



Republic of the Philippines  
**Supreme Court**  
 Manila

EN BANC

**ATTY. JOSELITA C. MALIBAGO-SANTOS, CLERK OF COURT VI, OFFICE OF THE CLERK OF COURT, REGIONAL TRIAL COURT, ANTIPOLO CITY, RIZAL,**  
 Complainant,

**A.M. No. P-16-3459**  
 [Formerly OCA IPI No. 13-4119-P]

Present:

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

-versus-

**JUANITO B. FRANCISCO, JR., SHERIFF IV, OFFICE OF THE CLERK OF COURT [OCC], REGIONAL TRIAL COURT, ANTIPOLO CITY, RIZAL,**  
 Respondent.

**Promulgated:**

June 21, 2016

*[Signature]*

X-----X

**DECISION**

**LEONEN, J.:**

Sheriffs play an important role in the effective and efficient

\* On official leave.

*[Handwritten mark]*

administration of our justice system.<sup>1</sup> They must, at all times, maintain the high ethical standards expected of those serving in the judiciary. They cannot receive any voluntary monetary considerations from any party in relation to the performance of their duties as officers of the court.<sup>2</sup>

The Office of the Court Administrator received a Confidential Memorandum<sup>3</sup> dated January 21, 2013 from Presiding Judge Ma. Consejo Gengos-Ignalaga (Judge Ignalaga) of the Regional Trial Court of Antipolo City, addressed to Executive Judge Ronaldo B. Martin.<sup>4</sup> It detailed her findings and recommendations after conducting a formal investigation on the letter-complaint of Regional Trial Court Clerk of Court Atty. Joselita Malibago-Santos (Atty. Santos) against Sheriff Juanito B. Francisco, Jr. (Sheriff Francisco).<sup>5</sup> The facts were summarized as follows.

On March 28, 2012, Atty. Santos received a letter of Intent to Redeem Subject Property<sup>6</sup> dated March 28, 2012 from Overlook Resort Inc. and its President, Raymond C. Ricardo, in relation to its extrajudicial foreclosure case.<sup>7</sup>

Planters Development Bank (Plantersbank) was adjudged highest bidder during the auction held earlier on January 10, 2012.<sup>8</sup> Thus, Atty. Santos wrote the bank's Senior Vice President, Ma. Agnes J. Angeles, to inform her of the mortgagors' intent to redeem the foreclosed property.<sup>9</sup> In accordance with the rules, she requested the bank to submit a statement of account of all the expenses it incurred relative to the foreclosure sale.<sup>10</sup>

On April 27, 2012, Atty. Santos received a letter from Atty. Alexander L. Paulino, legal counsel for Plantersbank,<sup>11</sup> stating the redemption price of ₱5,053,706.89 for the foreclosed property.<sup>12</sup> Attached to the letter were statements of accounts and receipts in support of this amount,<sup>13</sup> including a receipt dated February 24, 2012 for ₱8,000.00 signed by Sheriff Francisco, who was then Sheriff-in-Charge, thus:

Received from Planters Development Bank Cashier's Check dated  
January 16, 2012 with Check No. 33826 in the amount of Php8,000.00

<sup>1</sup> See *Tan v. Paredes*, 502 Phil 305, 314 (2005) [Per Curiam, En Banc], citing *Ignacio v. Payumo*, 398 Phil. 51, 55 (2000) [Per J. Gonzaga-Reyes, Third Division].

<sup>2</sup> See *Pasok v. Diaz*, 677 Phil. 520, 530 (2011) [Per Curiam, En Banc].

<sup>3</sup> *Rollo*, pp. 4–10.

<sup>4</sup> *Id.* at 4, Confidential Memorandum.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 16.

<sup>7</sup> *Id.* at 4.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 4–5.

<sup>11</sup> *Id.* at 18–19, letter dated March 28, 2012.

<sup>12</sup> *Id.* at 5, and 18.

