

[ADMINISTRATIVE ORDER NO. 215, September 25, 1953]

REMOVING MR. ANTONIO FUENTECILLA FROM THE OFFICE AS JUSTICE OF THE PEACE OF SAN FELIPE AND SAN NARCISO, ZAMBALES

Mr. Antonio Fuentecilla, justice of the peace of San Felipe and San Narciso, Zambales, stands charged with serious misconduct and inefficiency. It is alleged that he failed, without justifiable cause, to decide a certain civil case between Francisco Rosete and Eusebio Feria et al. despite the lapse of a long period of time from the submission thereof. The charge was investigated by the Department of Justice and in his report the Secretary of Justice recommends respondent's removal from office, with prejudice to reinstatement in any branch of the government service.

Respondent admits that he really did not decide the case because, according to him, the parties had arrived at an amicable settlement. This assertion of his was emphatically denied by the plaintiff, complainant herein. If there was such agreement, there is no reason why the plaintiff should complain against him for his inaction. Moreover, if the parties had really settled their differences amicably, respondent should have required them to reduce their agreement in writing and then rendered judgment in accordance therewith. However, the record shows that the case, which was submitted for decision on June 8, 1949, was still pending decision on October 20, 1950, when this administrative complaint was investigated. Respondent's failure to decide the case for more than a year constitutes inexcusable negligence, if not gross inefficiency.

This is not the first time respondent, is found negligent in the performance of his official duties. Sometime before the war he was also found negligent and inefficient as justice of the peace of San Marcelino, Zambales, in view of which he was given a warning. On March 6, 1951, he was again found negligent in the discharge of his duties as justice of the peace of San Felipe and San Narciso, same province, for which he was suspended for three months without pay.

In view of the foregoing, I am convinced that respondent has proven himself unfit to remain in the service and to allow him to continue in office would only be giving, him another opportunity or opportunities to commit farther irregularities.

Wherefore, Mr. Antonio Fuentecilla is hereby removed from office as justice of the peace of San Felipe and San Narciso, Zambales, with prejudice to reinstatement in the government service.

Done in the City of Manila, this 25th day of September, in the year of Our Lord, nineteen hundred and fifty-three, and of the Independence of the Philippines, the eighth.