

[ADMINISTRATIVE ORDER NO. 67, June 26, 1967]

**REMOVING MR. PASCUAL BELTRAN AS MUNICIPAL JUDGE OF
BUENAVISTA, ILOILO**

This is an administrative case filed by Mr. Susano Tayo against Mr. Pascual Beltran, municipal judge of Buenavista, Iloilo, for undue delay in deciding Criminal Cases Nos. 225 and 256; gambling on official time during which he recorded himself as present in office; drunkenness during office hours and making threats while drunk; persecuting the complainant and falsely accusing him of a crime; challenging another for reporting abuses of his (respondent's) son; protecting a terrorist gang; slander and threatening bodily harm; pointing a pistol at another; and intimidating the complainant's witnesses.

The charges were investigated by District Judge Pantaleon A. Pelayo who found respondent as having tolerated abuses committed by his son, Pascual Beltran, Jr.; played mahjong on official time; got drunk in public places; threatened people; and reported late to his office.

A review of the evidence substantially supports the findings of the investigating judge. Respondent's playing mahjong on official time is supported by the testimony of complainant's witnesses Felix Benito and Alicia Gabrido, besides complainant himself. This testimony is corroborated to some extent by Julita Gallo, who admitted that mahjong was played in her house and that respondent, who lived nearby, also played there. His coming late to office is supported by the testimony of Atty. Mario P. Buenvenida, aside from the complainant, who declared that on December 23, 1957, when he appeared in respondent's court as private prosecutor in Criminal Case No. 225, the respondent arrived at 11:30 o'clock in the morning.

The finding that respondent got drunk in public places is based on the testimony of the complainant and his witnesses, Alicia Gabrido and Flora J. Lopez; that he was in the habit of making threats is borne out by the testimony of Alicia Gabrido, Angelita Gabrido Serrano, Enrique Cortez, Flora J. Lopes, Roque Gapit and the complainant; that he tolerated the abuses of his son, Junior, is supported by the testimony of Alicia Gabrido who declared that, when Junior tried to slap her, the respondent shouted abusively at her, challenged her to have her elder brother fight with him and threatened her with criminal charges. Angelita Gabrido Serrano also testified that when she and her sister reported Junior to the Constabulary for having aimed a pistol at her brother, the respondent threatened to have them imprisoned.

Besides the findings of the investigating judge, the evidence also shows that the respondent neglected his duty in Criminal Case No. 256 of his court when he ignored and failed to act on written manifestations filed by Atty. Mario P. Buenvenida, as private prosecutor, that the accused in said case be ordered to explain his failure to appear at a scheduled hearing and defray the expenses incurred by the prosecution