



Republic of the Philippines

Supreme Court

Manila

EN BANC

Re: ANONYMOUS LETTER-COMPLAINT ON THE ALLEGED INVOLVEMENT AND FOR ENGAGING IN THE BUSINESS OF LENDING MONEY AT USURIOUS RATES OF INTEREST OF MS. DOLORES T. LOPEZ, SC CHIEF JUDICIAL STAFF OFFICER, AND MR. FERNANDO M. MONTALVO, SC SUPERVISING JUDICIAL STAFF OFFICER, CHECKS DISBURSEMENT DIVISION, FISCAL MANAGEMENT AND BUDGET OFFICE.

A.M. No. 2010-21-SC

Present:

SERENO, C.J., *
CARPIO,**
VELASCO, JR.,
LEONARDO-DE CASTRO,
BRION,
PERALTA,
BERSAMIN,
DEL CASTILLO,
VILLARAMA, JR.,
PEREZ,***
MENDOZA,
REYES,
PERLAS-BERNABE,****
LEONEN, and
JARDELEZA, JJ.

Promulgated:

SEPTEMBER 30, 2014

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DECISION

BERSAMIN, J.:

We hereby resolve the anonymous complaint denouncing the moonlighting activities of the respondents by engaging in onerous money lending activities targeting the low-income workers of the Court.

* On official leave.

** Acting Chief Justice per Special Order No. 1803 dated September 24, 2014.

*** On official leave.

**** On official leave.

Antecedents

An undated letter-complaint¹ addressed to the Complaints and Investigation Division (CID) of the Office of Administrative Services (OAS) of the Supreme Court triggered this administrative matter. The letter-complaint, purportedly sent by a concerned employee who chose to remain anonymous, assailed the profitable money-lending with usurious interest scheme engaged in by respondents Dolores T. Lopez, an SC Chief Judicial Staff Officer, and Fernando M. Montalvo, an SC Supervising Judicial Staff Officer, both of the Checks Disbursement Division of the Court's Fiscal Management and Budget Office (FMBO). It stated that the respondents had been involved in the money-lending activities targeting the low-salaried employees of the Court like the drivers and employees of the janitorial services; that such money-lending had been going on with the help of the personnel of the Checks Disbursement Division of FMBO by enticing employees of the Court to pledge forthcoming benefits at a discounted rate; and that around 300 Automated Teller Machine (ATM) cards were surrendered by the borrowers to the respondents as collateral for the individual borrowings.²

On September 29, 2010, the OAS directed the respondents to comment on the letter-complaint,³ to which they respectively complied.

In her memorandum dated September 30, 2010,⁴ Lopez neither denied nor admitted the allegations against her. She dared the OAS instead to allow her to confront the complainant head on and to openly address each issue, and, in turn, she would waive the filing of the comment because the comment would be unnecessary due to anonymous complaints being a dime a dozen.⁵ She insinuated that despite anonymous complaints of more serious nature against employees, officials, and even the Justices of the Court having abounded, the OAS did not pay attention to, and did not dignify such complaints by requiring the individuals complained against to comment.⁶

In his memorandum dated September 30, 2010,⁷ Montalvo dismissed the letter-complaint as maliciously sent for the purpose of tarnishing his reputation and the reputation of his office. He denied being engaged in the lending business in the Court. Like Lopez, he insinuated that the OAS had not required any comments from other employees and officials of the Court against whom more serious accusations had been raised.⁸

¹ *Rollo*, p. 54.

² *Id.*

³ *Id.* at 52-53.

⁴ *Id.* at 48.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 49.

⁸ *Id.*

Lopez and Montalvo appeared before the CID on December 1, 2010 and December 8, 2010 for the clarificatory hearing.⁹

During the hearing, Lopez requested the CID to identify the anonymous complainant and to allow her to confront the latter.¹⁰ However, the CID denied her request, explaining that there was no need to identify the complainant because she herself could either confirm or repudiate the allegations of the letter-complaint against her.¹¹ Being thereafter reminded of her oath to tell the truth, she relented and revised her earlier statements by clarifying that she was not denying all the allegations against her.

