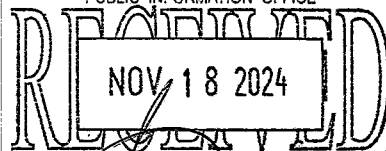




SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



BY:
TIME:

Republic of the Philippines
Supreme Court
Manila

EN BANC

TEDWIN T. UY,
Complainant,

A.M. No. MTJ-24-023
[Formerly OCA IPI No. 18-2966-
MTJ]

Present:

-versus-

GESMUNDO, C.J.,
LEONEN,
CAGUIOA,
HERNANDO,
LAZARO-JAVIER,*
INTING,
ZALAMEDA,
LOPEZ, M.,
GAERLAN,
ROSARIO,
LOPEZ, J.,
DIMAAMPAO,
MARQUEZ,
KHO, JR., and
SINGH, JJ.

PRESIDING JUDGE JORGE
EMMANUEL M. LORREDO,
METROPOLITAN TRIAL
COURT, BRANCH 26, MANILA,
Respondent.

Promulgated:

August 6, 2024

X-----

-----X

DECISION

PER CURIAM:

Dismissal is the proper penalty for judges who repeatedly fail to meet the exacting standards of those allowed to don the judicial robes. This

* On official business

measure is necessary to “protect and preserve the image and integrity of the entire judiciary.”¹ As the judicial service “demands the best possible men and women from the service..., the Court will not hesitate to discipline its members who taint its image in the eyes of the public.”²

This resolves the Complaint-Affidavit³ filed by Tedwin T. Uy (Tedwin) against Hon. Jorge Emmanuel M. Lorredo (Judge Lorredo) for exhibiting partiality in the administration of justice, conduct unbecoming of a judge, and irregularity in the performance of his official duties.

In his complaint, Tedwin alleged that Judge Lorredo actively participated in the criminal case hearings where the former was a co-accused. The transcribed stenographer’s notes show that Judge Lorredo had made more entries, i.e., questions, comments, and manifestations, than the prosecutor and defense’s counsels combined. Specifically, Judge Lorredo’s entries numbered to 507, while the total of the prosecutor and the defense counsel’s only amounted to 356.⁴

Further, Tedwin asserted that Judge Lorredo’s statements and questions were not merely clarificatory but were adversarial, intimidating, oppressive, and outright cruel. During the presentation of Tedwin’s daughter, Trisha Uy (Trisha), Judge Lorredo asked if she was mentally retarded, under medication, or downright stupid. As such, his statements were offensive, distasteful, inexcusable, and made at the expense of the court’s integrity.⁵

Even Tedwin’s then newly minted lawyer, Atty. Erly Ecal (Atty. Ecal), became the subject of Judge Lorredo’s remarks. The latter kept interrupting her with questions, and intimidated and oppressed her. Further, he repeatedly questioned Atty. Ecal’s competency as a lawyer as well as her educational attainment, going so far as to say that Atty. Ecal was “[k]ulang ang aral.”⁶

Finally, Tedwin pointed out that this Court had previously found Judge Lorredo administratively liable for failing to exercise caution in his speech and in his conduct and admonished him to observe judicial temperament and avoid offensive or intemperate language.⁷

In his Comment,⁸ Judge Lorredo asserted that he was merely performing his duty as a judge to ask questions to determine the accused’s guilt. As the witnesses were very clever and evasive, he had to phrase his

¹ *Judge Larida, Jr. v. Atty. Calma*, 918-A Phil. 1, 15 (2021) [*Per Curiam, En Banc*].

² *Campilan v. Judge Campilan, Jr.*, 431 Phil. 223, 225–226 (2002) [*Per J. Puno, En Banc*].

³ *Rollo*, pp. 2–14.

⁴ *Id.* at 3.

⁵ *Id.* at 4–5.

⁶ *Id.* at 6–7.

⁷ *Id.* at 11–13.

