

EN BANC

[A.M. No. RTJ-20-2597 [Formerly OCA I.P.I. No. 10-3510-RTJ], September 22, 2020]

ANONYMOUS COMPLAINT AGAINST JUDGE EDMUNDO P. PINTAC AND MS. LORELEI T. SUMAGUE, STENOGRAPHER, BOTH OF THE REGIONAL TRIAL COURT, BRANCH 15, OZAMIZ CITY

A.M. No. P-20-4091 [Formerly OCA I.P.I. No. 10-3559-P]

EXECUTIVE JUDGE EDMUNDO P. PINTAC V. ROLANDO O. RUIZ, PROCESS SERVER, REGIONAL TRIAL COURT, BRANCH 15, OZAMIZ CITY

A.M. No. RTJ-20-2598 [Formerly OCA I.P.I. No. 11-3600-RTJ]

ROLANDO O. RUIZ, PROCESS SERVER, REGIONAL TRIAL COURT, BRANCH 15, OZAMIZ CITY V. JUDGE EDMUNDO P. PINTAC, EXECUTIVE JUDGE AND PRESIDING JUDGE, SAME COURT

A.M. No. RTJ-20-2599 [Formerly OCA I.P.I. No. 11-3633-RTJ]

ROLANDO O. RUIZ V. EXECUTIVE JUDGE EDMUNDO P. PINTAC, REGIONAL TRIAL COURT, BRANCH 15, OZAMIZ CITY.

PER CURIAM:

Antecedents

By anonymous Letter-Complaint dated May 25, 2009 addressed to then Chief Justice Reynato S. Puno, a concerned citizen of Ozamiz City accused Judge Edmundo P. Pintac, Regional Trial Court (RTC), Branch 15 for Ozamiz City, of having an illicit relationship with his court stenographer, Lorelei T. Sumague. It was docketed **OCA IPI No. 10-3510-RTJ, entitled *Anonymous Complaint against Judge Edmundo P. Pintac and Ms. Lorelei T. Sumague, Stenographer, both Regional Trial Court, Branch 15, Ozamiz City*** (first case).

On November 22, 2010, the Office of the Court Administrator (OCA) received an Affidavit-Complaint dated November 17, 2010 from Judge Pintac accusing Process Server Rolando O. Ruiz, RTC, Branch 15 for Ozamiz City, of Gross Misconduct and Dishonesty prejudicial to the public service. It was docketed **OCA IPI No. 10-3559-P, entitled *Executive Judge Edmundo P. Pintac v. Rolando O. Ruiz, Process Server, Regional Trial Court, Branch 15, Ozamiz City*** (second case).

The Comment filed by Ruiz in the second case was treated as a complaint against Judge Pintac. The same was docketed **OCA IPI No. 11-3633-RTJ, entitled *Rolando O. Ruiz v. Executive Judge Edmundo P. Pintac, Regional Trial Court,***

Branch 15, Ozamiz City (fourth case). Thereafter, the second and fourth cases were consolidated and raffled to Justice Carmelita Salandanan-Manahan, Associate Justice of the Court of Appeals-Mindanao Station.

Meantime, on January 28, 2011, the OCA received a Letter dated January 27, 2011 from Ruiz addressed to the OCA forwarding a copy of his verified complaint against Judge Pintac. Attached to the letter was Ruiz's Affidavit dated January 27, 2011 stating, among others, that it be treated as a formal complaint against Judge Pintac. Ruiz's complaint was the same complaint subject of the fourth case. This was docketed as **OCA IPI No. 11- 3600-RTJ, entitled Rolando O. Ruiz, Process Server, Regional Trial Court, Branch 15, Ozamiz City v. Judge Edmundo P. Pintac, Executive Judge and Presiding Judge, Same Court** (third case).

On June 21, 2011, the OCA recommended the consolidation of the four (4) administrative cases considering the intimately related issues involved. By Resolution dated August 10, 2011, the Court consolidated the four (4) administrative cases. The records of the first and third cases were also forwarded to Justice Manahan.

On June 4, 2012, Justice Manahan transferred to the Court of Appeals-Visayas Station. Thus, the consolidated administrative cases were re-raffled to Justice Rafael Antonio M. Santos.