Specifically, Lopez denied the allegation that she had lent money to around 300 court employees, and that she had held their ATM cards in her custody as collateral;¹² but admitted having lent money to only about 20 personnel of the janitorial agency and to some low-ranking employees of the Court, like the utility workers and messengers for a period of two years,¹³ with the amounts lent ranging from ₱500.00 to ₱2,000.00¹⁴ depending upon the amounts needed and the availability of money. She said that she would receive only ₱10.00 for every ₱100.00 borrowed that she did not consider as interest.¹⁵ She insisted that she did not require her borrowers to pay her the ₱10.00 for every ₱100.00 borrowed because they voluntarily gave her the amount; and that she did not engage in money lending because she did not offer to lend money to anyone.

Lopez acknowledged that she was the only person in the Checks Disbursement Division of FMBO who had lent money, absolving Montalvo and the other members of the staff of that office by saying that they had nothing to do with her transactions.¹⁶ She stressed that her transactions did not result in any conflict of interest, and did not compromise the integrity of her office because her transactions had been done during break times or outside of office hours.¹⁷

On his part, Montalvo denied the charges against him, maintaining that the anonymous letter-complaint was a malicious attempt to damage his reputation and the reputation of his office.¹⁸ He declared that he lent money only to closest acquaintances as was customary among friends.¹⁹

⁹ Id. at 2.

¹⁰ Id. at 23.

¹¹ Id. at 24.

¹² Id. at 33.

¹³ Id. at 28.

¹⁴ Id.

¹⁵ Id. at 25.

¹⁶ Id. at 26.

¹⁷ Id. at 30..

¹⁸ Id. at 12.

¹⁹ Id. at 19.

After completing its investigation, the CID received a second undated but still anonymous letter-complaint,²⁰ which alleged that Lopez had continued her lending activities at usurious rates of interest despite the pendency of the first complaint.

In her memorandum dated June 6, 2011,²¹ Atty. Eden Candelaria, the Chief Administrative Officer of the OAS, directed Lopez to comment on the second complaint within five days from receipt.²²

In response, Lopez requested for the transcripts of her testimony, and to be allowed to submit an omnibus manifestation to address the second anonymous letter-complaint.²³ On his part, Montalvo filed a motion for the immediate resolution of the letter-complaint concerning him.²⁴ In the resolution promulgated on October 4, 2011,²⁵ the Court granted Lopez's request but merely noted Montalvo's motion. It is pointed out, however, that Lopez ultimately did not file the omnibus manifestation.

Report & Recommendation of the OAS

On March 24, 2011, the OAS submitted its report and recommendations,²⁶ whereby it recommended the dismissal of the letter-complaint against Montalvo for lack of merit;²⁷ but endorsed Lopez's suspension "for thirty (30) days for lending money with interest to a number of economically challenged employees and janitors; and directed her to immediately cease and desist from engaging in any form of personal business and other financial transactions, with a warning that a repetition of the same or similar act in the future will be dealt with more severely."²⁸

Ruling of the Court

An anonymous complaint is always received with great caution, originating as it does from a source unwilling to identify himself or herself. It is suspect for that reason. But the mere anonymity of the source should not call for the outright dismissal of the complaint on the ground of its being baseless or unfounded provided its allegations can be reliably verified and

²⁰ Id. at 69.

²¹ Id. at 68.

²² Id.

²³ Id. at 66-67.

²⁴ Id. at 58-59.

²⁵ Id. at 75-76.

²⁶ Id. at 1-8.

²⁷ Id. at 8.

²⁸ Id.

properly substantiated by competent evidence,²⁹ like public records of indubitable integrity, “thus needing no corroboration by evidence to be offered by the complainant, whose identity and integrity could hardly be material where the matter involved is of public interest,”³⁰ or the declarations by the respondents themselves in reaction to the allegations, where such declarations are, properly speaking, admissions worthy of consideration for not being self-serving.

