



Republic of the Philippines  
Supreme Court

Manila

FIRST DIVISION

SUPREME COURT OF THE PHILIPPINES  
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**HORTENCIA R. CAYABYAB,**  
Complainant,

**A.M. No. RTJ-20-2584**  
(Formerly OCA IPI No. 18-4841-RTJ)

Present:

- versus -

PERALTA, C.J., Chairperson,  
CAGUIOA,  
J. REYES, JR.,  
LAZARO-JAVIER, and  
LOPEZ, JJ.

**PRESIDING JUDGE IRINEO P.  
PANGILINAN, JR.,** Regional  
Trial Court, Branch 58, Angeles  
City, Pampanga,  
Respondent.

Promulgated:

JUL 28 2020

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**DECISION**

**CAGUIOA, J.:**

This is an administrative complaint<sup>1</sup> against Judge Irineo P. Pangilinan, Jr. (Judge Pangilinan), former Presiding Judge of the Municipal Trial Court in Cities of Angeles City, Branch 1, and now Presiding Judge of the Regional Trial Court (RTC) of Angeles City, Branch 58, for alleged undue delay in rendering a decision, for knowingly rendering an unjust judgment and gross ignorance of the law.

**The Case**

Complainant Hortencia R. Cayabyab (Cayabyab) was the private complainant in Criminal Case No. 10-5530 entitled "*People of the Philippines v. Maria Melissa Cayabyab y Robles*" for Perjury filed before the court of Judge Pangilinan. Cayabyab charged her adopted daughter, the accused, of "willfully, unlawfully and feloniously execut[ing] an Affidavit of Loss, stating under oath that the owner's duplicate copy of Transfer Certificate of Title [(TCT) N]o. 92191 was lost, when in truth and in fact, [the] accused kn[e]w very well that [it was] in the possession of [Cayabyab]."<sup>2</sup>

Cayabyab avers that the promulgation of judgment of Criminal Case No. 10-5530 was originally set on July 28, 2016. Despite no request for

<sup>1</sup> *Rollo*, pp. 2-9.

<sup>2</sup> *Id.* at 10.

extension of time from Judge Pangilinan within which to decide the case, the promulgation was reset thrice. It was only on October 20, 2016 when Judge Pangilinan handed down a decision acquitting the accused.<sup>3</sup>

Cayabyab asserts further that Judge Pangilinan exhibited gross ignorance of the law and prevailing jurisprudence in his decision. She points out the categorical finding of Judge Pangilinan therein that the accused deliberately executed the affidavit of loss subject of the case with the knowledge that the owner's duplicate copy of title was not missing but was actually in the possession of Cayabyab. Cayabyab stresses that this was proof enough of the accused's willful and deliberate assertion of falsehood, which was a material fact since it would be used in the petition for issuance of a new certificate of title and an eventual sale of the property. Despite this finding, however, Judge Pangilinan acquitted the accused because her lying was done without malice or evil intent, considering that the accused was the registered owner of the property under TCT No. 92191 and could very well, therefore, sell the property.<sup>4</sup>

Cayabyab points out that the decision of Judge Pangilinan was reversed and set aside for having been issued with grave abuse of discretion in a Decision<sup>5</sup> by Judge Irin Zenaida S. Buan (Judge Buan) of the RTC of Angeles City, Branch 56.<sup>6</sup>

Finally, Cayabyab relays to the Court the information she received during the pendency of Criminal Case No. 10-5530 that the accused and Judge Pangilinan belong to the same church and that a pastor from their congregation interceded before Judge Pangilinan on behalf of the accused.<sup>7</sup>

In his Comment,<sup>8</sup> Judge Pangilinan counters that the complaint merits an outright dismissal for being malicious, baseless, and unfounded. He labels the complaint as mere harassment after Cayabyab received an unfavorable decision in Criminal Case No. 10-5530. Judge Pangilinan asserts that her remedy as a litigant lies with the courts and not with the Office of the Court Administrator (OCA).<sup>9</sup>

Judge Pangilinan also denies that there was delay in deciding Criminal Case No. 10-5530. He claims that its promulgation was originally scheduled on June 16, 2016. Hence, when the promulgation was reset to July 28, 2016, it was still within the 90-day period under the Constitution within which to decide a case.<sup>10</sup>

Judge Pangilinan also explains that the parties had several pending suits in his sala and knowing their familial relationship, he only wanted them

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<sup>3</sup> Id. at 3, 47.

