

FIRST DIVISION

[A.M. No. MTJ-00-1279, March 01, 2001]

JUDGE ALICIA GONZALES-DECANO, COMPLAINANT, VS. JUDGE ORLANDO ANA F. SIAPNO, RESPONDENT.

D E C I S I O N

KAPUNAN, J.:

In two Letters dated July 10, 1997 and June 16, 1998,^[1] addressed to the Court Administrator, Judge Alicia B. Gonzales-Decano, Executive Judge, Regional Trial Court, Urdaneta, Pangasinan, reported that Judge Orlando Ana F. Siapno of the Urdaneta Municipal Trial Court (MTC) has not decided within the required periods the following cases already submitted for decision:

1. Civil Case No. 3976
Melchor Hortaleza vs. Florencio Hortaleza
For: Forcible Entry with Preliminary Injunction
Filed: February 19, 1993
Submitted for Decision: November 27, 1996
2. Civil Case No. 3979
Melchor Hortaleza vs. Sps. Jorge Hortaleza, et al.
For: Unlawful Detainer
Filed: February 19, 1993
Submitted for Decision: November 26, 1996
3. Civil Case No. 4109
Francisca Lutrania, et al. vs. Nicomedes Tomines, et al.
For: Unlawful Detainer
Filed: February 10, 1995
Submitted for Decision: January 20, 1997
4. Civil* Case No. 4244
Leah Balberdi vs. Conrad Lomboy
For: Election Protest on Irregularities in the conduct of Barangay Election, Revision and Recounting of Ballots with Damages
Filed: May 13, 1996
Submitted for Resolution: June 25, 1996
5. Civil Case No. 4179
Alfredo Salazar vs. Juan Sison
For: Forcible Entry/Specific Performance and Damages
Filed: November 6, 1995

Submitted for Decision: June 18, 1996

6. Criminal Case No. 15081

People vs. Bong Tolosa

For: Reckless Imprudence resulting in Serious Physical Injuries and Damage to Property

Filed: February 2, 1994

Submitted for Decision: January 8, 1997

7. Criminal Case No. 13292

People vs. Edgardo dela Peña y Aviles

For: Simple Trespass to Dwelling

Filed: August 28, 1992

Submitted for Decision: February 29, 1997

Required to comment by the Court Administrator, respondent Judge did not dispute outright the allegations of delay. Instead, he attempted to explain the reasons for his failure to act on the above cases within the required periods.

Civil Case Nos. 3976 & 3979

These cases are interrelated and were tried jointly.

Respondent Judge makes it appear that a decision had already been rendered in these cases, although he is not sure when. Respondent Judge wrote:

Although apparently from the order the case was submitted for resolution, Judge Decano did not submit a copy of the decision to show that it was decided after 90 days. I cannot verify or secure a copy of the decision because, according to MTC Personnel it was being kept by Celestina Corpuz, the Clerk of Court when I went to Urdaneta to secure one.^[2]

There is, however, no indication in any of Judge Gonzalez-Decano's letters or in the annexes thereto that a decision had already been rendered therein.

In any case, respondent Judge maintains that if there was delay in rendering a decision, it was due to circumstances beyond his control such as the transcription of the stenographic notes. There are a thousand cases pending in Urdaneta and there is only one stenographer in his sala.

Civil Case No. 4109

Respondent Judge claims that he had already dictated a resolution in this case but, for reasons beyond his control, it was not typed right away and submitted to him for his signature. He emphasizes that he has only one steno-typist in his sala.

"Civil" Case No. 4244

The stenographic notes of the above case have not yet been transcribed; hence, respondent Judge could not prepare his decision. The transcript was finished only on April 24, 1998 because of the stenographer's heavy work volume.

Civil Case No. 4179

Respondent Judge claims he had already ordered the transcription of the stenographic notes as basis for the preparation of the decision in this case. He adds that although he also takes notes during the trial, the same is not considered official and he risks administrative sanction should he decide on matters that later turn out to be not supported by the records.

Respondent Judge, however, also avers that he had already dictated his decision but he was suspended before he could finalize it.

Criminal Case No. 15081

The above case is subject to the completion of the transcript of records. Respondent Judge asserts that it is difficult to render a decision without the transcript of records, especially in a criminal case such as this. The freedom, life and career of a man and the future of his family are at stake.

Criminal Case No. 13292

In an Order dated February 29, 1997, [sic]** respondent Judge gave the prosecutor in this case 20 days to file her comment on the defense's demurrer to the evidence, after which the case was deemed submitted for decision. Twenty days after February 29, 1997 [sic] is March 20, 1997 and 90 days after the latter date is June 20, 1997. Respondent Judge, however, was suspended on May 19, 1997 and hence could not render a decision on the case.

In addition to the above comments, respondent Judge stresses that from May to December 1993, he had disposed of 719 cases, and 493 cases from January to December 1994. He further accuses Celestina Corpuz, the MTC Clerk of Court who reported the undisposed cases to Judge Gonzalez-Decano, of "trying to put [him] down" because he charged her with corruption before the Supreme Court and the Ombudsman. He also claims that he could not possibly check on all cases pending resolution because Judge Gonzalez-Decano had also designated him Presiding Judge of Manaoag, Pangasinan. At the same time, he is the Presiding Judge in the MTCs of Asingan and Pozorrubio where the presiding judges inhibited themselves. Respondent Judge thus prays for the dismissal of the charges against him.

Finding merit in the complaint, the Court Administrator recommends that the Court impose upon respondent Judge a fine in the amount of P5,000.00 with a stern warning that a repetition of similar acts shall be dealt with more severely.

We agree with the findings of the OCA and its recommendation.

The Court has consistently emphasized the need for judges to decide cases within the mandated periods. The failure of a judge to render a decision within such time constitutes a violation of Rule 3.05 of the Code of Judicial Conduct, which requires that a judge dispose of the court's business promptly and decide cases within the required periods.^[3] It amounts to gross inefficiency^[4] and warrants administrative sanction.^[5]