Here, therefore, the anonymous complaint has to be dealt with, and its veracity tested with utmost care, for it points the finger of accusation at two employees of the Court for engaging in money-lending activities at unconscionable rates of interest, with low-ranking employees of the Court as their targets. That such a complaint, albeit anonymous, has been made impacts on their reputations as individuals as well as on their integrity as personnel of the Court itself. We cannot ignore the complaint, hoping that it will be forgotten, but must inquire into it and decide it despite the anonymity of the complainant. Any conduct, act or omission on the part of all those involved in the administration of justice that violates the norms of public accountability and diminishes or even just tends to diminish the faith of the people in the Judiciary cannot be countenanced.³¹ It is for this reason that all anonymous but apparently valid complaints are not quickly dismissed but are justly heard and fairly investigated and determined by this Court.

The respondents are both responsible fiduciary officers in the FMBO, the office that is in charge of all the financial transactions of the Court, including the preparation and processing of vouchers to cover the payment of salaries, allowances, office supplies, equipment and other sundry expenses, utilities, janitorial, and security services, and maintenance and other operating expenses, and the issuance of corresponding checks therefor. Indeed, the respondents discharge the delicate task of handling the payment of employees’ salaries and allowances.

1.

Re: Montalvo

The Court concurs with the findings of the OAS that the complaint against Montalvo had no factual basis. His involvement in money lending was not shown to be habitual, going on only as far as accommodating his friends during their personal emergencies without imposing any interests.

²⁹ *Re: Anonymous Complaint Against Angelina Casareno-Rillorta, Officer-in-Charge, Office of the Clerk of Court (OCC)*, A.M. No. P-05-2063, October 27, 2006, 505 SCRA 537, 543; *Anonymous Complaint Against Pershing T. Yared, Sheriff III, Municipal Trial Court in Cities, Canlaon City*, A.M. No. P-05-2015, June 28, 2005, 461 SCRA 347, 354-355.

³⁰ *Anonymous Complaint Against Gibson A. Araula*, A.M. No. 1571-CFI, February 7, 1978, 81 SCRA 383, 384.

³¹ *RTC Makati Movement Against Graft and Corruption v. Dumlao*, A.M. No. P-93-800, August 9, 1995, 247 SCRA 108, 126.

The statement in the letter-complaint to the effect that both respondents have been in the forefront of syndicated lending activities was not supported by any proof. It is notable that Montalvo firmly denied the allegations against him, and that Lopez corroborated his denial.³² Accordingly, the complaint against Montalvo should be dismissed.

2.

Re: Lopez

As to Lopez, no witnesses appeared during the investigation to prove the allegations of the complaint. But the complaint should still be assessed on the basis of her several admissions in the course of the December 8, 2010 investigation to the effect that: (a) she had repeatedly³³ lent money to about 10 to 20 court employees;³⁴ (b) the borrowers had voluntarily paid about 10% interest on the money borrowed (*i.e.*, ₱10 for every ₱100 borrowed);³⁵ (c) the money lent had ranged from ₱500.00 to ₱5,000.00;³⁶ (d) her regular borrowers had included the utility workers,³⁷ and the low-salaried court employees,³⁸ like court messengers;³⁹ (e) she had engaged in such activity for more than two years already;⁴⁰ (f) she had attended to the transactions around 3:30 o'clock in the afternoon and at times during break time;⁴¹ (g) she had taken hold of at least 10 but not more than 20 ATM cards of her borrowers as collateral;⁴² (h) the money she had lent to the borrowers had been proceeds from her Coop or SCSLA personal loans;⁴³ and (i) she had also accommodated her office staff whenever they did not have money in going to and from the office.⁴⁴

In its evaluation of the anonymous complaint as to Lopez, the OAS observed and found thusly:

From the foregoing, this Office has established that Ms. Lopez is guilty of lending money with interest which at most would reach up to 10% of the total amount borrowed. While she denied that the loan is somewhat like the famously known “5-6” loan, as she denied charging the employees with usurious interest because she is just accommodating them to lessen their financial burdens and it is the employees themselves who would insist on paying interest voluntarily, this Office nonetheless finds the act improper. Even if she was motivated solely by her earnest desire

³² TSN, December 8, 2010, p. 26.

³³ *Rollo*, 25.

³⁴ *Id.* at 34.

³⁵ *Id.* at 24-25.

³⁶ *Id.* at 25, 32.

³⁷ *Id.* at 27.

³⁸ *Id.* at 28.