<sup>4</sup> Id. at 4-5, 47.

<sup>5</sup> Id. at 17-21.

<sup>6</sup> Id. at 6, 47.

<sup>7</sup> Id. at 6, 47-48.

<sup>8</sup> Id. at 25-36.

<sup>9</sup> Id. at 26-27, 48.

<sup>10</sup> Id. at 27, 48.



to eventually reconcile. He categorically denies knowing the accused personally or of having met her at all. He finds malice in the allegations of Cayabyab that he let a pastor intervene on behalf of the accused. Judge Pangilinan stresses the fact that Cayabyab did not even attempt to file a motion for his inhibition if she indeed doubted his impartiality.<sup>11</sup>

### Report and Recommendation

In its Report and Recommendation,<sup>12</sup> the OCA found merit in the allegation that Judge Pangilinan caused undue delay in rendering a decision when Criminal Case No. 10-5530 was promulgated only on October 20, 2016, or after four (4) months from the time the case was submitted for decision on June 16, 2016. The OCA found his explanation of exerting efforts to have the parties come to an amicable agreement untenable in light of this glaring proof that there was delay in deciding the case within the period fixed by law. Noting the penalties prescribed under Rule 140 of the Rules of Court, as amended, the OCA saw it fit to temper the penalty to a reprimand, considering that this is Judge Pangilinan's first offense for undue delay in rendering a decision.<sup>13</sup>

As with the charges of knowingly rendering an unjust judgment and gross ignorance of the law, the OCA recommended that these be dropped. The OCA held that Cayabyab failed to discharge her burden to prove that Judge Pangilinan was moved by bad faith, dishonesty, hatred, or some like motive when he ruled on Criminal Case No. 10-5530. In particular, Cayabyab failed to prove that Judge Pangilinan acquitted the accused simply because they belong to the same church.<sup>14</sup>

The OCA likewise held that the propriety of Judge Pangilinan's decision was a judicial matter and beyond the mandate of this administrative proceeding. Even if the RTC of Angeles City, Branch 56 had reversed and set aside Criminal Case No. 10-5530 for having been issued with grave abuse of discretion, the OCA held that a finding of grave abuse of discretion alone is not a ground for disciplinary proceedings. A judge's failure to interpret the law or to properly appreciate the evidence presented does not necessarily render him or her administratively liable, absent any proof that his or her judicial errors are tainted with fraud, dishonesty, gross ignorance, bad faith, or deliberate intent to do injustice.<sup>15</sup>

### The Issue

Whether Judge Pangilinan should be administratively held liable for undue delay in rendering a decision, of knowingly rendering an unjust judgment and gross ignorance of the law.

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<sup>11</sup> Id. at 27-29, 48.

<sup>12</sup> Id. at 47-51.

<sup>13</sup> Id. at 49.

<sup>14</sup> Id. at 49-50.

<sup>15</sup> Id. at 50.



### The Court's Ruling

The Court agrees with the findings of the OCA, with a modification on the penalty imposed on Judge Pangilinan.

Article VIII, Section 15 of the 1987 Constitution expressly prescribes that all cases or matters must be decided or resolved by the lower courts within three (3) months from date of submission. In parallel, Canon 6, Section 5 of the New Code of Judicial Conduct<sup>16</sup> requires judges to perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly and with reasonable promptness. Hence, in deciding Criminal Case No. 10-5530 four (4) months after it was submitted for decision, Judge Pangilinan had clearly incurred delay.

Judge Pangilinan explains that the delay was due to his desire to have the parties settle the case amicably. This justification, to the mind of the Court, is not reasonable under the circumstances, considering that the criminal case of perjury was a case against public interest which had already reached the conclusion of its trial proper.

Also, in cases where a judge is unable to comply with the reglementary period for deciding cases or matters, he or she can, for good reasons, ask for an extension from the Court. As a general rule, requests for extension are granted by the Court in cognizance of the heavy caseload of the trial courts.<sup>17</sup> Granting that Judge Pangilinan had good reasons for his delay, it remains a given fact that he failed to ask for an extension of time from the Court within which to resolve Criminal Case No. 10-5530. Judges, by themselves, cannot extend the period for deciding cases beyond that authorized by law.<sup>18</sup> As a result of his failure to ask for extension, whether deliberate or not, Judge Pangilinan promulgated his decision in Criminal Case No. 10-5530 beyond the period allowed by law.

