

[ADMINISTRATIVE ORDER NO. 194, November 21, 1969]

**SUSPENDING MR. CIRIACO C. BARTE FROM OFFICE AS
MUNICIPAL JUDGE OF BATO, LEYTE**

This is an administrative case filed by Mr. Luis Flendoza against Mr. Ciriaco C. Barte, Municipal Judge of Bato, Layte, for falsification of daily time record, abuse of discretion, dishonesty and ignorance of the law and circular of the Department of Justice, consisting of nine (9) counts, which were formally investigated by Judge Bernardo Ll. Salas of the Court of First Instance of Leyte. Respondent is charged with having:

1. Falsified his daily time record by making it appear that he reported for duty on November 23, 1965, although he was absent;
2. Allowed himself to be a tool of politicians, and through the execution of false affidavits exerted a hand in the filing of Criminal Case No. R-566 for grave coercion against Mayor Justina K. Rosal and her son, with his wife as complainant, the affidavits supporting the said case never having been subscribed before the Municipal Judge of Matalom and respondent being the one who signed the warrant of arrest against the aforementioned Mayor and her son in violation of Rule 137 of the New Rules of Court;
3. Falsified his daily time record by making it appear that he reported for duty on October 25, 1965, from 8 A.M. to 12 noon;
4. Connived with Ex-Mayor Saturnino Aguilar by absenting himself from office on October 23 and 25, 1965, resulting in the detention of the accused Leonardo Rubillos an Antonio Baldez (Criminal Case No. 559) because of the Mayor's refusal to qualify the bondsman, although Salvador Aguilar, brother of the mayor and complainant in the case, should have been the accused for having shot the accused with a .45 caliber pistol;
5. Been either ignorant of the law or having abused his discretion by issuing the order dated February 11, 1966, confiscating the bail bond of Antonio Baldez, the accused in Criminal Case No. .R-559.
6. Illegally collected the amount of 24 for copies of the complaint and the affidavits in Criminal Case Nos. 521 and 536. without any receipt from Demetrio Salabao, one of the accused in said cases;
7. Made a false statement in his decision in Criminal Case No. 518 entitled "People of the Philippines vs. Restituta Sudio et al." by stating therein that Paterno Torrente, one of the accused, testified during his trial although he