³⁹ *Id.*

⁴⁰ *Id.* at 30.

⁴¹ *Id.*

⁴² *Id.* at 33.

⁴³ *Id.* at 35.

⁴⁴ *Id.* at 44.

to help employees in dire need of money, the fact remains that she lends money for a consideration. It would have been different perhaps if she lends money without any “voluntary” interest as she claimed.

In fact, she is not even obliged to lend money to them. It is beyond her duty to answer every financial difficulties of the employees. While there is no law or rules and regulations which prohibits charity or generosity among court employees, what is unacceptable is her act of lending money for a consideration and within the premises of the Court on official time.

Worse, she is the Chief of the Checks Disbursement Division that handles the preparation and issuance of checks to court employees. It is beyond question that her official functions consist of, among others, the supervision of office staff. This gives us the impression that she took advantage of her position and abused the confidence reposed in her office, thus, placing at risk the integrity of the division and the whole Fiscal Management and Budget Office (FMBO). As an officer of the FMBO she can be privy of the benefits which may be given. From there, employees can borrow and/or advance money from her and where she may easily accede knowing that after all there will be benefits forthcoming.

Thus, this Office concludes that her actuation although not related to her official functions as division chief, has undeniably fell short of the high standards of propriety expected of employees of the Judiciary. It is considered as conduct unbecoming of an official of the Judiciary. It may be true that she may have temporarily helped specific individuals and have a noble intention to help employees by lending them with money, but in one way or the other, she may also have taken advantage of the employees’ financial conditions because of the anticipated profit to be generated from the loans. As a result, Court employees incurred uncontrolled debts all year round where she benefits primarily because of the so called “voluntary” interest given.

Moreover, she has demeaned the image of the office which she represents, by the fact that she utilized her office in the conduct of her lending business. Courts are considered temples of justice and should never be utilized for any other purpose. Her claim that she conducts her business during lunch breaks and/or after office hours is of no moment. The fact remains that it is done within the premises of the Court and presumably inside their office where official resources are utilized. This alone is highly reprehensible. By allowing anybody to enter their office solely for the purpose of borrowing money, she has compromised the safety of the Checks Disbursement Division. The Code of Conduct for Court Employees specifically Canon I, Section 5 provides that “Court personnel shall use the resources, property and funds under their official custody in judicious manner and solely in accordance with the prescribed statutory and regulatory guidelines or procedures.”

Considering that Ms. Lopez is engaged in lending business, her integrity as a public servant and the reputation of her office and of this Court have been seriously tarnished. While it is not wrong for her to lend, she should have taken caution to avoid any impression that she enriched herself at the expense of lowly paid court employees. As she has claimed “nagpapahiram lang po ako sa mga maliliit na empleyado.” Suffice it is to say that she has taken advantage of the plight of the economically

challenged employees. In view thereof, this Office recommends that the penalty of suspension of thirty (30) days is appropriate in this case, with a warning that a repetition of the same or similar act shall be dealt with more severely. While indeed, there may be mitigating circumstances in her favor, the aggravating circumstances farther out-weight them.

Worthy to note is the observance made and reports received by this Office, that a good number of Court employees are heavily indebted to various entities because of lack proper financial planning. This leads them to obtain excessive debt and be financially dependent on others. It is for this reason that the Honorable Chief Justice directed the conduct of the seminar on financial and debt management for Court employees entitled, “*Towards Financial Independent*”. This is aimed, among others, to help employees manage their finances. With the presence, however of employees such as the respondent in this case, Financial Independence will remain to be a remote possibility.⁴⁵

The Court agrees with the observations and findings of the OAS about Lopez having engaged in money-lending activities. Her various admissions entirely belied her insistence that her activities did not constitute money lending. Her claim that the amounts voluntarily given to her by the recipients had not been interests on the loans extended to them was plainly insincere. The fact of her parting with her money in favor of another upon the condition that the same amount would be paid back was exactly what constituted a loan under the law. In a contract of loan, according to Article 1933 of the *Civil Code*, “one of the parties delivers to another, either something not consumable so that the latter may use the same for a certain time and return it, in which case the contract is called a commodatum; or money or other consumable thing, upon the condition that the same amount of the same kind and quality shall be paid, in which case the contract is simply called a loan or mutuum.”