Time and again, the Court has impressed upon judges the importance of deciding cases promptly and expeditiously because the notion of delay in the disposition of cases and matters undermines the people's faith and confidence in the judiciary.<sup>19</sup> The honor and integrity of the judicial system is measured not only by the fairness and correctness of decisions rendered, but also by the efficiency with which disputes are resolved.<sup>20</sup> As it happens here, the number of times that the promulgation date of Criminal Case No. 10-5530 was re-scheduled and the consequent undue delay in resolving it have, actually, raised a nagging doubt in Cayabyab's mind that something

<sup>16</sup> ADOPTING THE NEW CODE OF JUDICIAL CONDUCT FOR THE PHILIPPINE JUDICIARY, A.M. No. 03-05-01-SC, April 27, 2004.

<sup>17</sup> See *Bangalan v. Turgano*, A.M. No. RTJ-12-2317 (Formerly OCA I.P.I. No. 10-3378-RTJ), July 25, 2012, 677 SCRA 451, 455.

<sup>18</sup> *Belleza v. Cobarde*, A.M. No. RTJ-04-1867 (Formerly OCA I.P.I. No. 03-1690-RTJ), February 17, 2005, 451 SCRA 632, 636.

<sup>19</sup> See *Bangalan v. Turgano*, supra note 17, at 455.

<sup>20</sup> *Office of the Court Administrator v. Casalan*, A.M. No. RTJ-14-2385 (Formerly A.M. No. 14-4-115-RTC), April 20, 2016, 790 SCRA 575, 585.

irregular was afoot. This is the kind of misgiving from the public that the Court wants to prevent. At the same time, any delay in the administration of justice, *no matter how brief*, deprives the litigant of his or her right to a speedy disposition of his or her case.<sup>21</sup>

Classified as a less serious charge under Section 9, Rule 140 of the Rules of Court, as amended, undue delay in rendering a decision or order is penalized with either suspension without pay for a period of not less than one (1) month, but not more than three (3) months, or a fine of more than ₱10,000.00, but not more than ₱20,000.00. The OCA recommended that Judge Pangilinan be merely reprimanded on the ground that this is his first offense for undue delay in rendering a decision. In its Report and Recommendation, however, the OCA noted that Judge Pangilinan was previously reprimanded with warning by the Court in A.M. No. RTJ-18-2544 entitled "*The Station Commander, Mabalacat City Police Station v. Judge Irineo P. Pangilinan, Jr.*" for gross ignorance of the law. Thus, under the circumstances, the Court deems the penalty of fine in the amount of ₱10,000.00 appropriate.

As with the other charges of knowingly rendering an unjust judgment and gross ignorance of the law, the Court affirms the recommendation of the OCA to dismiss these charges.

Knowingly rendering an unjust judgment constitutes a serious criminal offense under Article 204 of the Revised Penal Code (RPC). To commit the offense, the offender must be a judge who is adequately shown to have rendered an unjust judgment, not one who merely committed an error of judgment or taken the unpopular side of a controversial point of law.<sup>22</sup> In *In re AMA Land, Inc.*,<sup>23</sup> the Court held that when the administrative charge equates to a criminal offense, such that the judicial officer may suffer the heavy sanctions of dismissal from the service, the showing of culpability on the part of the judicial officer should be nothing short of proof beyond reasonable doubt, especially because the charge is penal in character.<sup>24</sup> Thus, the Court therein elucidated on the elements of the offense of knowingly rendering an unjust judgment in this wise:

x x x The term knowingly means "sure knowledge, conscious and deliberate intention to do an injustice." Thus, the complainant must not only prove beyond reasonable doubt that the judgment is patently contrary to law or not supported by the evidence but that it was also made with deliberate intent to perpetrate an injustice. Good faith and the absence of malice, corrupt motives or improper consideration are sufficient defenses that will shield a judge from the charge of rendering an unjust decision. In other words, the judge was motivated by hatred, revenge, greed or some

<sup>21</sup> *Belleza v. Cobarde*, supra note 18, at 635.

