits, and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations.

Atty. Sarabia, Jr. and Ms. Salazar are further found jointly and severally liable to **RESTITUTE** the following amounts:

<i>Shortages</i>	
Fiduciary Fund	₱16,535,396.34
Sheriff's Trust Fund	32,500.00
Judiciary Development Fund	84,679.60
Special Allowance for the Judiciary Fund	52,317.52
Total shortages	₱16,704,893.46
<i>Undocumented withdrawals</i>	
Withdrawals with no court orders and acknowledgment receipts	₱357,000.00
Withdrawals with no court orders	3,000.00
Withdrawals with no acknowledgement receipts	404,000.00

⁴⁶ 507 Phil. 227 (2005).

⁴⁷ Id.

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Unremitted/undeposited withdrawn FF interest	931,095.34
Unremitted/undeposited withdrawn STF interest	58,367.84
Total undocumented withdrawals	1,753,463.18
Total accountabilities	₱18,458,356.64

The Court also finds Ms. **MARIFI A. OQUINDO**, Clerk III, **GUILTY** of Serious Dishonesty and is **FINED** in the amount of One Hundred Twenty Thousand Pesos (₱120,000.00) and **WARNED** that a similar offense in the future will be dealt with more severely.

The Court orders Ms. **AIMEE MAY D. AGBAYANI**, former Clerk III and Mr. **ORLANDO A. MARQUEZ**, Clerk III, **EXONERATED** from liability for insufficient evidence to hold them administratively liable for the charges against them.

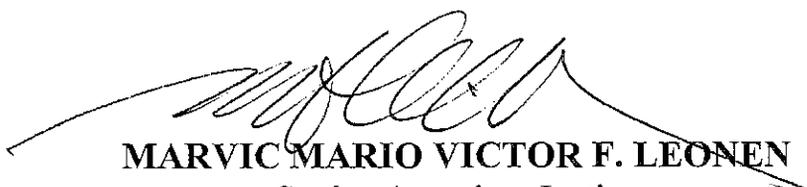
Finally, the Court **DIRECTS** the Office of the Court Administrator to file with dispatch the appropriate criminal charges against Atty. Edipolo P. Sarabia, Jr. and Ms. Haydee B. Salazar.

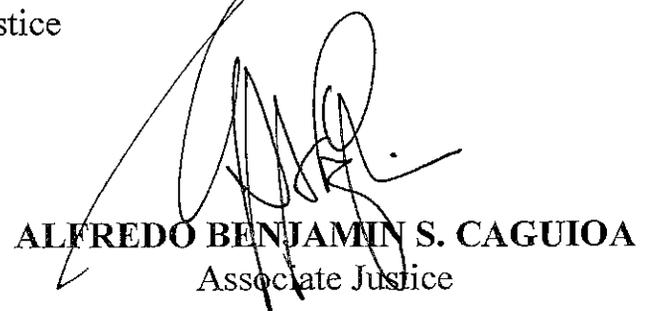
Let a copy of this Decision be attached to the respective 201 files of the respondents.

This Decision is immediately executory.

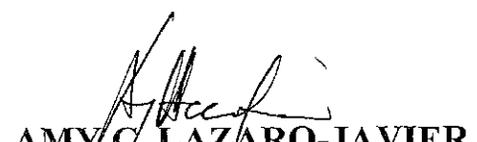
SO ORDERED.


ALEXANDER G. GESMUNDO
Chief Justice


MARVIC MARIO VICTOR F. LEONEN
Senior Associate Justice

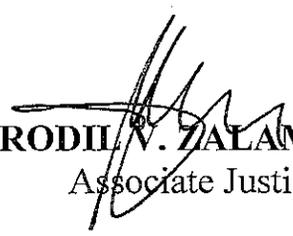

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice


RAMON PAUL L. HERNANDO
Associate Justice

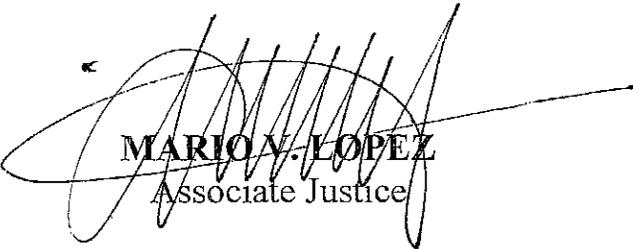

AMY C. LAZARO-JAVIER
Associate Justice



HENRI JEAN PAUL B. INTING
Associate Justice



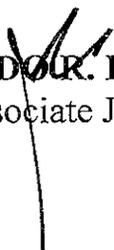
RODIL V. ZALAMEDA
Associate Justice



MARIO V. LOPEZ
Associate Justice



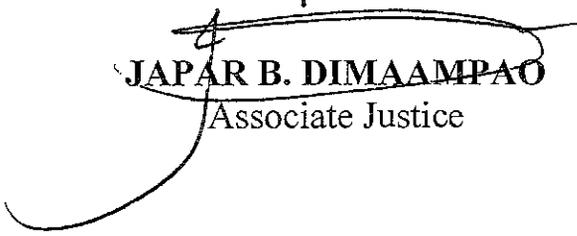
SAMUEL H. GAERLAN
Associate Justice



RICARDO R. ROSARIO
Associate Justice



JHOSEP Y. LOPEZ
Associate Justice

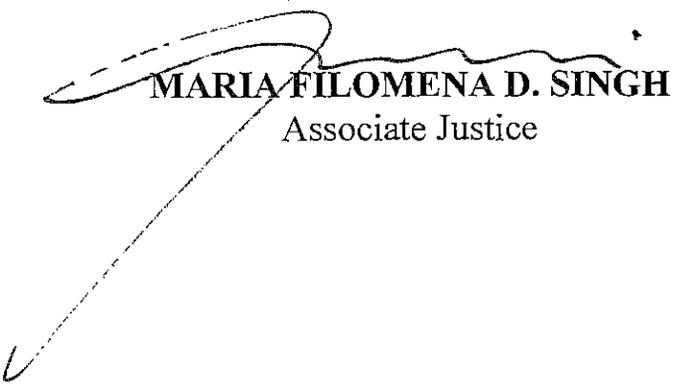


JAPAR B. DIMAAMPAO
Associate Justice

NO PART
JOSE MIDAS P. MARQUEZ
Associate Justice



ANTONIO T. KHO, JR.
Associate Justice



MARIA FILOMENA D. SINGH
Associate Justice