

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 466

DISMISSING HEGINO E. VILLONDO FROM OFFICE AS ACTING ASSISTANT CITY FISCAL OF QUEZON CITY, WITH FORFEITURE OF ALL BENEFITS DUE HIM.

On 24 February 1983, agents of the National Bureau of Investigation (NBI) apprehended Acting Assistant City Fiscal Hegino E. Villondo of Quezon City shortly after receiving bribe money from Atty. Vincent A. Robles.

The NBI investigation report shows that Fiscal Villondo issued a Resolution in I. S. No. 82-18495, dated December 29, 1982, dismissing the complaint of Claudia Elizabeth D. Gutierrez against May Avila for Estafa. When Atty. Robles filed a motion for reconsideration on behalf of the complainant, Fiscal Villondo demanded the sum of P5,000 in exchange for a reversal of his Resolution.

Atty. Robles tried to reduce the amount demanded by Fiscal Villondo to P3,000.00. When Fiscal Villondo turned down his counteroffer, Atty. Robles complained to the Tanodbayan who, in turn, referred the case to the NBI. Fiscal Villondo's entrapment was then arranged.

Accordingly, Atty. Robles with P5,000.00 in cash, consisting of 50 marked pieces of 100-peso bills, met Fiscal Villondo at the latter office on 24 February 1983. The two went to the men's comfort room of the Quezon City Fiscal's office where the payoff was made. Immediate thereafter, Fiscal Villondo was arrested by NBI agents.

After the legal requirements had been complied with, an Information was filed with the Sandiganbayan, accusing Fiscal Villondo of violation of Section 3, Paragraph (b) of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act. The case was docketed as Criminal Case No. 7299, with the bail bond for Fiscal Villondo's provisional liberty fixed at P10,000.00.

On 8 March 1983, after duly examining the evidence against Fiscal Villondo, the Minister of Justice recommended the immediate separation of Fiscal Villondo from office, with forfeiture of all benefits due him.

Verily, a Fiscal's position is crucial to the public interest, to the country's political system, and to the people's security. Directly facing an alleged offender as well as the offended party, by the nature of his office, a Fiscal vividly personifies the sovereign

powers of government as a dispenser of justice. When he breaks the public trust reposed upon him, a Fiscal erodes the people's faith in the administration of justice. For, public office is a public trust; public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty and efficiency, and shall remain accountable to the people (Sec. 1, Art. XIII, 1973 Constitution).

Therefore, Fiscal Villondo's immediate dismissal from the service is most imperative. After all, his appointment, being in an acting capacity, is temporary in character and terminable at the pleasure of the appointing power (See: Mendiola vs. Tancinco, 52 SCRA 66, 71, citing: Esquillo vs. Subido, 29 SCRA 30, 32; Barangan vs. Hernando, 27 SCRA 239; Santos vs. Chico, 25 SCRA 343, 346; Jimenea vs. Ganzon, 22 SCRA 226, 229; Montero vs. Castellanes, 59 O.G. 1741; UP vs. CIR, 58 O.G. 1536; Quitquit vs. Villacorta, L-15048, April 29, 1960; etc.; see also: Austria v. Amante, 79 Phil. 780, 784; Castro v. Solidum, 97 Phil. 278, 280; Mendez v. Ganzon, 101 Phil. 48, 51; Cuñado v. Gamus, 8 SCRA 77,84).

WHEREFORE, and as recommended by the Minister of Justice, Hegino E. Villondo is hereby dismissed from office as Acting Assistant City Fiscal of Quezon City, effective upon receipt of a copy of this Administrative Order, with forfeiture of all benefits due him.

SO ORDERED.

DONE in the City of Manila, this 28th day of April in the year of Our Lord, nineteen hundred and eighty-three.

By the President:



MANUEL M. IRAZAKO

Presidential Assistant for Legal Affairs