

**[ ADMINISTRATIVE ORDER NO. 36, February 09, 1993 ]**

**DISMISSING FROM THE SERVICE ATTY. ENGELBERTO T. DE CASTRO, REGISTER OF DEEDS OF OLONGAPO CITY**

This is an administrative case against Atty. Engelberto T. de Castro, Register of Deeds of Olongapo City, for Dishonesty.

The case arose from an undated telegram and letter-protest dated January 12, 1990, of Olongapo City Mayor Richard Gordon, opposing the appointment of respondent De Castro as Register of Deeds of Olongapo City, who has since assumed his position as such pursuant to the appointment extended him by the then President on December 5, 1989, or alleged involvement in the mass fraudulent registration of voters while then Election Registrar of Olongapo City in 1987.

In a preliminary inquiry conducted by the Justice Department, it was found that, based on the circumstances surrounding respondent's appointment as Register of Deeds of Olongapo City, a *prima facie* case exists against him for Dishonesty. Thus, on February 27, 1990, he was formally charged with Dishonesty for having deliberately withheld and omitted certain facts material in the evaluation of his qualifications in relation to his application for appointment to the position of Register of Deeds.

In his letter-reply of March 15, 1990, respondent denied the charge as baseless and claimed that it was intended merely to harass him. He alleged that when he was interviewed by then Justice Secretary Sedfrey Ordoñez, he confided his employment history, including his employment with the COMELEC, and the criminal complaints previously filed against him. He then opted for a formal investigation, which was promptly conducted by the Department of Justice.

After due hearing, the Investigating Committee created under Department of Justice Circular No. 42, dated March 6, 1990, found the charge against respondent to be amply substantiated, based on the following factual findings:

- (a) In Item No. 20 of the Personal Data Sheet (CSC Form 212), requiring the disclosure of his previous and current employment history, respondent failed to reveal his previous employment with the COMELEC as against the documented fact of record that he was appointed as Election Registrar IV of Olongapo City in 1987.
- (b) In the Bio-Data enclosed to his letter-application, dated November 20, 1989, respondent likewise did not state the fact of his prior employment as COMELEC Election Registrar of Olongapo City in 1987.
- (c) In Item No. 25 of the Personal Data Sheet (CSC Form 212), which requires an answer to the question "Do you have any