

## EN BANC

**[ A.M. No. 98-3-119-RTC, October 12, 2000 ]**

**JUDICIAL AUDIT REPORT, Regional Trial Court, Branches 21, 35 & 36 and Municipal Trial Court in Cities, Branches 1 & 2, Santiago City; Regional Trial Court, Branch 17, Ilagan, Isabela; Regional Trial Court, Branch 31, Cabarroguis, Quirino and Municipal Trial Court, Cauayan & Echague, Isabela.**

## D E C I S I O N

**VITUG, J.:**

EN BANC [A.M. No. 98-3-119-RTC. October 18, 2000] D E C I S I O N VITUG, J.:

Following a judicial audit and physical inventory of records conducted by a Judicial Audit Team<sup>[1]</sup> in the Regional Trial Court ("RTC") of Santiago City, Branches 21, 35 and 36; RTC of Cabarroguis, Quirino, Branch 31; RTC of Ilagan, Isabela, Branch 17; Municipal Trial Court in Cities ("MTCC") of Santiago City, Branches 1 and 2; and Municipal Trial Court ("MTC") of Cauayan and Echague, Isabela, and considering the recommendations of the Office of the Court Administrator ("OCA") in its memorandum, dated 23 February 1998, to the Chief Justice, the Court, in its 23rd June 1998 resolution, resolved, among other things, to

- (1) Direct Judge Serio A. Plan of MTC, Cauayan, Isabela, to explain the delay in the resolution of the following cases:

- "1. CV-1896 - Submitted for Resolution on August 29, 1996;
2. CV-1894 - Submitted for resolution on November 4, 1996;
3. CV-1932 - Submitted for resolution on December 16, 1996;
4. CV-1946 - Submitted for decision on November 5, 1997;
5. CV-2034 - Submitted for decision on November 12, 1997; and
6. CV-1706 - Submitted for decision on March 17, 1997."<sup>[2]</sup>

(2) Direct Judge Wilfredo P. Ambrosio of RTC, Cabarroguis, Quirino, Branch 31, to explain the delay in the resolution of the following cases:

- "1. 426 - Submitted for decision on June 16, 1997;
2. 427 - Submitted for decision on June 16, 1997;
3. 434 - Submitted for decision on June 16, 1997;
4. 387 - Submitted for decision on June 16, 1997;
5. 194 - Submitted for decision on October 19, 1995;

6. 256 - Submitted for decision on July 26, 1995;
7. 430 - Submitted for decision on August 25, 1997;
8. 292 - Submitted for decision on January 27, 1997;
9. 169 - Submitted for decision on July 7, 1997
10. 373 - Submitted for decision on August 25, 1997; (with draft decision)
11. 324 - Submitted for decision on May 15, 1996;
12. 425 - Submitted for decision on August 25, 1997; 13. 393 - Submitted for resolution on March 3, 1997;
14. 408 - Submitted for resolution on August 25, 1996;
15. 83 - Submitted for resolution on October 10, 1997;
16. 368 - Submitted for resolution on August 7, 1994; and
17. 370 - Submitted for resolution on August 20, 1996."<sup>[3]</sup>

Judge Ambrosio was likewise required to explain why the following cases were unacted upon for a considerable length of time; to wit:

#### "CIVIL CASES

1. 392	14. 45916
2. 444	15. LRC-92-9
3. 188	16. 311
4. 283	17. 261
5. 302	18. 295
6. 394	19. 459
7. 96-11	20. Sp. Proc. 93-002
8. 228	21. Sp. Proc. 96-08
9. 320	22. Sp. CV 173
10. LRA 184	23. LRC Case No. 182
11. 399	24. Sp. CV Action 91-02
12. 309	25. Sp. Proc. 97-10
13. 243	26. LRC Case No. 181

#### "CRIMINAL CASES

1. 1283    3. 1043    5. 975

2. 718      4. 951      6. 1116"  
[4]

(3) Direct Judge Fe Albano Madrid of RTC, Santiago City, Branch 21, to explain the delay in the resolution of Civil Case No. 0105, submitted for decision on 09 October 1997, and to explain why the following cases were unacted upon for a considerable length of time; to wit:

"CIVIL CASES

1.	4.	7.	10.
2348	2425	2433	2432
2.	5.	8.	11.
2441	2230	2312	2313"
3.	6.	9.	503
2317	2383		

[5]

(4) Direct Judge Demetrio D. Calimag, Jr., RTC of Santiago City, Branch 35, to explain the delay in the resolution of the following cases:

