

[ADMINISTRATIVE ORDER NO. 38, March 14, 1967]

REVOKING ADMINISTRATIVE ORDER NO. 152 CONCERNING MR. ANGEL V. CAMPOY, CITY JUDGE OF DUMAGUETE CITY

By virtue of Administrative Order No. 152 dated December 3, 1965, Mr. Angel V. Campoy was removed from office as Judge of Dumaguete City for having been found guilty of falsifying a public document in order to acquire a piece of land.

The respondent has sought reconsideration of the decision, and the Department of Justice recommends favorable action thereon, as the evidence is insufficient to support the finding that respondent was guilty of falsification, in which I concur.

Respondent's removal under the aforesaid administrative order was premised of the following findings:

" . . . It appears that on June 3, 1959, respondent prepared a document entitled 'Extrajudicial Settlement and Sale' where Sixto Abol and his seven (7) children, one of them Esperanza Abol, agreed, among other things, to sell to respondent a piece of land owned by them in common, identified as Lot No. 2566, situated at Sibulan, Negros Oriental, and covered by Original Certificate of Title No. O-V-691. In view of Esperanza's refusal to sell her share of the land and to sign the document transferring the property to respondent, the latter deleted her name appearing on the deed of conveyance already signed by her father and six (6) others to make it appear that the latter were the only co-owners of Lot No. 2566, filled the blank spaces of the acknowledgment of the deed reserved for the residence certificates of the vendors with those issued to persons other than the vendors and had it ratified before a notary public.

"On June 11, 1959, respondent presented the falsified deed of conveyance in the Office of the Register of Deeds in Dumaguete City, on the strength of which Original Certificate of Title No. O-V-691 was cancelled and Transfer Certificate of Title No. T-7272 issued to the seven (7) co-owners, with Esperanza Abol excluded. On the same day, Transfer Certificate of Title No. R-7276 cancelling Transfer Certificate of Title No. 7272 was issued in the name of respondent as registered and sole owner of Lot No. 2566."

Although it is undisputed that respondent cancelled the name of Esperanza Abol in the document in question and initialed the cancellation, there is no evidence to show that he thereby intended to make it appear that Esperanza Abol was not a co-owner of the land referred to in the instrument. Respondent's intention, it is inferred, in cancelling her name was to make clear her failure to sign the document, which