<sup>13</sup> *Id.* at 5, and 22–31, annexes to the letter dated April 27, 2012.

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representing the Posting Fee and Sheriff's Expenses relative to the EJP Case No. 11-8933 entitled Planters Development Bank versus Raymond C. Ricardo et al..

(sgd.)  
JUANITO B. FRANCISCO JR.  
Sheriff-In-Charge<sup>14</sup>

In a memorandum dated May 21, 2012, Atty. Santos required Sheriff Francisco to explain why he did not submit an estimate of expenses and liquidation in relation to the ₱8,000.00 he received.<sup>15</sup>

Sheriff Francisco submitted an Explanation dated May 24, 2012 and a Position Paper dated October 12, 2012. He admitted receiving a check for ₱8,000.00 from Jeson Talbo Ganalongo of Plantersbank.<sup>16</sup> He explained that he received the check on February 24, 2012, when the auction had already been concluded, as a token of appreciation.<sup>17</sup> The auction was conducted in the manner provided by law, without any irregularity.<sup>18</sup> Rule 141, Section 10 of the Rules of Court, which required the submission of estimate expenses, only pertains to execution of writs, and in his honest belief, this provision does not apply to extrajudicial foreclosure proceedings.<sup>19</sup>

Sheriff Francisco alleged that he did not solicit nor demand any fee, and even initially declined the gratuity.<sup>20</sup> However, Plantersbank insisted that it regularly gives this standard amount as posting fee and sheriff's expense.<sup>21</sup> Plantersbank's counsel also later amended the quoted redemption price to exclude the ₱8,000.00, erroneously included in the list of itemized expenses.<sup>22</sup>

In her Confidential Memorandum, Judge Ignalaga recommended that Sheriff Francisco be found guilty of simple misconduct and reprimanded as penalty.<sup>23</sup>

The Office of the Court Administrator directed Sheriff Francisco to comment on the Confidential Memorandum.<sup>24</sup> Sheriff Francisco filed a Manifestation dated August 12, 2013 adopting his Position Paper dated October 12, 2012 as his Comment.<sup>25</sup> He mentioned that he has been in

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<sup>14</sup> Id. at 5, and 30, Receipt.

<sup>15</sup> Id. at 5.

<sup>16</sup> Id. at 6.

<sup>17</sup> Id. at 6 and 8.

<sup>18</sup> Id. at 7.

<sup>19</sup> Id.

<sup>20</sup> Id. at 7-8.

<sup>21</sup> Id. at 6-8, and 37, letter dated August 28, 2012.

<sup>22</sup> Id. at 8, and 77, letter dated September 11, 2012.

<sup>23</sup> Id. at 10.

<sup>24</sup> Id. at 69, OCA Indorsement, and 82.

<sup>25</sup> Id. at 70, Sheriff Francisco's Manifestation.

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government service since 1984, and this was his first time to be charged of an alleged misdeed.<sup>26</sup>

In its Memorandum dated March 16, 2015, the Office of the Court Administrator recommended that:

1. the instant complaint against respondent Sheriff Juanito B. Francisco, Jr., Sheriff IV, Office of the Clerk of Court, Regional Trial Court, Antipolo City, Rizal, be **RE-DOCKETED** as a regular administrative matter; and
2. respondent Sheriff be found **GUILTY** of gross misconduct and be **SUSPENDED** for three (3) months without pay with a **STERN WARNING** that a repetition of the same offense shall be dealt with more severely.<sup>27</sup> (Emphasis in the original)

The Office of the Court Administrator discussed that the act of accepting any gift or gratuity in the course of official duty is considered a grave offense under Rule 10, Section 46(A)(10) of the Revised Rules on Administrative Cases in the Civil Service and is punishable with dismissal for the first offense.<sup>28</sup> However, as this was Sheriff Francisco's first infraction after over 30 years of service, it recommended a lower penalty of three (3)-month suspension without pay.<sup>29</sup>

The sole issue for resolution is whether respondent Sheriff Juanito B. Francisco, Jr. is guilty of gross misconduct when he accepted the ₱8,000.00 check from Plantersbank.