⁸ *Id.* at 77–84.

questions in a manner that would lead to the truth. He explained that he asked Trisha whether she was stupid, retarded, or under medication to prevent her from later claiming that these grounds affected her testimony.⁹

In its Report,¹⁰ the Judicial Integrity Board recommended that Judge Lorredo be found guilty of unbecoming conduct and be ordered to pay a fine of PHP 10,000.00 with a stern warning that a repetition of the same or any similar act in the future will be dealt with more severely.¹¹

The Judicial Integrity Board agreed that Judge Lorredo was exercising his judicial functions by actively participating in the examination of witnesses, as required by the Judicial Affidavit Rule. It observed that both Tedwin and Trisha gave evasive answers, necessitating Judge Lorredo's intervention.¹²

Nonetheless, Judge Lorredo's manner of asking questions and intemperate language constitute unbecoming conduct of a judge. His use of the words "stupid," "mentally retarded," and "on medication" were unnecessary and inappropriate. As a visible representation of the law, judges should conduct themselves in a manner above suspicion and reproach.¹³

The Judicial Integrity Board noted that Judge Lorredo was already sanctioned for his use of intemperate language in a previous administrative case and ordered to pay a fine of PHP 5,000.00 for unbecoming conduct of a judge. Thus, the Judicial Integrity Board recommended the imposition of a PHP 10,000.00 fine in accordance with Rule 140, as further amended by A.M. No. 21-08-09-SC.¹⁴

The sole issue for this Court's resolution is whether respondent should be held administratively liable for his actions.

The following provisions of the New Code of Judicial Conduct for the Philippine Judiciary (New Code of Judicial Conduct) embody the general standard of conduct expected from members of the Judiciary:

CANON 2
Integrity

....

⁹ *Id.* at 80–84.

¹⁰ *Id.* at 86–94. The July 6, 2022 Report was submitted by Justice Sesonando E. Villon (Ret.) and concurred in by Justice Romeo J. Callejo, Sr. (Ret.), Justice Angelina Sandoval-Gutierrez (Ret.) and Justice Rodolfo A. Ponferrada (Ret.).

¹¹ *Id.* at 94.

¹² *Id.* at 91–92.

¹³ *Id.* at 92–93.

¹⁴ *Id.* at 93.

SECTION 1. Judges shall ensure that not only is their conduct above reproach, but that it is perceived to be so in the view of a reasonable observer.

SECTION 2. The behavior and conduct of judges must reaffirm the people's faith in the integrity of the judiciary. Justice must not merely be done but must also be seen to be done.

....

CANON 3
Impartiality

....

SECTION 2. Judges shall ensure that his or her conduct, both in and out of court, maintains and enhances the confidence of the public, the legal profession and litigants in the impartiality of the judge and of the judiciary.

....

CANON 4
Propriety

....

SECTION 1. Judges shall avoid impropriety and the appearance of impropriety in all of their activities.

....

CANON 5
Equality

....

SECTION 2. Judges shall not, in the performance of judicial duties, by words or conduct, manifest bias or prejudice towards any person or group on irrelevant grounds.

....

CANON 6
Competence and Diligence

....

SECTION 6. Judges shall maintain order and decorum in all proceedings before the court and be patient, dignified and courteous in relation to litigants, witnesses, lawyers and others with whom the judge deals in an official capacity. Judges shall require similar conduct of legal representatives, court staff and others subject to their influence, direction or control[.]¹⁵

“Judges are the visible representations of law and justice, from whom the people draw the will and inclination to obey the law.”¹⁶ As such, they should possess the virtue of gravitas, “be learned in the law, dignified in

¹⁵ NEW CODE OF JUDICIAL CONDUCT FOR THE PHILIPPINE JUDICIARY (2004).

¹⁶ *Securities and Exchange Commission v. Noel, Jr.*, A.M. No. RTJ-23-029, January 23, 2023 [Per J. Kho, Second Division] at 5. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website citing *Philippine National Construction Corporation v. Mupas*, 889 Phil. 641, 649 (2020) [Per Curiam, En Banc].



demeanor, refined in speech and virtuous in character... [and] exhibit that hallmark judicial temperament of utmost sobriety and self-restraint.”¹⁷

In this case, respondent failed to observe the conduct required of members of the bench. Specifically, his use of the words “stupid,” “mentally retarded,” and “on medication” when examining a witness before his *sala* is inappropriate and unnecessary. Even the statements he directed to Atty. Erly Ecal, especially his insistence that she was “[*k*]ulang ang aral,” displayed a level of arrogance which has no place in the courts.¹⁸ As held in *De la Cruz v. Judge Carretas*:¹⁹

It is reprehensible for a judge to humiliate a lawyer, litigant or witness. The act betrays lack of patience, prudence and restraint. Thus, a judge must at all times be temperate in his language. He must choose his words, written or spoken, with utmost care and sufficient control. The wise and just man is esteemed for his discernment. Pleasing speech increases his persuasiveness.