Did Lopez’s money-lending activities render her administratively liable?

Administrative Circular No. 5 (*Re: Prohibition for All Officials and Employees of the Judiciary to Work as Insurance Agents*), dated October 4, 1988, has prohibited all officials and employees of the Judiciary from engaging directly in any private business, vocation or profession, even outside their office hours. The prohibition has been at ensuring that full-time officers and employees of the courts render full-time service, for only thereby could any undue delays in the administration of justice and in the disposition of court cases be avoided.⁴⁶ The nature of the work of court employees and officials demanded their highest degree of efficiency and responsibility, but they would not ably meet the demand except by devoting

⁴⁵ Id. at 6-7.

⁴⁶ *Benavidez v. Vega*, A.M. No. P-01-1530, December 13, 2001, 372 SCRA 208, 212.

their undivided time to the government service.⁴⁷ This explains why court employees have been enjoined to strictly observe official time and to devote every second or moment of such time to serving the public.⁴⁸

Although many “moonlighting” activities were themselves legal acts that would be permitted or tolerated had the actors not been employed in the public sector,⁴⁹ moonlighting, albeit not usually treated as a serious misconduct, can amount to a malfeasance in office by the very nature of the position held. In the case of Lopez, her being the Chief of the Checks Disbursement Division of the FMBO, a major office of the Court itself, surely put the integrity of the Checks Disbursement Division and the entire FMBO under so much undeserved suspicion. She ought to have refrained from engaging in money lending, particularly to the employees of the Court. We do not need to stress that she was expected to be circumspect about her acts and actuations, knowing that the impression of her having taken advantage of her position and her having abused the confidence reposed in her office and functions as such would thereby become unavoidable. There is no doubt about her onerous lending activities greatly diminishing the reputation of her office and of the Court itself in the esteem of the public.

Considering that the official and personal conduct and deportment of all the people who work for the Judiciary mirrored the image of the Court itself,⁵⁰ they should strive to comport themselves with propriety and decorum at all times, and to be above suspicion of any misdeed and misconduct.⁵¹ Only thereby would they earn and keep the public’s respect for and confidence in the Judiciary. As a public servant, therefore, Lopez knew only too well that she was expected at all times to exhibit the highest sense of honesty and integrity. No less that the Constitution itself impresses this expectation in Section 1 of its Article XI, to wit:

Public office is a public trust. Public officers and employees must at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.”

Lopez was quite aware that the foregoing declarative language of the Constitution on the nature of her public office and her responsibilities as a public officer was not mere rhetoric expressing idealistic sentiments, but a definite working standard and a statement of attainable goals that the actual deeds of the public officers and employees should match. She plainly disregarded the Constitution.

⁴⁷ *Biyaheros Mart Livelihood Association, Inc. v. Cabusao, Jr.*, Adm. Matter No. P-93-811, June 2, 1994, 232 SCRA 707, 712.

⁴⁸ *Anonymous v. Grande*, AM No. P-06-2114, December 5, 2006, 509 SCRA 495, 501.

⁴⁹ *Baron v. Anacan*, A.M. No. P-04-1816, June 20, 2006, 491 SCRA 313, 321.

⁵⁰ *Lozada v. Zerrudo*, A.M. No. P-13-3108, April 10, 2013, 695 SCRA 374, 379.

⁵¹ *Paguyo v. Gatbunton*, A.M. No. P-06-2135, May 25, 2007, 523 SCRA 156, 166.

