

MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 310

CONSIDERING MR. GAUDENCIO T. BOCOBO RESIGNED FROM OFFICE AS ASSISTANT  
FISCAL OF MANILA

This is an administrative case against Assistant Fiscal Gaudencio T. Bocobo of Manila for alleged guerrilla racket activities and bribery which was investigated by a special investigator of the Department of Justice. The bribery charge having been withdrawn by the complainant, only the other charge will be taken up here.

It appears that on June 16, 1953, Colonel Eugenio Castillo, overall commander of the 21st Infantry, ECLGA, submitted a guerrilla roster to Colonel Lorenzo Ador Dionisio, respondent's father-in-law, who was living with the fiscal. On December 10, 1953, and subsequent dates, Colonel Castillo submitted written requests for procurement allocations on behalf of different persons to Colonel Ador Dionisio, alleged chairman of the processing team. Similar applications were also submitted by Gaudencio Ventura and nine others.

From December 10, 1953, to January 10, 1954, Mrs. Catalina Ador Dionisio-Bocobo, Colonel Ador Dionisio's daughter and respondent's wife, received from guerrilla applicants sums of money totaling ₱1,430 as deposit to be applied in the payment of fees for the prosecution of claims for guerrilla recognition and the grant of the requested procurement allocations. Said payment was computed on the basis of ₱0.05 for every name included in the guerrilla roster and ₱3 for every ₱1,000 granted in the requested allocations. Each applicant executed a power of attorney in favor of the Rizal Investment Corporation, empowering it to collect whatever amount was due the applicant from the United States Government. At the same time each applicant and the Corporation entered into an agreement for it to receive a contingent fee of 50% of whatever sum the applicant would receive from the United States Government. The applicants were assured that the money to be paid by said government would be deposited with the Bataan Trust Bank which would later issue bank booklets in their names containing their corresponding money allocations.

When months passed without the claimants' receiving the promised allocations from the United States Government or its agency, they got worried. They repeatedly repaired to respondent's house at 381 Dimasalang, Manila, and made inquiries from Colonel Ador Dionisio and Mrs. Bocobo who assured them that their money from the Federal Government was forthcoming.

This was a racket pure and simple to fraudulently obtain money from gullible persons on the misrepresentation that their guerrilla claims, meritorious or otherwise, would be favorably considered by the American Government. The filing of guerrilla recognition and procurement claims with the United States Government was closed on December 31, 1949. However, the applicants were induced to file their applications for recognition and allocation with Colonel Ador Dionisio after December 31, 1949. Although the time for filing procurement claims was later extended on June 28, 1954, that fact would not erase the apparent deceit committed as the claims in question had been filed prior to that date.

The Rizal Investment Corporation which supposedly transmitted to, and prosecuted in, the United States Court of Claims the applications for recognition and allocation, was not empowered to act as such by its by-laws, and the Bataan Trust Bank, the supposed depository of the money to be paid by the American Government, never acquired a legal existence. The contingent fee of 50% to the Rizal Investment Corporation was contrary to morals and public policy, and the collection of ₱0.05 for every name listed in the submitted guerrilla roster and ₱3 for every ₱1,000 granted in the requested allocations is not sanctioned by law.

Mrs. Catalina Bocobo at first tried to deny having received any money from the applicants, either for her personal account or as depository, but when confronted with her signed receipts she admitted having received the money as depository which she allegedly transmitted to her father, Colonel Lorenzo Ador Dionisio. The above claims filed by the applicants with the Rizal Investment Corporation through Colonel Ador Dionisio do not appear in the certified list of all Philippine claims filed with the United States Court of Claims.

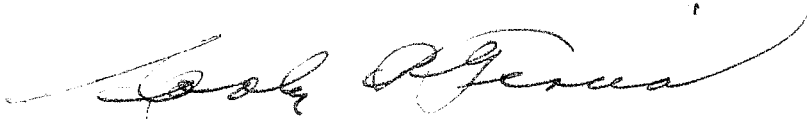
We now come to respondent's participation in the fraudulent scheme. On several occasions he was seen by government undercover men intimately talking with Mariano Flores in the office of the Rizal Investment Corporation at Jalandoni Building, of which corporation Flores is the president. He was also seen talking to Rustico Zapata, Flores' associate, at the Calvo Building, proposed site of the Bataan Trust Bank. Flores introduced respondent as the judge advocate general at a party held in Mandaluyong, Rizal, wherein discussions revolved around guerrilla claims. Respondent went to the headquarters of the 21st Infantry Regiment, ECLGA, and conferred with Colonel Eugenio Castillo, the overall commander. He got the guerrilla roster on the representation that it would be submitted to the United States Army authorities for recognition purposes. After the applicants had talked with Flores of the Rizal Investment Corporation they brought their papers to the house of Fiscal Bocobo and presented them to Colonel Ador Dionisio and Mrs. Bocobo,

sometimes in respondent's presence. The applicants paid their fees to respondent's wife at her house in the presence of Fiscal Bocobo at times. On one occasion he persuaded applicants to pay the required fees.

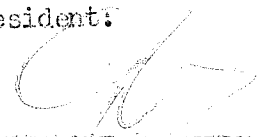
The foregoing shows not only knowledge on respondent's part of the existence of the fraudulent scheme but also his participation therein. Sworn to prosecute swindlers and other law violators, he allowed the use of his home for fleecing ignorant claimants in what appears to be a big-scale fraud.

WHEREFORE, Mr. Gaudencio T. Bocobo is hereby considered resigned from office as assistant fiscal of Manila, effective as of August 7, 1954, the date of his suspension, with prejudice to reinstatement in the government service. Let the records of the case be referred to the office of the City Fiscal of Manila for the filing of such criminal action against the persons concerned as may be warranted in the premises.

Done in the City of Manila, this 3rd day of September, in the year of Our Lord, nineteen hundred and fifty-nine, and of the Independence of the Philippines, the fourteenth.



By the President:



ENRIQUE C. QUEMA  
Assistant Executive secretary