Equanimity and judiciousness should be the constant marks of a dispenser of justice. A judge should always keep his passion guarded. He can never allow it to run loose and overcome his reason. He descends to the level of a sharp-tongued, ill-mannered petty tyrant when he utters harsh words, snide remarks or sarcastic comments. As a result, he degrades the judicial office and erodes public confidence in the judiciary.

Against this backdrop, respondent judge indeed appears arrogant and boastful not only in the eyes of the anonymous complainant but also to the lawyers who practice in his *sala*. He revealed a hint of arrogance in his comment when he professed exasperation over minor procedural mistakes or even negligible lapses (such as the confusion in the use of “collaborate” and “corroborate”). . . As a judge, he should ensure that his conduct is always above reproach and perceived to be so by a reasonable observer. He must never show conceit or even an appearance thereof, or any kind of impropriety.

The dispensation of justice is a joint responsibility of the judge and the lawyer. A sense of shared responsibility which is a crucial factor in the administration of justice is expected of them. They should co-exist in a spirit of cooperation and mutual respect, not animosity and derision. Respondent judge antagonized the lawyers (private practitioners, public attorneys and public prosecutors alike) appearing in his *sala* by his perceived arrogance and insulting remarks. Consequently, he impaired the administration of justice.²⁰ (Citations omitted)

That complainant and Trisha were allegedly evasive in giving their answers do not justify any recourse to improper language. “[A] judge, even on the face of boorish behavior from those he deals with, ought to conduct

¹⁷ *Re: Anonymous Complaint against Judge Laarni N. Dajao, Presiding Judge, Regional Trial Court, Branch 27, Siocon, Zamboanga del Norte*, 872 Phil. 8, 14 (2020) [Per J. Delos Santos, Second Division].

¹⁸ *Rollo*, pp. 6–7, 22.

¹⁹ 559 Phil. 5 (2007) [Per J. Corona, First Division].

²⁰ *Id.* at 16–17.

himself in a manner befitting. . .and a high officer of the court... [judges] should exercise judicial temperament at all times, avoiding vulgar and insulting language. He must maintain composure and equanimity.”²¹

As such, this Court affirms the Judicial Integrity Board’s finding that respondent’s use of intemperate language constitutes unbecoming conduct of a judge. Under Section 16(a) of Rule 140, further amended by A.M. No. 21-08-09-SC, this offense, which is a light charge, normally merits the following penalties: (a) a fine of not less than PHP 1,000.00 but not exceeding PHP 35,000.00; (b) censure; or (c) reprimand.²²

However, this Court takes into consideration the two cases wherein respondent was found administratively liable: *Atty. Magno v. Judge Lorredo*,²³ as pointed out by complainant and the Judicial Integrity Board, and *Espejon v. Judge Lorredo*,²⁴ which is taken judicial notice of.

In the 2017 case of *Atty. Magno*,²⁵ respondent was found to have acted with unbecoming conduct of a judge, meriting him a fine of PHP 5,000.00 and a stern warning that a repetition of the same or similar act shall be dealt with more severely. In the same case, respondent made “offensive, distasteful, and inexcusable”²⁶ statements during the preliminary conference and even in the pleadings he submitted to this Court. Respondent even referred to therein complainant as “‘petty, dull and slow thinking’ and ‘pathological or compulsive liar.’”²⁷

Instead of heeding this Court’s warning, respondent became the subject of another administrative complaint in 2019. In *Espejon*,²⁸ respondent was fined PHP 40,000.00 for conducting the preliminary conference in an overbearing manner in an apparent effort to speedily resolve cases and for the improper foisting of his religious beliefs while conducting his judicial functions, actions which constituted simple misconduct. He was also found guilty of conduct unbecoming of a judge and fined PHP 10,000.00 for the inappropriate remarks he made during the proceedings and in the Comment filed before this Court. Finally, he was suspended for 30 days for sexual harassment due to the derogatory or degrading remarks and innuendoes made regarding the complainants’ sexual orientation.²⁹

²¹ *Re: Anonymous Complaint Against Judge Francisco C. Gedorio, Jr.*, 551 Phil. 174, 180 (2007) [Per J. Sandoval-Gutierrez, First Division].

²² RULES OF COURT, Rule 140, sec. 17(3), further amended by A.M. No. 21-08-09-SC.

²³ 817 Phil. 309 (2017) [Per J. Tijam, First Division].

²⁴ *Marcelino Espejon and Erickson Cabonita v. Hon. Jorge Emmanuel M. Lorredo, Presiding Judge, Metropolitan Trial Court, Manila, Branch 26*, A.M. No. MTJ-22-007, March 9, 2022 [Per J. Caguioa, First Division].