We rule in the affirmative.

Our Constitution states that “[p]ublic office is a public trust.”<sup>30</sup> It provides that “[p]ublic 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.”<sup>31</sup>

Sheriffs play a crucial role in our justice system as our front-line representatives tasked with executing final judgments by the courts.<sup>32</sup>

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<sup>26</sup> Id.

<sup>27</sup> Id. at 83, OCA Memorandum.

<sup>28</sup> Id.

<sup>29</sup> Id.

<sup>30</sup> CONST., art. XI, sec.1.

<sup>31</sup> CONST., art. XI, sec.1.

<sup>32</sup> See *Gillera v. Fajardo*, A.M. No. P-14-3237, October 21, 2014, 738 SCRA 632, 638–639 [Per Curiam, En Banc], citing *Lopez v. Ramos*, 500 Phil. 408, 417 (2005) [Per J. Tinga, Second Division] and *Go v.*

Consequently, a sheriff must always perform his or her duty with integrity for “once he [or she] loses the people’s trust, he [or she] diminishes the people’s faith in the judiciary.”<sup>33</sup>

Rule 141, Section 10 of the Rules of Court requires sheriffs to submit their expense estimates to the court for approval, thus:

SECTION 10. *Sheriffs, PROCESS SERVERS and other persons serving processes.* –

....

With regard to sheriff’s expenses in executing writs issued pursuant to court orders or decisions or safeguarding the property levied upon, attached or seized, including kilometrage for each kilometre of travel, guards’ fees, warehousing and similar charges, the interested party shall pay said expenses in an amount estimated by the sheriff, subject to the approval of the court. Upon approval of the said estimated expenses, the interested party shall deposit such amount with the clerk of court and *ex-officio* sheriff, who shall disburse the same to the deputy sheriff assigned to effect the process, subject to liquidation within the same period for rendering return on the process. The liquidation shall be approved by the court. Any unspent amount shall be refunded to the party making the deposit. A full report shall be submitted by the deputy sheriff assigned with his return, and the sheriff’s expenses shall be taxed as costs against the judgment debtor.

In his Position Paper, respondent submits that this provision only applies to execution of writs and not to extrajudicial foreclosure proceedings such as this case.<sup>34</sup> He admits that he accepted the check, but this was done “in an honest belief that [his] official duties as regards the [extrajudicial foreclosure proceedings] ha[ve] already ceased.”<sup>35</sup>

Codes of ethics for public employees such as sheriffs prohibit them from accepting any form of remuneration in relation to the performance of their official duties.

Canon I, Section 4 of the Code of Conduct for Court Personnel<sup>36</sup> provides that “[c]ourt personnel shall not accept any fee or remuneration beyond what they receive or are entitled to in their official capacity.”<sup>37</sup>

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*Hortaleza*, 578 Phil. 377, 382 (2008) [Per J. Leonardo-De Castro, First Division]. See also *Pilot v. Baron*, 695 Phil. 592–594–595, (2012) [Per J. Perlas-Bernabe, Second Division].

<sup>33</sup> See *Gillera v. Fajardo*, A.M. No. P-14-3237, October 21, 2014, 738 SCRA 632, 638–639 [Per Curiam, En Banc], citing *Lopez v. Ramos*, 500 Phil. 408, 417 (2005) [Per J. Tinga, Second Division] and *Go v. Hortaleza*, 578 Phil 377, 386 (2008) [Per J. Leonardo-De Castro, First Division].

<sup>34</sup> *Rollo*, p. 73, Position Paper.

<sup>35</sup> *Id.* at 74.

<sup>36</sup> A.M. No. 03-06-13-SC (2004).

<sup>37</sup> A.M. No. 03-06-13-SC (2004), canon I, sec. 4.

