

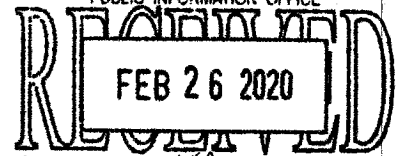


REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



BY: VSA
TIME: 9:48 AM

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated 27 January 2020 which reads as follows:

“G.R. No. 249790 (Gerson J. Moncada v. Annabelle B. Rocell, in her capacity as Director IV, Regional Office No. XI, Civil Service Commission). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the November 29, 2018 Decision² and the September 26, 2019 Resolution³ of the Court of Appeals (CA) in CA-G.R. SP No. 152435 for failure of petitioner Gerson J. Moncada (petitioner) to sufficiently show that the CA committed any reversible error in affirming with modification the ruling⁴ of the Civil Service Commission (CSC) finding him administratively liable for Serious Dishonesty, Conduct Prejudicial to the Best Interest of the Service, and Falsification of Public Documents.

As correctly ruled by the CA, the evidence on record are sufficient for a reasonable man to believe that the person who took the Career Service Professional Examination (CSPE) held in Davao City on August 5, 1990 as Examinee No. 150504 was not the petitioner but someone else.⁵ In administrative cases, the quantum of evidence required is substantial evidence.⁶ Both the CSC and the CA observed that the discrepancies in the photograph attached to the 1990 Picture Seat Plan (PSP) *vis-à-vis* the photos in the identification cards submitted by petitioner, as well as the stark difference in the signatures in the PSP and his current signature as noted by the CA, make a *prima facie* case that someone else had taken the CSPE on petitioner’s behalf.⁷ His claim of good faith is belied by his failure to satisfactorily answer the probing questions given to him by the Office for Legal Affairs during the investigation and by his contradicting explanations on

¹ Rollo, pp. 10-21.

² Id. at 26-36. Penned by Associate Justice Rodil V. Zalameda (now a member of this court) with Associate Justices Fernanda Lampas Peralta and Marie Christine Azcarraga-Jacob, concurring.

³ Id. at 37-38. Penned by Associate Justice Fernanda Lampas Peralta with Associate Justices Ma. Luisa Quijano-Padilla and Marie Christine Azcarraga-Jacob, concurring.

⁴ See CSC Decision dated June 16, 2017, signed by Commissioner Robert S. Martinez and Chairperson Alicia dela Rosa-Bala; id. at 39-48.

⁵ See id. at 32.

⁶ See *Office of the Court Administrator v. Lopez*, 654 Phil. 602 (2011). See also *rollo*, p. 31.

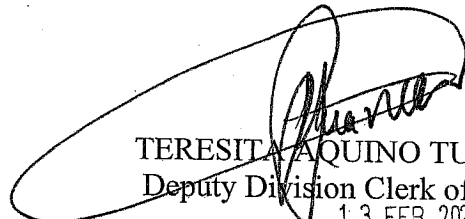
⁷ See *rollo*, pp. 31-33.

10/13

the matter. Furthermore, petitioner's attempt to attribute the discrepancy in the photos to the examination proctor has no merit. The burden of proof to controvert the presumption of regularity in the performance of duty by the examination proctor was on petitioner, which he failed to establish.⁸ It is settled that factual findings of administrative or quasi-judicial bodies are accorded much respect by the Court as they are specialized to rule on matters falling within their jurisdiction especially when these are supported by substantial evidence,⁹ as in this case.

SO ORDERED. (Reyes, A., Jr. and Hernando, JJ., on official leave.)”

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court
13 FEB 2020 p 2/13

ATTY. PABLITO A. CARPIO (reg)
Counsel for Petitioner
255 M. Suarez Avenue, Batis Compound
San Miguel, Pasig City

OFFICE OF THE SOLICITOR GENERAL (reg)
134 Amorsolo Street
1229 Legaspi Village
Makati City

CIVIL SERVICE COMMISSION (reg)
Constitution Hills, Batasang Pambansa Complex
Diliman, 1126 Quezon City
(D1720003016)

JUDGMENT DIVISION (x)
Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)
LIBRARY SERVICES (x)
[For uploading pursuant to A.M. No. 12-7-1-SC]

OFFICE OF THE CHIEF ATTORNEY (x)
OFFICE OF THE REPORTER (x)
Supreme Court, Manila

COURT OF APPEALS (x)
Ma. Orosa Street
Ermita, 1000 Manila
CA-G.R. SP No. 152435

Please notify the Court of any change in your address.
GR249790. 01/27/20(83)URES

⁸ See id. at 32.

⁹ *DOHLE Philman Agency, Inc. v. Doble*, G.R. No. 223730, October 4, 2017, 842 SCRA 204, 213, citing *De Leon v. Maunlad Trans., Inc.*, 805 Phil. 531, 538 (2017).