Judge Pintac testified that he was the Executive Judge of the RTC for Ozamiz City and the Presiding Judge of Branch 15 of the same court. He was also designated to hear and decide Criminal Cases Nos. 11-12769 and II-12770, entitled *People v. Glorioso Flores, et al.*, for Murder and Multiple Frustrated Murder, respectively, pending before Branch 2, RTC for Iligan City. During the hearings of these criminal cases, he would bring along Ruiz with him. He, however, subsequently discovered that Ruiz used his name to demand and receive money from Regina T. Flores, the wife of accused Glorioso. The money was allegedly given by Regina to obtain a favorable resolution of her husband's case. He neither authorized nor ordered Ruiz to solicit, demand, and receive, for and on his behalf, any amount from Regina or from any other person, much less, to use his name to solicit money from litigants. Prior to this discovery, he had no knowledge of the illegal and unlawful activities of Ruiz. When he confronted Ruiz, the latter readily admitted his unlawful activities. Ruiz asked for forgiveness, offered to resign, and submitted a resignation letter. Ruiz, however, later withdrew his resignation letter.

Judge Pintac further attested that, during the July 8, 2012 hearing of Criminal Case No. RTC-5242, entitled *People of the Philippines v. Richard Catane y Palomar*, Ruiz falsely manifested in open court that Catane, therein accused, was unable to attend the hearing because of his medical condition, when in truth, Catane had already died a few days earlier or on July 1, 2010. When Ruiz learned about the death of Catane, Ruiz immediately altered the date of the Return of Service of the notice of hearing from July 6, 2010 to June 30, 2010 to make it appear that he effected the service of the notice on Catane on June 30, 2010, when Catane was still alive.

Regarding his alleged illicit affair with Sumague, Judge Pintac vehemently denied the same. He claimed that Ruiz must have paired him with Sumague because, among his female staff, she was then separated in fact from her husband.

To support his accusations, Judge Pintac submitted the following: (1) Affidavit dated November 12, 2011 of Regina; (2) copies of the Resignation Letter dated November 3, 2010 of Ruiz; and (3) Letter dated November 4, 2010 of Ruiz.

Regina testified that she was the wife of Glorioso, the accused in Criminal Cases Nos. 11-12769 and 11-12770, entitled *People v. Glorioso Flores, et al.* Ruiz called her niece, Teresa Desierto, who was his friend, and informed Teresa that Judge Pintac needed money and wanted to borrow P15,000 from her. On November 6, 2009, during the hearing of her husband's criminal cases and as instructed by Ruiz, she inserted P15,000 and another P2,000 between the pages of a magazine to purportedly defray the transportation and lunch expenses of Judge Pintac. She unobtrusively left the magazine in one (1) corner of the lobby of the Hall of Justice. She then saw Ruiz retrieve the same. Ruiz asked her for more money on several occasions thereafter. When her husband filed a motion to grant bail for his temporary release, Ruiz informed her that she had to pay P60,000 immediately in order to obtain a favorable action on the motion.

For his part, Ruiz claimed that he was Judge Pintac's confidant and secret keeper. Judge Pintac only filed the complaint against him, thinking he (Ruiz) divulged Judge Pintac's corrupt practices to other court personnel.

Ruiz contended that he knew all the wrongdoings, misfeasance, and immorality of Judge Pintac. There were countless occasions when Judge Pintac authorized him to receive goods from litigants with pending cases before his court. More, he witnessed several times the amorous relationship between Judge Pintac and Sumague. Sumague slept in the boarding house of Judge Pintac and he even witnessed them kissing each other not only in the boarding house but also in the court chambers. Sumague was Judge Pintac's mistress and concubine and the same was a matter of public knowledge in Ozamiz City.

Ruiz likewise alleged that despite Sumague being a court personnel in his *sala*, Judge Pintac heard the petition for nullity of marriage filed by Sumague, and thereafter, hastily granted the same in a three (3)-page decision. Judge Pintac subsequently denied the motion for reconsideration filed by the Office of the Solicitor General because of his illicit relations with Sumague.

As for his interaction with Regina, Ruiz claimed he was only following the instructions of Judge Pintac. Everything he did was under the direction and command of Judge Pintac. It was Judge Pintac who wanted money from Regina and her husband, not him.

Ruiz further averred that, on November 3, 2010, Judge Pintac told him he wanted to talk to him and his wife, Emilda E. Ruiz. Thus, he and his wife went to see Judge Pintac in his chambers. There, they were shocked when Judge Pintac suddenly became very angry while reading text messages from his cellphone. Apparently, someone had forwarded to Judge Pintac the exchange of text messages between him (Ruiz) and Regina. Before he could explain himself, Judge Pintac told him that he only had two (2) options: (1) resign and look for another job; or (2) face various cases he will file against him. Thereafter, he tried to contact Regina but was unable to reach her. He wanted to ask Regina how Judge Pintac was able to get hold of their text messages.

Anxious of facing several cases if he did not resign, he prepared a resignation letter and asked his wife to go to the house of Judge Pintac to personally deliver it. Emilda knelt before Judge Pintac and pleaded not to let him resign. When Judge Pintac ignored her plea, Emilda was constrained to give Judge Pintac his resignation letter. Nevertheless, he (Ruiz) withdrew his resignation letter because he felt humiliated and hurt when he learned that right after his wife submitted his resignation letter to Judge Pintac, notices stating that he was no longer employed with Branch 15 were posted in the premises of the Hall of Justice. When he returned to work, he received a memorandum from Judge Pintac detailing him at the maintenance section.

