

THIRD DIVISION

[**A.M. OCA IPI NO. 06-11-392-METC, January 15, 2007**]

RE: ALLEGATION OF "FAKE DECISIONS" IN THE METROPOLITAN TRIAL COURT, MANILA BY MS. MELBAROSE R. SASOT

SIRS/MESDAMES:

Quoted hereunder, for your information is a resolution of the Third Division of this Court dated **15 JANUARY 2007**

RESOLUTION

A.M. OCA IPI No. 06-11-392-MeTC (Re: Allegation of "Fake Decisions" in the Metropolitan Trial Court, Manila by Ms. Melbarose R. Sasot).- Acting on the Report of the Office of the Court Administrator (OCA) dated November 17, 2006, as follows:

REASON FOR THE AGENDA: On June 21, 2006, the Office of the Court Administrator received, by way of an indorsement from the Office of the Chief Justice, the letter dated June 16, 2006 of Ms. Melbarose R. Sasot wherein she accused the Metropolitan Trial Courts of Manila of issuing "fake decisions" that led to the issuance of a warrant of arrest against her.

On July 25, 2006, the undersigned directed MeTC Executive Judge Ma. Theresa Dolores Estoesta to comment/report on the allegation raised by Ms. Sasot.

On August 18, 2006, Executive Judge Estoesta submitted her Report recommending the dismissal of the complaint. On September 5, 2006, Ms. Sasot requested for a copy of the Report and the same was granted by the undersigned. On October 23, 2006, the OCA received a copy of the rejoinder of Ms. Sasot.

BACKGROUND: In her June 21, 2006 letter, Ms. Sasot reveals that she has been in hiding for over a year because of a search warrant fraudulently issued against her.

Ms. Sasot claims her dilemma stems from two (2) criminal cases - **Criminal Case No. 088436** (*PP vs. Sasot, et al. Malicious Mischief*) and **Criminal Case No. 088437** (*PP v. Rafael Padilla, et al. Slight Physical Injuries*).

Criminal Case No. 088436 (where Sasot was the accused) was originally raffled to MeTC Branch 10, Manila, then presided by Judge Ed Vincent Albano. On the other hand, Criminal Case No. 088437 (where Sasot was

the complainant) was originally raffled to MeTC Branch 12.

Criminal Case No. 088436 was consolidated with Criminal Case No. 088437. The cases were, however, re-raffled again and wound up at MeTC Branch 17.

The cases were tried jointly and separate decisions were issued by MeTC Branch 17 on June 10, 1992. Ms. Sasot was found guilty in Criminal Case No. 088436. Criminal Case No. 088437, which was initiated by Ms. Sasot against several accused, was dismissed.

Ms. Sasot appealed her conviction in Criminal Case No. 088436 but the same was affirmed at the RTC level.

Ms. Sasot claims the affirmation of her conviction at the RTC was tainted as the appellate court did not receive the full records of the case. Moreover, in a chance encounter with Judge Albano in Baguio City in February 1995, Ms. Sasot reveals that she was informed by the former that he did not inhibit himself from Criminal Case No. 088436 and that he actually acquitted her.

Digging into the records of the cases, Ms. Sasot claims she found notations of "*dismissed without prejudice*" on the face of the folder of Criminal Case No. 088436. The folder of Criminal Case No. 088437 also bore handwritten notations of "*P40.00 fine plus costs.*"

Ms. Sasot thus advanced the belief that the decision in the two cases may have been interchanged; that she may [have] been acquitted in Criminal Case No. 088436.

On February 17, 2005, the private complainant in Criminal Case No. 088436 filed a Motion for Execution (payment of attorney's fees, etc.) of the June 10, 1992 decision where Sasot was found guilty. Ms. Sasot filed an Opposition to the Motion but the same was denied by MeTC Branch 17 Presiding Judge Germano D. Legaspi. As the decision of conviction had become final and executory, Judge Legaspi also issued a warrant of arrest against Ms. Sasot.

Ms. Sasot insists that there was an illegal transfer/consolidation of the subject criminal cases. She accuses the personnel and the judges of MeTC Branches 10, 12 and 17 of intentionally interchanging the verdicts in the said cases to create the impression that she was the one convicted.

EVALUATION AND RECOMMENDATION

Based on the documents and pleadings gathered by this Office, the allegation of "fake decisions" by Ms. Sasot amounts to a mere figment of the imagination.

The "handwritten notes" mentioned by Ms. Sasot do appear on the face of the folders of the subject criminal cases, as attested by Judge