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Canon III, Section 2(b) also states that “[c]ourt personnel shall not [r]eceive tips or other remunerations for assisting or attending to parties engaged in transactions or involved in actions or proceedings with the Judiciary.”<sup>38</sup>

Relevant are two (2) of our statutes, namely: Presidential Decree No. 46<sup>39</sup> and Republic Act No. 6713, Section 7(d).<sup>40</sup>

#### **PRESIDENTIAL DECREE NO. 46**

##### **MAKING IT PUNISHABLE FOR PUBLIC OFFICIALS AND EMPLOYEES TO RECEIVE, AND FOR PRIVATE PERSONS TO GIVE, GIFTS ON ANY OCCASION, INCLUDING CHRISTMAS**

WHEREAS, under existing laws and the civil service rules, it is prohibited to receive, directly or indirectly, any gift, present or any other form of benefit in the course of official duties;

WHEREAS, it is believed necessary to put more teeth to existing laws and regulations to wipe out all conceivable forms of graft and corruption in the public service, the members of which should not only be honest but above suspicion and reproach; and

WHEREAS, the stoppage of the practice of gift-giving to government men is a concrete step in the administration’s program of reforms for the development of new moral values in the social structure of the country, one of the main objectives of the New Society;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1 dated September 22, 1972, do hereby make it punishable for any public official or employee, whether of the national or local governments, to receive, directly or indirectly, and for private persons to give, or offer to give, any gift, present or other valuable thing on any occasion, including Christmas, when such gift, present or other valuable thing is given by reason of his official position, *regardless of whether or not the same is for past favor or favors or the giver hopes or expects to receive a favor or better treatment in the future from the public official or employee concerned in the discharge of his official functions.* Included within the prohibition is the throwing of parties or entertainments in honor of the official or employee or his immediate relatives.

For violation of this Decree, the penalty of imprisonment for not less than one (1) year nor more than five (5) years and perpetual

<sup>38</sup> A.M. No. 03-06-13-SC (2004), canon III, sec. 2(b).

<sup>39</sup> Pres. Decree No. 46 is entitled Making It Punishable For Public Officials And Employees To Receive, And For Private Persons To Give, Gifts On Any Occasion, Including Christmas. It was enacted on November 10, 1972.

<sup>40</sup> Code of Conduct and Ethical Standards for Public Officials and Employees (1989).

disqualification from public office shall be imposed. The official or employee concerned shall likewise be subject to administrative disciplinary action and, if found guilty, shall be meted out the penalty of suspension or removal, depending on the seriousness of the offense[.] (Emphasis supplied)

....

### REPUBLIC ACT NO. 6713

#### AN ACT ESTABLISHING A CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES, TO UPHOLD THE TIME-HONORED PRINCIPLE OF PUBLIC OFFICE BEING A PUBLIC TRUST, GRANTING INCENTIVES AND REWARDS FOR EXEMPLARY SERVICE, ENUMERATING PROHIBITED ACTS AND TRANSACTIONS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

....

**Section 7. Prohibited Acts and Transactions.** — In addition to acts and omissions of public officials and employees now prescribed in the Constitution and existing laws, the following shall constitute prohibited acts and transactions of any public official and employee and are hereby declared to be unlawful:

....

(d) *Solicitation or acceptance of gifts.* — *Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office.*<sup>41</sup> (Emphasis supplied)

This Court has considered the solicitation and acceptance of monetary considerations by sheriffs as conduct unbecoming of a court employee, grave misconduct, and dishonesty.<sup>42</sup> In *Astorga v. Villanueva*,<sup>43</sup> we discussed the need to put an end to the deplorable behavior of soliciting

<sup>41</sup> See also Rep. Act No. 6713, secs. 3(c) and (d):  
Section 3. *Definition of Terms.* — As used in this Act, the term:

....

(c) “Gift” refers to a thing or a right disposed of gratuitously, or any act or liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include an unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from a public official or employee.

(d) “Receiving any gift” includes the act of accepting directly or indirectly, a gift from a person other than a member of his family or relative as defined in this Act, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is neither nominal or insignificant, or the gift is given in anticipation of, or in exchange for, a favor.