"CRIMINAL CASES

1. 1898 - Submitted for decision on October 10, 1997;
2. 1977 - Submitted for decision on October 10, 1997;
3. 1978 - Submitted for decision on October 10, 1997; and
4. 1979 - Submitted for decision on October 10, 1997;

"CIVIL CASES

1. LRC Case-35-2161 - Submitted for decision on July 28, 1997;
  2. 2077 - Submitted for decision on May 22, 1997; and
  3. 2318 - Submitted for decision on February 19, 1997."
- [6]

Judge Calimag, furthermore, was required to explain why the following cases were unacted upon for a considerable length of time; to wit:

"CIVIL  
CASES

1. LRC 2095	3. LRC 2087	5. 2396
2. 2165	4. Sp. Proc. 0205	6. 204" [7]

(5) Direct Judge Efren A. Lamorena, RTC of Santiago City, Branch 36, to explain the delay in the resolution of the following cases:

#### "CRIMINAL CASES

1. 1931 - Submitted for decision on December 13, 1995;
2. 2287 - Submitted for decision on September 18, 1997;
3. 2094 - Submitted for decision on January 15, 1997; and
4. 0226 - Submitted for decision on July 2, 1997.

#### "CIVIL CASES

1. 2151 - Submitted for decision on October 24, 1995;
2. 21521 - Submitted for decision on October 24, 1995
3. 2128 - Submitted for decision on November 7, 1995;
4. 2150 - Submitted for decision on January 8, 1996;
5. 1047 - Submitted for decision on September 10, 1997
6. 2181 - Submitted for decision on January 17, 1997;
7. 2141 - Submitted for decision on August 14, 1997;
8. 2248 - Submitted for decision on May 30, 1997;
9. 1076 - Submitted for decision on September 18, 1996;
10. 2089 - Submitted for decision on June 6, 1996;
11. 2154 - Submitted for decision on May 16, 1995;
12. 2137 - Submitted for resolution on March 13, 1997;
13. 2339 - Submitted for resolution on June 17, 1997;
14. 2052 - Submitted for resolution on January 16, 1997;
15. 2158 - Submitted for resolution on August 8, 1996;
16. 2156 - Submitted for resolution on March 1, 1996
17. 2232 - Submitted for resolution on March 28, 1996;
18. 2143 - Submitted for decision on October 24, 1995;
19. 2147 - Submitted for decision on August 22, 1995;
20. 2292 - Submitted for decision on December 11, 1996;
21. 2243 - Submitted for decision on October 29, 1997;
22. LRC 1921 - Submitted for decision on August 13, 1997;
23. Spc. Proc. 0182 - Submitted for decision on January 31, 1997;
24. Spc. Proc. 0206 - Submitted for decision on January 20, 1997;
25. 2300 - Submitted for decision on October 6, 1997;
26. 0103 - Submitted for decision on February 12, 1996; and
27. 2220 - Submitted for decision on October 23, 1997."[8]

Judge Lamorena was also asked to explain why the following cases were unacted on for a considerable length of time; to wit:

#### "CRIMINAL CASES

- 1.
- 2.
- 3.
- 4.

1605 2283 2071 1943

"CIVIL CASES

1.	6.	11.	15.
0810	0811	2067	1044
2.	7.	12.	16.
1082	0910	540	0449
3.	8.	13.	17.
2186	2187	2142	2355
4.	9.	14.	18.
2294	2443	2352	0108 <sup>[9]</sup>
5.	10.		
2220	2309		

(6) Direct Judge Ruben R. Plata, MTCC, Santiago City, to explain his delay in acting on the following cases:

"CRIMINAL CASES

1.	3.	5.	7.
3433	3434	3435	5570
2.	4.	6.	
3071	2778	2840	

"CIVIL  
CASES

1. 320	4. 322	6. 325	8. 326
2. 327	5. 328	7. 330	9. 331 <sup>[10]</sup>
3. 399			

Judge Fe Albano Madrid, Judge Demetrio Calimag, Jr., Judge Efren Lamorena and Judge Sergio Plan submitted their respective compliances. In its Memorandum, dated 11 May 1999, the OCA reported thusly:

**"JUDGE FE ALBANO MADRID**  
RTC, Branch 21, Santiago City

"Judge Madrid gave no explanation for the delay in the resolution of Civil Case No. 0105 and why there were cases which were unacted on for a considerable length of time. All she stated were the present status of the said cases, (pp. 54-56, rollo).

"a. Delay in the Resolution of Civil Case No. 0105.

Judge Madrid informed that Civil Case No. 0105 has long been dismissed on February 7, 1984. What might have been referred to was Spc. Proc. No. 0105 where there is a pending Motion for Reconsideration. The petitioner in the said case