²⁵ 817 Phil. 309 (2017) [Per J. Tijam, First Division].

²⁶ *Id.* at 317.

²⁷ *Id.*

²⁸ *Marcelino Espejon and Erickson Cabonita v. Hon. Jorge Emmanuel M. Lorredo, Presiding Judge, Metropolitan Trial Court, Manila, Branch 26*, A.M. No. MTJ-22-007, March 9, 2022 [Per J. Caguioa, First Division].

²⁹ *Id.*



Thus, prior the institution of this case, respondent was already found liable once each for simple misconduct and sexual harassment, and twice for unbecoming conduct. These merited him three separate fines amounting to PHP 55,000.00 and suspension for 30 days. Further, in both *Atty. Magno*³⁰ and *Espejon*,³¹ this Court sternly warned him that a repetition of the same or similar acts in the future will be dealt with more severely.³²

This Court has not hesitated to dismiss those who repeatedly fail to meet the exacting standards of those allowed to don the judicial robes, evident in the recent cases of *Judge Larida v. Atty. Calma*³³ and *Re: Jose S. Jacinto*.³⁴

The same situation obtains here. Despite numerous warnings from this Court, the suspension of 30 days, and the imposition of fines that totaled PHP 55,000.00, respondent continues to commit the same offenses, showcasing his propensity to disregard the provisions of the New Code of Judicial Conduct. Further, his refusal to heed the various stern warnings reveals his obstinate attitude and utter disregard for this Court's authority. Evidently, this Court has no other recourse but to dismiss him from service, to "protect and preserve the image and integrity of the entire judiciary."³⁵

As earlier discussed, respondent violated multiple provisions of the New Code of Judicial Conduct, i.e., Canon 2, Sections 1 and 2; Canon 3, Section 2; Canon 4, Section 1; Canon 5, Section 2; and Canon 6, Section 6. During deliberations Associate Justice Maria Filomena D. Singh correctly pointed out that that these constitute individual counts of unbecoming conduct.

Having been dismissed for the first count, respondent must be penalized for the remaining five counts of unbecoming conduct. Given the circumstances of this case, this Court deems it appropriate to impose upon him the maximum fine of PHP 35,000.00 for the remaining five counts of unbecoming conduct, amounting to a total of PHP 175,000.00.³⁶ This must be paid in accordance with Rule 140, Section 22.

³⁰ 817 Phil. 309 (2017) [Per J. Tijam, First Division].

³¹ *Marcelino Espejon and Erickson Cabonita v. Hon. Jorge Emmanuel M. Lorredo, Presiding Judge, Metropolitan Trial Court, Manila, Branch 26*, A.M. No. MTJ-22-007, March 9, 2022 [Per J. Caguioa, First Division].

³² *Magno v. Lorredo*, 817 Phil. 309 (2017) [Per J. Tijam, First Division]; *Marcelino Espejon and Erickson Cabonita v. Hon. Jorge Emmanuel M. Lorredo, Presiding Judge, Metropolitan Trial Court, Manila, Branch 26*, A.M. No. MTJ-22-007, March 9, 2022 [Per J. Caguioa, First Division].

³³ 918-A Phil. 1 (2021) [*Per Curiam, En Banc*].

³⁴ 902 Phil. 504 (2021) [*Per Curiam, En Banc*].

³⁵ *Judge Larida v. Atty. Calma* 918-A Phil. 1, 15 (2021) [*Per Curiam, En Banc*].

³⁶ SECTION 17. *Sanctions.* —

....

(3) If the respondent is guilty of a light charge, any of the following sanctions shall be imposed:

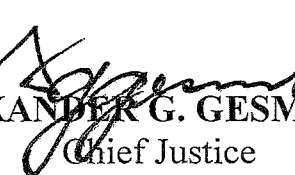
- (a) A fine of not less than PHP 1,000.00 but not exceeding PHP 35,000.00;
- (b) Censure; or
- (c) Reprimand.