<sup>42</sup> See *De Guzman, Jr. v. Mendoza*, 493 Phil. 690, 698 (2005) [Per J. Ynarez-Santiago, First Division], citing *Adoma v. Gatcheco*, 489 Phil. 273, 278 (2005) [Per J. Ynarez-Santiago, First Division].

<sup>43</sup> A.M. Mo. P-09-2668, February 24, 2015, 751 SCRA 410 [Per Curiam, En Banc].

litigants:

The Code of Conduct for Court Personnel requires that court personnel avoid conflicts of interest in performing official duties. It mandates that court personnel should not receive tips or other remunerations for assisting or attending to parties engaged in transactions or involved in actions or proceedings with the judiciary. “The Court has always stressed that all members of the judiciary should be free from any whiff of impropriety, not only with respect to their duties in the judicial branch but also to their behavior outside the court as private individuals, in order that the integrity and good name of the courts of justice shall be preserved.” Court personnel cannot take advantage of the vulnerability of party-litigants.

....

Indeed, “[a]s a court employee, [one] should be more circumspect in [one’s] behavior and should [steer] clear of any situation casting the slightest of doubt on [one’s] conduct.”<sup>44</sup>

Both respondent and Plantersbank allege that no solicitation took place and that Plantersbank insisted on giving respondent the amount as a token of appreciation and gratitude.<sup>45</sup>

Still, this Court has repeatedly emphasized that “sheriffs are not authorized to receive any *voluntary* payments from parties in the course of the performance of their duties.”<sup>46</sup> This opens doubt on monetary considerations being made for wrongful and unethical purposes, creates cracks in our justice system, and proves “inimical to the best interests of the service.”<sup>47</sup>

The Concurring Opinion<sup>48</sup> in *Re: Allegations Made Under Oath at the Senate Blue Ribbon Committee Hearing Held on September 26, 2013 against Associate Justice Gregory S. Ong* explained that the prohibition against accepting gifts by public employees applies irrespective of when they were given in relation to the conduct of official duty. The law penalizes accepting gifts “regardless of whether or not the same is for past favors or the giver hopes or expects to receive a favor or better treatment in the future from the public official or employee concerned in the discharge of his official functions.”<sup>49</sup>

<sup>44</sup> Id. at 443, citing *Villahermosa, Sr. v. Sarcia*, 726 Phil. 408, 416–417 [Per Curiam, En Banc].

<sup>45</sup> *Rollo*, p. 74, Position Paper, and 37, Letter.

<sup>46</sup> *Pasok v. Diaz*, 677 Phil. 520, 530 (2011) [Per Curiam, En Banc]. See also *Tan v. Paredes*, 502 Phil. 305, 313 (2005) [Per Curiam, En Banc].

<sup>47</sup> *Tan v. Paredes*, 502 Phil. 305, 313 (2005) [Per Curiam, En Banc], citing *Bernabe v. Eguia*, 458 Phil. 97, 105 (2003) [Per J. Ynares-Santiago, First Division].

<sup>48</sup> J. Leonen, Concurring Opinion in *Re: Allegations made under Oath at the Senate Blue Ribbon Committee Hearing Held on September 26, 2013 Against Associate Justice Gregory S. Ong, Sandiganbayan*, A.M. No. SB-14-21-J, September 23, 2014, 736 SCRA 12, 197–251 [Per Curiam, En Banc].

<sup>49</sup> Id. at 212, citing Pres. Decree No. 46 (1972).



Respondent's admission that he accepted a check for ₱8,000.00,<sup>50</sup> which he claims need not be accounted as expense estimates for court approval in accordance with Rule 141, Section 10,<sup>51</sup> establishes his culpability.

