

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 167

REMOVING MR. SAMUEL B. CARIN FROM OFFICE AS ASSISTANT PROVINCIAL FISCAL OF CEBU.

This is an administrative case filed by Mrs. Felisa C. Evangelista against Assistant Provincial Fiscal Samuel B. Carin of Cebu for conduct unbecoming a public official and unjust vexation, which was investigated by Assistant Chief State Prosecutor Florentino A. Flor.

The record reveals that respondent, a married man with two children, had been courting for four years complainant's daughter, Alicia Evangelista, a teacher in the College of Liberal Arts of the University of Southern Philippines and a law student at the Colegio de San Jose in Cebu City. In 1965 and 1966 respondent wrote her several love letters (Exhs. A, B, C and D) and dedicated a poem to her (Exh. E). Almost every day within said period he had been going to said university and college during office hours, sometimes entering her classroom and insisting on talking to her, despite her repeated refusal to entertain his advances. When respondent was barred from entering the premises of the schools by the authorities thereof because of his conduct, he would wait for her until her dismissal and thereafter accost her and make vehement avowals of his affection. Everytime he saw her on the streets of Cebu City, he would follow and pester her with his protestations of love to the utter embarrassment of Miss Evangelista.

The record further reveals that in the evening of January 17, 1968, when Miss Evangelista, accompanied by her boy friend, boarded a public vehicle on her way home after her classes at the Colegio de San Jose, respondent suddenly jumped into the same vehicle and insisted on sitting beside her, thereby causing scandal among the passengers. Miss Evangelista and her companion then alighted and hired a taxi, but respondent followed them and forced himself into the taxi, and Miss Evangelista's sweetheart had to pull him out therefrom.

On February 20, 1968, while Miss Evangelista and her lover were waiting for a taxi, respondent approached the latter and, without any provocation, grabbed his shirt and boxed him, as a consequence of which his shirt pocket was torn and he suffered slight physical injuries. In the latter part of June 1968 respondent surreptitiously entered the classroom of Miss Evangelista at the Colegio de San Jose and insisted on talking to her. When she attempted to leave, respondent blocked her way and it was only through the intervention of some students that she was saved from further molestation.

During the investigation, respondent contended that the acts imputed to him as vexatious and unbecoming were not really immoral nor improper, in view of his honest intentions to Miss Evangelista whom he described as "the most beautiful and most desirable woman." He admitted having gone to the University of Southern Philippines during office hours to visit her, but claimed that it was done during his free time when he had no cases to attend to and always with the permission of his chief, the Provincial Fiscal. He denied having boxed Miss Evangelista's boy friend or torn the pocket of his shirt, alleging that it was the latter who tore his pocket. Finally, respondent claimed that he considered himself "not any more married" because he was living separately from his wife.

The behavior of respondent clearly transcends the bounds of propriety. It was a scandalous and shameless disregard of elementary decency and decorum unexpected of an official holding such a high and responsible position. By his conduct he has brought dishonor to himself and disrepute to his office, thus proving himself unfit and unworthy for the distinguished calling of a government prosecutor.

Wherefore, and upon recommendation of the Secretary of Justice, Mr. Samuel B. Carin is hereby removed from office as assistant provincial fiscal of Cebu, effective upon receipt of a copy hereof.

Done in the City of Manila, this 24th day of February, in the year of Our Lord, nineteen hundred and sixty-nine.

By the President:



RAFAEL M. SALAS
Executive Secretary