

[ADMINISTRATIVE ORDER NO. 69, June 17, 1999]

**IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE ON
3RD ASSISTANT PROVINCIAL PROSECUTOR ARNULFO F.
MANZANO OF ILOCOS SUR**

This refers to the administrative complaint against 3rd Assistant Provincial Prosecutor Arnulfo F. Manzano of Ilocos Sur for simple neglect of duty, committed, as stated in the formal charge, as follows:

"That on 12 April 1995 when your attention was first called until September 27, 1996 when the Provincial Prosecutor of Ilocos Sur reassigned your pending cases, you failed to resolve cases assigned to you for preliminary investigation/reinvestigation, thereby violating Section 5 and 6 of Rule 112 of the Rules of Court and Department Circular No. 35 dated 17 September 1991 and Department Circular No. 49 dated 14 July 1993."

The formal investigation of the case, docketed as Administrative Case No. 97-0003-FS, was assigned to State Prosecutor Albert Fonacier as the Hearing Officer, with State Prosecutor Ruben Carretas as the Prosecuting Officer.

Records show that on April 12, 1995, respondent's attention was called by the Provincial Prosecutor of Ilocos Sur for failure to resolve fourteen (14) of the cases assigned to the former within the period stipulated under the said Department Circulars. In reply, respondent reasoned out that his loaded schedule of hearings and personal problems hampered his efficiency. Respondent promised, however, to resolve said cases within fifteen (15) days.

A year after, or on April 30, 1996, Regional Trial Court Judge Florencio Ruiz called the attention of Regional State Prosecutor Constanse Caridad regarding the pendency of cases that were assigned to the respondent. Consequently, the Provincial Prosecutor called again respondent's attention per Office Memo No. 6 by listing six (6) cases for reinvestigation and twenty (20) cases for preliminary investigation which had remained unresolved.

On May 29, 1996, the Regional State Prosecutor ordered an audit and/or inventory of pending cases in Region I. On September 6, 1996, the respondent's attention was again called by the Provincial Prosecutor to four (4) unresolved cases for reinvestigation and ten (10) unresolved cases for preliminary investigation.

On September 3, 1996, the Regional State Prosecutor ordered respondent to show cause why no administrative sanction should be taken, against him for violation of Department Circular No. 35 dated September 17, 1991 and Department Circular No. 49 dated July 14, 1993.