Rule 10, Section 46(A)(10) of the Revised Rules on Administrative Cases in the Civil Service considers the acceptance of any gratuity in the course of official duty as a grave offense punishable by dismissal from the service:

**Section 46. Classification of Offenses.** – Administrative offenses with corresponding penalties are classified into grave, less grave or light, depending on their gravity or depravity and effects on the government service.

A. The following grave offenses shall be punishable by dismissal from the service:

....

10. Soliciting or accepting directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his/her official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of his/her office. The propriety or impropriety of the foregoing shall be determined by its value, kinship, or relationship between giver and receiver and the motivation. A thing of monetary value is one which is evidently or manifestly excessive by its very nature[.]

This Court, however, has imposed a lower penalty in some cases after considering that it was the respondent sheriff's first offense.<sup>52</sup> Here, the Office of the Court Administrator found that it is respondent's first time to be charged with this kind of misdeed after over 30 years in government service.<sup>53</sup>

We adopt the Office of the Court Administrator's findings of fact and recommendation for disciplinary action with modification in that respondent should be suspended from service for one (1) year.

<sup>50</sup> Rollo, p. 61, Position Paper.

<sup>51</sup> Id. at 59–60.

<sup>52</sup> See, for instance, *De Guzman, Jr. v. Mendoza*, 493 Phil. 690, 699 (2005) [Per J. Ynarez-Santiago, First Division]; *Adoma v. Gatcheco*, 489 Phil. 273, 281 (2005) [Per J. Ynarez-Santiago, First Division]; *Apuyan v. Sta. Isabel*, 474 Phil. 1, 20 (2004) [Per J. Austria-Martinez, Second Division]; and *Albello v. Galvez*, 443 Phil. 323, 329 (2003) [Per J. Vitug, First Division].

<sup>53</sup> Rollo, p. 83, OCA Memorandum.

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Nevertheless, the mitigation of the imposable penalty will not absolve respondent from any other liability that may arise from his infraction. "Public office is a public trust."<sup>54</sup> A public officer's accountability to the people demands the "utmost responsibility, integrity, loyalty, and efficiency"<sup>55</sup> in the performance of duties without need of any gift or token of gratitude.


***This Court will no longer tolerate court employees who receive gifts or tokens from party-litigants for favorable treatment or efficient service. Subsequent incidents of this nature will be dealt with more severely in the future.***

Those serving in the judiciary must carry the heavy burden and duty of preserving public faith in our courts and justice system by maintaining high ethical standards.<sup>56</sup> They must stand as "examples of responsibility, competence and efficiency, and they must discharge their duties with due care and utmost diligence since they are officers of the court and agents of the law."<sup>57</sup> We do not tolerate any misconduct that tarnishes the judiciary's integrity.<sup>58</sup>

**WHEREFORE**, respondent Sheriff Juanito B. Francisco, Jr., Sheriff IV, Office of the Clerk of Court, Regional Trial Court, Antipolo City, Rizal, is found **GUILTY** of gross misconduct and is hereby **SUSPENDED** from the service for one (1) year without pay, with a stern warning that a repetition of the same or similar act will be dealt with more severely. This penalty is without prejudice to any appropriate proceeding that may be filed against respondent for his infraction.

Further, Atty. Alexander L. Paulino is **STERNLY WARNED** for his acts in facilitating and/or condoning respondent's acceptance of the check. The repetition of the same or similar act will not be tolerated by this Court.

**SO ORDERED.**

  
**MARVIC M.V.F. LEONEN**  
Associate Justice

<sup>54</sup> CONST., art. XI, sec.1.

<sup>55</sup> CONST., art. XI, sec.1.

<sup>56</sup> *Pasok v. Diaz*, 677 Phil. 520, 528 (2011) [Per Curiam, En Banc].

<sup>57</sup> Id.

<sup>58</sup> *Santos v. Leño*, A.M. No. P-16-3419, February 23, 2016  
<<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2016/february2016/P-16-3419.pdf>> 2 [Per Curiam, En Banc].