<sup>22</sup> *Re: Verified Complaint for Disbarment of AMA Land, Inc. (represented by Joseph B. Usita) against Court of Appeals Associate Justices Hon. Danton Q. Bueser, Hon. Sesinando E. Villon and Hon. Ricardo R. Rosario*, OCA I.P.I. No. 12-204-CA-J, March 11, 2014, 718 SCRA 335, 341-342.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.* at 341.

other similar motive in issuing the judgment. Bad faith is, therefore, the ground for liability. x x x<sup>25</sup>

In the same manner, gross ignorance of the law is the disregard of basic rules and settled jurisprudence.<sup>26</sup> Where the law is straightforward and the facts so evident, failure to know it or to act as if one does not know it constitutes gross ignorance of the law. A judge is presumed to have acted with regularity and good faith in the performance of judicial functions. But a blatant disregard of a clear and unmistakable provision of the Constitution upends this presumption and subjects the magistrate to corresponding administrative sanctions.<sup>27</sup> Thus, in *Office of the Court Administrator v. Dumayas*,<sup>28</sup> the Court held that since the violated constitutional provision in that case was so elementary, failure to abide by it constituted gross ignorance of the law, without even a need for the complainant to prove any malice or bad faith on the part of the judge.<sup>29</sup>

A judge may also be administratively liable for gross ignorance of the law if shown to have been motivated by bad faith, fraud, dishonesty or corruption in ignoring, contradicting or failing to apply settled law and jurisprudence.<sup>30</sup> For liability to attach, the assailed order, decision or actuation of the judge in the performance of official duties must not only be found erroneous but, most importantly, it must also be established that he was moved by bad faith, dishonesty, hatred, or some other like motive.<sup>31</sup> As a matter of policy, in the absence of fraud, dishonesty or corruption, the acts of a judge in his judicial capacity are not subject to disciplinary action even though such acts are erroneous.<sup>32</sup> To hold otherwise would be to render judicial office untenable, for no one called upon to try the facts or interpret the law in the process of administering justice can be infallible in his or her judgment.<sup>33</sup>

Verily, the Court has held that all that is expected of a judge is that he or she follow the rules prescribed to ensure a fair and impartial hearing, assess the different factors that emerge therefrom and bear on the issues presented, and on the basis of the conclusions he or she finds established, with only his or her conscience and knowledge of the law to guide him or her, adjudicate the case accordingly.<sup>34</sup>

<sup>25</sup> Id. at 342.

<sup>26</sup> *Department of Justice v. Misleng*, A.M. Nos. RTJ-14-2369 (Formerly OCA I.P.I. No. 12-3907-RTJ) and RTJ-14-2372 (Formerly OCA I.P.I. No. 11-3736-RTJ), July 26, 2016, 798 SCRA 225, 234.

<sup>27</sup> Id. at 234-235.

<sup>28</sup> A.M. No. RTJ-15-2435 (Formerly A.M. No. 15-08-246-RTC), March 6, 2018, 857 SCRA 394.

<sup>29</sup> Id. at 412.

<sup>30</sup> Id.

<sup>31</sup> *Department of Justice v. Misleng*, supra note 26, at 235.

<sup>32</sup> *Causing v. Dela Rosa*, OCA IPI No. 17-4663-RTJ, March 7, 2018, 857 SCRA 503, 514.

<sup>33</sup> *Andres v. Nambi*, A.C. No. 7158, March 9, 2015, 752 SCRA 110, 117.

<sup>34</sup> See *De la Cruz v. Concepcion*, A.M. No. RTJ-93-1062, August 25, 1994, 235 SCRA 597, 607, citing *Vda. de Zabala v. Pamaran*, A.C. No. 200-J, June 10, 1971, 39 SCRA 430, 433. See also *Re: Judge Silverio S. Tayao, RTC, Br. 143, Makati*, A.M. Nos. 93-8-1204 and RTJ-93-978, February 7, 1994, 229 SCRA 723, 734.



A perusal of the assailed Decision<sup>35</sup> in Criminal Case No. 10-5530 by Judge Pangilinan hardly shows that he knowingly and deliberately rendered an unjust judgment or disregarded basic rules or settled jurisprudence.