Misconduct in office refers to any unlawful behavior by a public officer in relation to the duties of his office that is willful in character. The term embraces acts that the office holder had no right to perform, acts performed improperly, and failure to act in the face of an affirmative duty to act.⁵² The Court has invariably imposed commensurate sanctions upon court employees found and declared to be violating Administrative Circular No. 5. The sanctions have depended on the gravity of the violations committed and on the careful consideration of the personal records of the employees concerned, like their prior administrative cases. For instance, a reprimand sufficed for a court stenographer who appeared as the representative of one of the complainants in a labor case pending in the National Labor Relations Commission;⁵³ a fine of ₱1,000.00 was imposed on a court aide who operated a *sari-sari* store in the court premises;⁵⁴ a ₱5,000.00 fine was prescribed on a process server in the Office of the Clerk of Court of the Regional Trial Court for facilitating the bail bond of an accused in a pending case in one of the courts in the judicial station;⁵⁵ suspension for one month without pay became the penalty for a sheriff who had “moonlighted” as the administrator/trustee of a market outside of office hours in order to augment his meager salary;⁵⁶ suspension for six months without pay was the sanction on a court stenographer who had engaged in a pyramiding scheme, and who had solicited investments during office hours;⁵⁷ suspension for one month without pay was meted on a Clerk of Court of the Municipal Trial Court in Cities for engaging in the lending business;⁵⁸ and dismissal from the service with forfeiture of all the benefits due became the condign punishment for a clerk who had worked as part-time sales agent of an appliance center, and who had committed other offenses, specifically, the falsification of her daily time records and the infliction of physical injuries on the complainant in a public place under scandalous circumstances.⁵⁹

Based on the foregoing, Lopez committed simple misconduct, a less grave offense that is punishable under Rule IV, Section 52 of the Revised Uniform Rules on Administrative Cases in the Civil Service by suspension from one month and one day to six months for the first offense, and dismissal for the second offense. Yet, although a first-time offender, she could not be punished with the minimum of the imposable penalty because she clearly abused her being a high-ranking officer in the FMBO in conducting her private transactions within court premises during office hours, thereby putting the image of the Judiciary in a bad light. Hence, her appropriate penalty is suspension from office for three months without pay.

⁵² *Pascual v. Martin*, A.M. No. P-08-2552[Formerly OCA I.P.I. No. 06-2370-P], October 8, 2008, 568 SCRA 96, 106.

⁵³ *Abeto v. Garcesa*, Adm. Matter No. P-88-269, December 29, 1995, 251 SCRA 539.

⁵⁴ *Quiroz v. Orfila*, A.M. No. P-96-1210, May 7, 1997, 272 SCRA 324.

⁵⁵ *Concerned Citizen v. Bautista*, Adm. Matter No. P-04-1876, August 31, 2004, 437 SCRA 234.

⁵⁶ *Benavidez v. Vega*, *supra* note 46.

⁵⁷ *Gasulas v. Maralit*, A.M. No. P-90-416, August 25, 1994, 235 SCRA 585.

⁵⁸ *Go v. Remotigue*, A.M. NO. P-05-1969, June 12, 2008, 554 SCRA 242.

⁵⁹ *Id.* at 251-252.

3.

**In ordering their investigation upon the
anonymous complaint, the Court did not
discriminate and unfairly act against the respondents**

Before closing, we note that the respondents made the following statements in their respective memorandums,⁶⁰ to wit:

Montalvo

The undersigned just want (sic) to express my thoughts to release my anger to free from harm. In fact, **there are many other anonymous complaints against employees, officials and justices even stating far more serious accusations but which did not merit any “require comment” action from your office.**⁶¹ (Emphasis supplied)

Lopez

Otherwise, any comment on the complaint shall be meaningless especially since anonymous complaints are a dime a dozen. In fact, **there are many other anonymous complaints against employees – officials and justices even – stating far more serious accusations but which did not merit any “require comment” action from your office.**⁶² (Emphasis supplied)

The respondents thereby flagrantly accused the Court, acting through the OAS, of being unfairly selective in causing their investigation upon the anonymous complaint but ignoring the “far more serious accusations” against “employees, officials and justices even.” Their accusation has tended to diminish the public’s faith and confidence in the Court itself.

In ordering the administrative investigation of the respondents, the Court was moved only by the most laudable of purposes. To start with, the investigation would never be unfair because they would thereby be accorded the full opportunity to be heard in order to clear themselves. And, secondly, they were not being singled out because the Court has always acted upon every appropriate complaint or grievance – anonymous or not – brought against officials and employees of the Judiciary without regard to their ranks or responsibilities, including any of its sitting Members, the incumbent Justices of the third-level courts, and other active judges of the first and second levels of the courts. Only last week did the Court remove a very senior Justice of the Sandiganbayan for cause, and in his case there was not

⁶⁰ Supra notes 4 and 7.