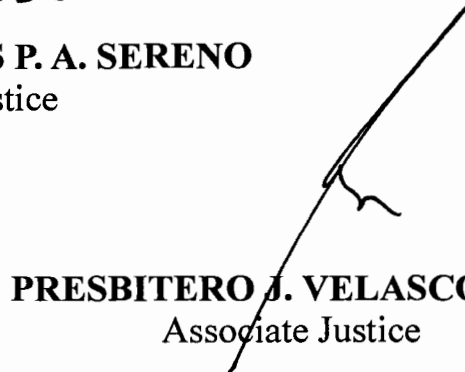
WE CONCUR:



**MARIA LOURDES P. A. SERENO**  
Chief Justice



**ANTONIO T. CARPIO**  
Associate Justice



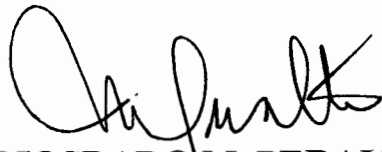
**PRESBITERO J. VELASCO, JR.**  
Associate Justice



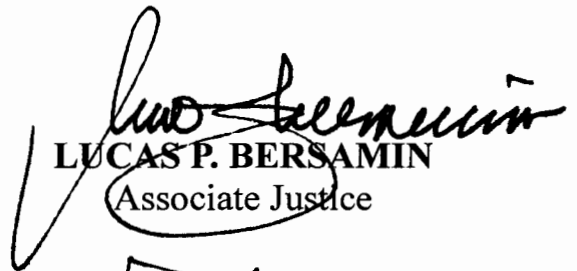
**TERESITA J. LEONARDO-DE CASTRO**  
Associate Justice



**ARTURO D. BRION**  
Associate Justice

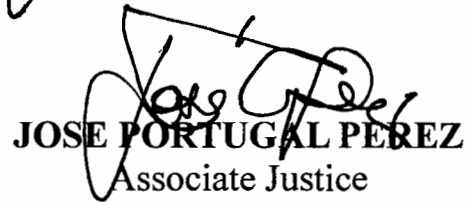


**DIOSDADO M. PERALTA**  
Associate Justice



**LUCAS P. BERSAMIN**  
Associate Justice

On official leave  
**MARIANO C. DEL CASTILLO**  
Associate Justice



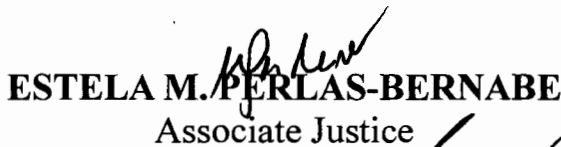
**JOSE PORTUGAL PEREZ**  
Associate Justice



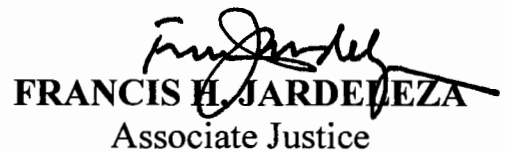
**JOSE CATRAL MENDOZA**  
Associate Justice



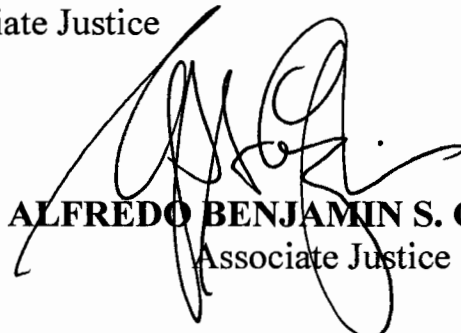
**BIENVENIDO L. REYES**  
Associate Justice



**ESTELA M. PERLAS-BERNABE**  
Associate Justice

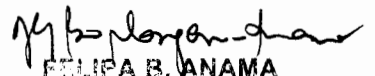


**FRANCIS H. JARDELEZA**  
Associate Justice



**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice

CERTIFIED XEROX COPY:

  
**FELIPA B. ANAMA**  
CLERK OF COURT, EN BANC  
SUPREME COURT