To hold one liable for perjury which is the deliberate making of untruthful statements upon any material matter, before a competent person authorized to administer oath, in cases in which the law requires such oath, Article 183 of the RPC requires that the following requisites must concur: (a) the accused made a statement under oath or executed an affidavit upon a material matter; (b) the statement or affidavit was made before a competent officer, authorized to receive and administer oaths; (c) in the statement or affidavit, the accused made a willful and deliberate assertion of a falsehood; and (d) the sworn statement or affidavit containing the falsity is required by law or made for a legal purpose.<sup>36</sup> It is not disputed that the accused in Criminal Case No. 10-5530 is the registered owner of the subject property. Her version of the story was that Cayabyab kept TCT No. 92191. When accused supposedly demanded that TCT No. 92191 be returned to her, Cayabyab informed her it was lost. Accused claimed that her lawyer then advised her to execute the affidavit of loss and submit the same to the Register of Deeds in order to protect her rights over the subject property.<sup>37</sup> Judge Pangilinan found, however, that accused had the motive to lie in the affidavit on account of the fact that she admitted being desirous of selling the subject property. Judge Pangilinan, nonetheless, acquitted the accused despite this finding. The acquittal was moored on the conclusion that the act of the accused was done without malice, considering that she was the registered owner of the subject property under TCT No. 92191. Indeed, good faith or lack of malice is a defense against the element of a willful and deliberate assertion of a falsehood in the crime of perjury,<sup>38</sup> and the acquittal rendered by Judge Pangilinan was his interpretation of this defense in favor of the accused. Should this interpretation be later found erroneous, this is but an error in the application of law and the appreciation of evidence which cannot be considered outright as amounting to gross ignorance of the law. The Court in *Bacar v. De Guzman, Jr.*,<sup>39</sup> (*Bacar*) had this to say:

Not every error or mistake of a judge in the performance of his duties makes him liable therefor. To hold a judge administratively accountable for every erroneous ruling or decision he renders, assuming that he has erred, would be nothing short of harassment and would make his position unbearable. For no one called upon to try the facts or interpret the law in the process of administering justice can be infallible in his judgment.<sup>40</sup>

<sup>35</sup> *Rollo*, pp. 10-16.

<sup>36</sup> *Asturias v. Serrano*, A.C. No. 6538 (Formerly CBD Case No. 03-1159), November 25, 2005, 476 SCRA 97, 105-106.

<sup>37</sup> *Rollo*, p. 13.

<sup>38</sup> *Asturias v. Serrano*, supra note 36, at 106.

<sup>39</sup> A.M. No. RTJ-96-1349, April 18, 1997, 271 SCRA 328.

<sup>40</sup> *Id.* at 338.

Hence, although Judge Pangilinan and Judge Buan differed in their application and interpretation of Article 183 of the RPC,<sup>41</sup> this is not adequate proof that Judge Pangilinan knowingly rendered an unjust decision or was grossly ignorant of the law. Again, for one, a sweeping claim will not suffice, absent any showing of bad faith, dishonesty, hatred, corruption or some other like motive. Likewise, following what the Court further held in *Bacar*, the fact that Judge Pangilinan's appreciation of the evidence differed from that of Cayabyab, which could be biased, does not warrant the conclusion that Judge Pangilinan has rendered an unjust judgment nor that he is ignorant of the law. In the absence of any indication (1) that the trial court's conclusion is based entirely on speculations; (2) that there is grave abuse of discretion; (3) that the court, in making its findings went beyond the issues of the case and the same are contrary to the admissions of both appellant and appellee; or, that the judgment is based on a misapprehension of facts; or, that the presiding judge is blatantly biased, the general rule that the trial court's findings of fact should be given great weight still stands.<sup>42</sup>

Finally, in *Sacmar v. Reyes-Carpio*,<sup>43</sup> the Court had the occasion to rule that:

An administrative complaint against a judge cannot be pursued simultaneously with the judicial remedies accorded to parties aggrieved by his erroneous order or judgment. Administrative remedies are neither alternative nor cumulative to judicial review where such review is available to the aggrieved parties and the same has not yet been resolved with finality. *For until there is a final declaration by the appellate court that the challenged order or judgment is manifestly erroneous, there will be no basis to conclude whether respondent judge is administratively liable.* x x x<sup>44</sup> (Italics in the original)

Here, Judge Pangilinan pointed out that there was a pending motion for reconsideration filed by the accused of the decision by Judge Buan when this administrative complaint was filed. Said motion was resolved against the accused but subsequently, an appeal was filed before the Court of Appeals and remains pending to date.<sup>45</sup> Notably, these facts were never rebutted by Cayabyab.