⁶¹ Supra note 7.

⁶² Supra note 4.

even any formal complaint brought against him.⁶³ Verily, everyone who works in the Judiciary answers to the exacting standards of conduct in order to maintain the integrity of the Judiciary and to preserve the esteem of the public for the courts, for the very image of the Judiciary is inescapably epitomized in the official conduct and the non-official demeanor of judicial officers and court personnel. To accuse the Court of unfairness and discrimination was, therefore, censurable.

Nonetheless, the Court accords to Montalvo and Lopez the reasonable opportunity to show cause why they should not be disciplined or otherwise sanctioned for their censurable statements.

WHEREFORE, the Court:

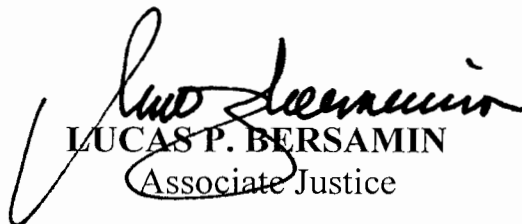
1. **FINDS** and **PRONOUNCES** respondent **DOLORES TAN LOPEZ**, SC Chief Judicial Staff Officer of the Checks Disbursement Division, Fiscal Management and Budget Office, **GUILTY** of violating Administrative Circular No. 5 dated October 4, 1988, and hereby **SUSPENDS** her from office for a period of three (3) months without pay, with a **STERN WARNING** that a repetition of the same or similar acts will be dealt with more severely;

2. **DISMISSES** the anonymous complaint against **FERNANDO M. MONTALVO**, SC Supervising Judicial Staff Officer, Checks Disbursement Division, Fiscal Management and Budget Office, for lack of evidence; and,

3. **ORDERS** respondents **FERNANDO M. MONTALVO** and **DOLORES TAN LOPEZ** to show cause in writing and under oath within ten (10) days from notice why they should not be disciplined or otherwise sanctioned for their censurable statements against the Court and its Members in directing their investigation upon an anonymous complaint but ignoring the “far more serious accusations” against other “employees, officials and justices even.”

Let this decision be noted in the personal records of the respondents.

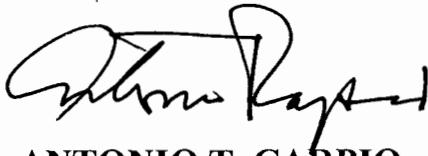
SO ORDERED.


LUCAS P. BERSAMIN
Associate Justice

⁶³ *Re: Allegations Made Under Oath At The Senate Blue Ribbon Committee Hearing Held On September 25, 2013 Against Associate Justice Gregory S. Ong, Sandiganbayan, A.M. No. SB-14-21-J, September 23, 2014.*

WE CONCUR:

(On Official Leave)
MARIA LOURDES P. A. SERENO
 Chief Justice



ANTONIO T. CARPIO
 Associate Justice
 Acting Chief Justice

I concur with the modification that the suspension should be reduced to one month.
PRESBITERO J. VELASCO, JR.
 Associate Justice

TERESITA LEONARDO DE CASTRO
TERESITA J. LEONARDO-DE CASTRO
 Associate Justice

Arturo D. Brion
ARTURO D. BRION
 Associate Justice

Diosdado M. Peralta
DIOSDADO M. PERALTA
 Associate Justice

Mariano C. Del Castillo
MARIANO C. DEL CASTILLO
 Associate Justice

Martin S. Villarama, Jr.
MARTIN S. VILLARAMA, JR.
 Associate Justice

(On Official Leave)
JOSE PORTUGAL PEREZ
 Associate Justice

Jose Catral Mendoza
JOSE CATRAL MENDOZA
 Associate Justice

Bienvenido L. Reyes
BIENVENIDO L. REYES
 Associate Justice

(On Official Leave)
ESTELA PERLAS-BERNABE
 Associate Justice

Marvic M.V.F. Leonen
MARVIC M.V.F. LEONEN
 Associate Justice

Francis H. Jardeleza
FRANCIS H. JARDELEZA
 Associate Justice