SECTION 22. Payment of Fines. — When the penalty imposed is a fine, the respondent shall pay it within a period not exceeding three (3) months from the time the decision or resolution is promulgated. If unpaid, such amount may be deducted from the salaries and benefits, including accrued leave credits, due to the respondent. The deduction of unpaid fines from accrued leave credits, which is considered as a form of compensation, is not tantamount to the imposition of the accessory penalty of forfeiture covered under the provisions of this Rule.³⁷

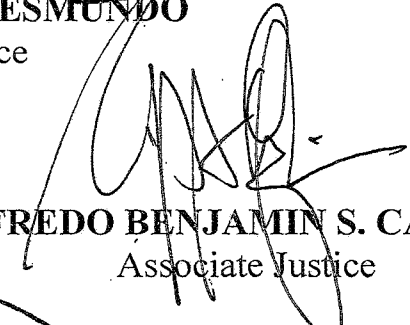
As the judicial service “demands the best possible men and women from the service..., the Court will not hesitate to discipline its members who taint its image in the eyes of the public.”³⁸

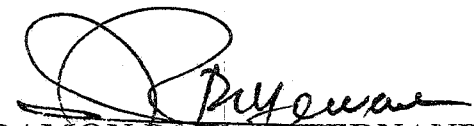
ACCORDINGLY, Hon. Jorge Emmanuel M. Lorredo, Presiding Judge, Branch 26, Metropolitan Trial Court of Manila is found **GUILTY** of unbecoming conduct. He is ordered **DISMISSED** from the service with forfeiture of all retirement benefits, except accrued leave credits, and perpetually disqualified from holding public office in any branch or instrumentality of the government, including government-owned or controlled corporations. He is also hereby ordered to **PAY** a **FINE** in the amount of PHP 35,000.00 for five counts of unbecoming conduct or a total of PHP 175,000.00 within a period not exceeding three months from the time this Decision is promulgated.

SO ORDERED.


ALEXANDER G. GESMUNDO
Chief Justice


MARVIC M.V.F. LEONEN
Associate Justice

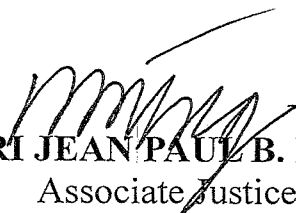

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice


RAMON PAUL L. HERNANDO
Associate Justice

(On official business)
AMY C. LAZARO-JAVIER
Associate Justice

³⁷ RULES OF COURT, Rule 140, sec. 22, further amended by A.M. No. 21-08-09-SC.

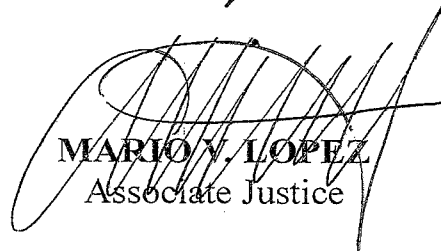
³⁸ *Campilan v. Judge Campilan, Jr.*, 431 Phil. 223, 225–226 (2002) [Per J. Puno, *En Banc*].



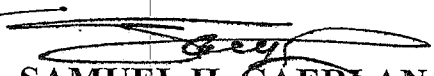
HENRI JEAN PAUL B. INTING
Associate Justice



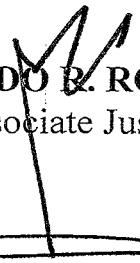
RODIL V. ZALAMEDA
Associate Justice



MARIO V. LOPEZ
Associate Justice



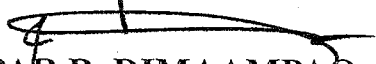
SAMUEL H. GAERLAN
Associate Justice



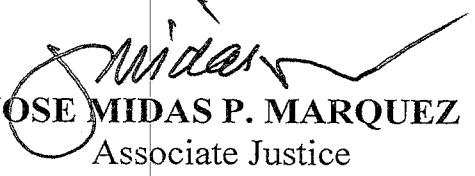
RICARDO B. ROSARIO
Associate Justice



JHOSEP V. LOPEZ
Associate Justice



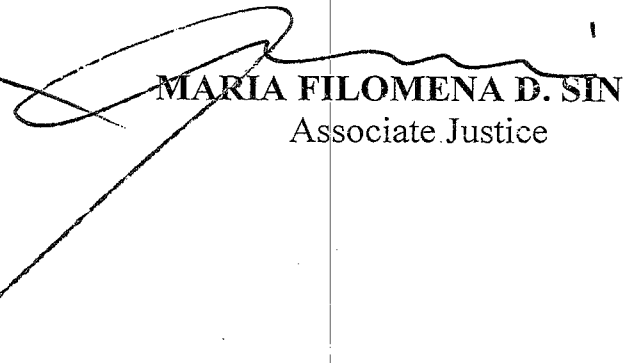
JAPAR B. DIMAAMPAO
Associate Justice



JOSE MIDAS P. MARQUEZ
Associate Justice



ANTONIO T. KHO JR.
Associate Justice



MARIA FILOMENA D. SINGH
Associate Justice