**WHEREFORE**, respondent Judge Irineo P. Pangilinan, Jr. of the Regional Trial Court of Angeles City, Branch 58 is hereby found **GUILTY** of **UNDUE DELAY IN RENDERING A DECISION** for which he is **FINED** in the amount of **₱10,000.00**. He is warned that a repetition of the same or a similar act will be dealt with more severely. The other charges are hereby dismissed for lack of merit.

<sup>41</sup> To recall, Judge Buan of the RTC of Angeles City, Branch 56 reversed this ruling of Judge Pangilinan, holding that the issue in Criminal Case No. 10-5530 is not whether the accused can legally sell the subject property but whether she willfully made a false statement in her affidavit. See *rollo*, pp. 17-21.

<sup>42</sup> See *Bacar v. De Guzman, Jr.*, supra note 39, at 339.

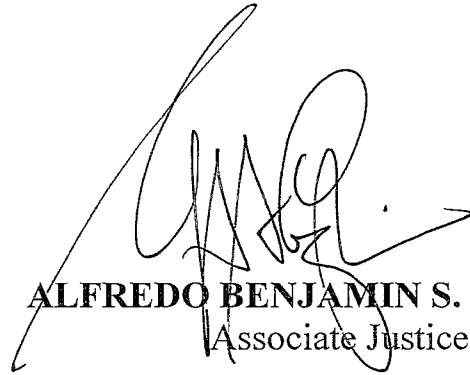
<sup>43</sup> A.M. No. RTJ-03-1766 (Formerly OCA-IPI No. 00-979-RTJ), March 28, 2003, 400 SCRA 32.

<sup>44</sup> *Id.* at 36.

<sup>45</sup> *Rollo*, p. 31.

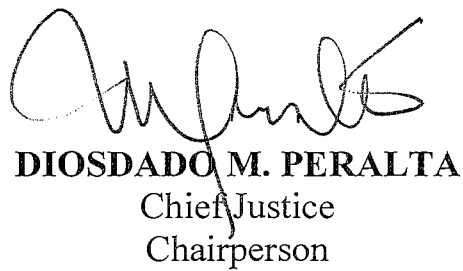


**SO ORDERED.**

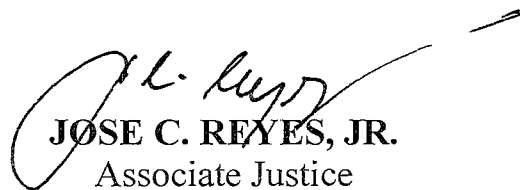


**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice

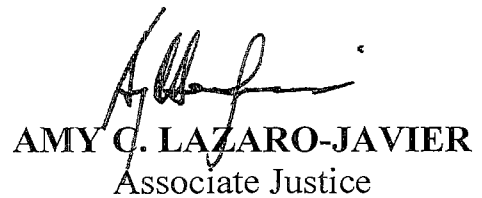
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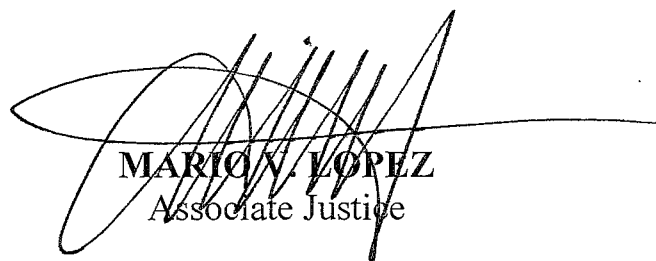
**DIOSDADO M. PERALTA**  
Chief Justice  
Chairperson



**JOSE C. REYES, JR.**  
Associate Justice



**AMY C. LAZARO-JAVIER**  
Associate Justice



**MARIO N. LOPEZ**  
Associate Justice