

[ADMINISTRATIVE ORDER NO. 180, October 02, 1969]

MODIFYING ADMINISTRATIVE ORDER NO. 41 DATED MARCH 29, 1967, BY CONSIDERING MR. VICENTE M. SALUMBIDES AS HAVING VOLUNTARILY RESIGNED FROM THE SERVICE

Administrative Order No. 41 was issued by this Office on March 29, 1967, removing Mr. Vicente M. Salumbides from his position as Municipal Judge of Tagkawayan, Quezon. Mr. Salumbides was found guilty of gross neglect and dereliction of duty for having delayed the transmission of the records of Criminal Case. No. 1535 for qualified seduction filed in his sala to the Court of First Instance of Gumaca, Quezon, and for ignoring notices of hearing in the administrative investigation to inquire into his official actuations.

A petition for reconsideration of the decision is at hand with the further request that the respondent be considered merely as having resigned.

A careful review of the record does not yield any ground for departing from the findings of the verdict. The charge of negligence was clearly proved and respondent's failure to appear at the hearing is a matter of record.

However, the charge was essentially one of simple negligence. Nothing in the record discloses any unlawful or illicit motive behind respondent's failure to transmit seasonably to the Court of First Instance the records of the aforementioned criminal case. And, even if respondent's refusal to appear at the administrative inquiry, were construed as an outright waiver of his right to defend himself, he could not be held responsible for more than simple negligence.

Considering respondent's over twenty (20) years of continuous service on the Bench and in the light of his willingness to be considered resigned from the service without prejudice to whatever benefits the law may accord to him, his request for voluntary resignation should be granted.

Wherefore, Administrative Order No. 41 dated March 29, 1967, is hereby amended by considering Municipal Judge Vicente M. Salumbides of Tagkawayan, Quezon, as having voluntarily resigned from the service without prejudice to whatever benefits he may be entitled to under existing law and rules.

Done in the City of Manila, this 2nd day of October, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President: