MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 168

IMPOSING A FINE ON MR. AMBROSIO G. DELORIA, MUNICIPAL JUDGE OF DARAM, SAMAR.

This is an administrative case filed by Mr. Victoriano Gatil against Mr. Ambrosio G. Deloria, municipal judge of Daram and formerly of Zumarraga and Daram, Samar. The complaint alleges (1) that respondent falsely stated in his orders dismissing Criminal Cases Nos. 6174, 6175 and 6176 of the Zumarraga court that he heard those cases on March 30, 1956, when in truth he was not in Zumarraga on that day but in Daram where he attended a cockfight, it being Daram's town fiesta; (2) that his orders dismissing the cases were politically inspired; (3) that he allegedly collected his salary when he had cases pending decision for more than 90 days; and (4) that he unduly delayed the disposition of said criminal cases.

The charges were investigated by the District Judge who found the evidence insufficient to sustain the charges except the last, with which the then Secretary of Justice agreed.

The evidence shows that, aside from Criminal Cases Nos. 6174, 6175, 6176, the respondent also unduly delayed the disposition of several other criminal cases. According to his monthly report for January 1956, out of 40 criminal cases pending in the Zumarraga court at the beginning of the month, and without any case filed during the period, 32 remained undisposed at the end of the month, one of which was filed as early as February 23, 1955. Likewise, in the Daram court, out of 26 criminal cases pending at the beginning of the same month, only 7 were disposed of during the period. The oldest of those left undisposed was filed on May 6, 1955.

This marked inefficiency of the respondent cannot be excused by any claim of good faith in granting postponements of the trial of those cases because, having been justice of the peace since 1946, he should have realized the need for acting promptly on cases filed in his court.

The evidence also shows that the respondent did not observe a regular schedule of days and hours of office in either Zumarraga or Daram as shown by his daily time record for the month of

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January 1956. His regular office hours are not indicated on the blanks provided therefor in the time record. Neither does it show the fixed days of his attendance in office in either of the two municipalities which then comprised his circuit. It is thus clear that he fixed his hours and days of office in each municipality according to his own convenience. Such irregularity in attendance was highly prejudicial to the public service as those desiring to transact official business with him would not know when he would be available in his office.

WHEREFORE, Mr. Ambrosio G. Deloria is hereby fined in an amount equivalent to one month's pay, reprimanded and warned that repetition of similar acts in the future will be dealt with more severely.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

By the President:

RAMON A. DIAZ
Executive Secretary