In relation to Judge Pintac's allegation that he made a false statement in open court in Criminal Case No. RTC-5242, entitled *People of the Philippines v. Richard Catane y Palomar*, he vehemently denied the same. The transcripts of stenographic notes (TSN) of the criminal proceedings showed that the utterances imputed on him were actually made by Atty. Cagaanan, Catane's counsel. Further, to prove that he did not alter the date of the Return of Service of the notice of hearing, he submitted the Affidavit dated November 19, 2010 of Erlinda P. Catane, Catane's mother, attesting that he in fact served the notice of hearing on Catane on June 30, 2010.

To support his averments, Ruiz submitted his wife's Affidavit dated December 7, 2010 confirming his narrative.

As for Sumague, she testified that she was caught by surprise when she learned about the anonymous complaint. She was a single mother of three (3) children. Her marriage to her ex-husband was already annulled per final and executory judgment. Due to her busy schedule as a court stenographer, it was impossible for her to be in another place, not her home, after office hours. She did not have any illicit relations with Judge Pintac. She never slept in any other house without her children, much less, at the boarding house of Judge Pintac. She could not afford to stay away from her children, aged fourteen (14), twelve (12), and eleven (11), one (1) of them being even a special child with Down's Syndrome.

Judge Pintac was married and if ever she would fall in love again, she would choose a man who is single. Ruiz and his wife were merely making up stories to suit their ill motives.

Report and Recommendation of Justice Santos

By Report and Recommendation dated October 15, 2014, Justice Santos recommended that:

- a. Respondent Ruiz be found liable for *Gross Misconduct* in **A.M. OCA IPI No. 10-3559-P**;
- b. The complaint for *Dishonesty* against Process Server Ruiz in **A.M. OCA IPI No. 10-3559-P** be DISMISSED for lack of merit[;]
- c. The complaint for *Gross Misconduct* in **A.M. OCA IPI No. 11-3633-RTJ**, *Oppression and Grave Abuse of Authority* and for *Violation of R.A. No. 3019* in A.M. OCA IPI No. 11-3600-RTJ against Judge Pintac be DISMISSED for lack of sufficient evidence;

- d. The complaints for *Gross Immorality* in **OCA IPI No. 10-3510-RTJ and Immorality in OCA IPI No. 11-3600-RTJ** against Judge Pintac be DISMISSED for lack of sufficient evidence;
- e. Judge Pintac should be admonished to observe appropriate conduct toward his female court personnel consistent with the norms of respect and decency. He should further be adjudged liable for committing inappropriate conduct in not inhibiting in a case filed by his court personnel and proceeding to hear and decide the same, and be meted with a penalty of a FINE equivalent to One Month Salary with stern warning that a repetition of the same or similar act shall be dealt with more severely[; and]
- f. The complaint for *Gross Immorality* against Stenographer Lorelei T. Sumague in **OCA IPI No. 10-3510-RTJ** be DISMISSED for lack of sufficient evidence.

Memorandum of the OCA

In its Memorandum dated February 23, 2016, the OCA adopted in full the findings and recommendation of Justice Santos.

Ruling

The Court adopts with modification the findings and recommendation of the OCA in its Memorandum dated February 23, 2016.

The Court has repeatedly stressed that no position demands greater moral righteousness and uprightness from its holder than a judicial office. Those connected with the dispensation of justice, from the highest official to the lowliest clerk, carry a heavy burden of responsibility.^[1] The image of a court of justice is mirrored in the conduct, official or otherwise, of its personnel. Indeed, all court personnel are mandated to adhere to the strictest standards of honesty, integrity, morality, and decency. In order to preserve the good name and integrity of the courts of justice, they must exemplify the highest sense of honesty and integrity.^[2]

Notably, for administrative proceedings such as the consolidated administrative cases here, only substantial evidence is required. Substantial evidence is defined as that amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion. The standard of substantial evidence is satisfied when there is reasonable ground to believe that respondent is responsible for the misconduct complained of, even if such evidence might not be overwhelming or even preponderant.^[3]

In the second case, Ruiz was charged with **Gross Misconduct**. In *Ramos v. Limeta*,^[4] the Court defined Grave Misconduct as a serious transgression of some established and definite rule of action, such as unlawful behavior or gross negligence by the public officer or employee, that tends to threaten the very existence of the system of administration of justice an official or employee serves. It may manifest itself in corruption, or in other similar acts, done with the clear intent to violate the