

EN BANC

[A.M. No. MTJ-10-1755, October 18, 2016]

WILFREDO F. TUVILLO, COMPLAINANT, VS. JUDGE HENRY E. LARON, RESPONDENT.

[A.M. NO. MTJ-10-1756]

**MELISSA J. TUVILLO A.K.A MICHELLE JIMENEZ, COMPLAINANT,
VS. JUDGE HENRY E. LARON, RESPONDENT.**

D E C I S I O N

PER CURIAM:

This is a consolidation of two cases filed against Judge Henry Laron, Presiding Judge of Branch 65, Metropolitan Trial Court, Makati City (*MeTC*). The first case arose from the complaint of Wilfredo Tuvillo (*Wilfredo*) for immoral conduct, and the second case from the complaint of Melissa Tuvillo (*Melissa*) for unexplained wealth and immorality.

Wilfredo and Melissa Tuvillo are husband and wife. Wilfredo works as a seaman and is out of the country most of the time. Melissa is a businesswoman with several B.P. Blg. 22 cases filed against her in the MeTC of Makati City. In her desire to have her cases resolved, she approached the respondent Judge Henry Laron (*Judge Laron*). The respondent is married but his wife was in the United States at the time the events of this case transpired. Due to their frequent interaction with each other, Melissa and Judge Laron became intimate with each other and their relationship gave rise to these administrative cases.

The Complaint of Wilfredo Tuvillo

On May 2, 2008, Wilfredo wrote a letter-complaint against Judge Laron to the Court Administrator for immorality and unacceptable wrongdoing. He submitted a Complaint-Affidavit^[1] where he alleged, among others, that his wife Melissa sought the help of Judge Laron for the resolution of the cases filed against her; that, in turn, Judge Laron asked money from Melissa and forced her to produce it whenever he needed it; that they lost all their savings and their two houses and lots because of Judge Laron's constant requests for money from Melissa; that Judge Laron would physically hurt Melissa when she could not produce the money he needed; and that Judge Laron "*transgressed, intruded and besmirched the tranquility and sacredness of our marital union and family unity*" To support his complaint, Wilfredo attached Melissa's complaint-letter and her affidavit where she admitted having illicit relations with Judge Laron.^[2]

Wilfredo also submitted the Joint Affidavit of his two sons^[3] wherein they alleged:

6. That sometime in the year 2007, we were living in our house in Antipolo city; We were surprised that certain Tito Henry Laron used to go to our house in Antipolo; He slept in our house twice or thrice a week specially during weekends; Nagtaka kami mga magkakapatid bakit natutulog si Tito Henry Laron sa bahay namin at sinusundo na kami at ang mama namin tuwing umaga minsan gamit ang kanyang sasakyan minsan aming sasakyan ang ginagamit niya at sunduin kami sa school tuwing hapon.

This allegation was confirmed by their caretaker in her Affidavit^[4] stating that Judge Laron slept in the Antipolo house during weekends, picked up Melissa and her children in the morning, and fetched them from school in the afternoon using either his own or Melissa's car.

In his July 2, 2008 Comment,^[5] Judge Laron averred that he had already confessed his affair with Melissa to his wife. In his December 18, 2008 Comment,^[6] he claimed that Melissa told him that she was a widow and explained that his relationship with her was an intimate emotional and personal attachment that did not involve any sexual liaison.

Wilfredo subsequently filed an adultery case against Melissa and Judge Laron before the City Prosecutor's Office of Makati but it was later dismissed for lack of probable cause.^[7] Wilfredo's petition for review was also dismissed by the Department of Justice^[8] for failure to comply with DOJ Circular No. 70 and for lack of reversible error.^[9]

The Complaint of Melissa Tuvillo

This case was initiated by Melissa on May 14, 2008 when she wrote a letter to the Court Administrator accusing Judge Leron of unexplained wealth and immorality. In her letter, she asked that Judge Laron be investigated because based on his salary as a judge, he could not have acquired their P9 million house. She also claimed that Judge Laron could not have afforded to buy several Lamarroza paintings, four Plasma televisions, expensive furniture, a Nissan Patrol, and to send his three children to private schools. Her letter also bore her admission that she was his mistress for three years.

In his July 21, 2008 Comment,^[10] Judge Laron explained how he was able to afford and own the properties that Melissa claimed were beyond his means. He said that he and his wife sold their townhouse for P1.7M and obtained a P3.2M loan from Land Bank to cover the P4.4M construction cost of his house.^[11] The Nissan Patrol, a 2001 model, was allegedly bought for P1.15M with money borrowed from his father's retirement proceeds.^[12] The Lamarroza paintings, accumulated through the years from 2004 to 2007^[13] for a total value of P410,000.00, were purchased at a low price because the artist was his wife's friend. The two (2) plasma televisions, on the other hand, were gifts to them while the other two were purchased in 2000 and 2002. His children's tuition fees were covered by educational plans^[14] and their furniture was part of his wife's commission as a dealer in his relative's furniture shop.

In her July 31, 2008 Complaint-Affidavit,^[15] Melissa admitted that she had approached Judge Laron when she needed help regarding the pending cases against her. Her liaisons with Judge Laron started in November 2005 in his office (*doon una niya akong naangkin*). She said that he slept in their house in Antipolo and was in her Pasong Tamo condominium almost daily from August 2007 to January 2008. At that time, Melissa was receiving a monthly allowance of US\$2,000.00 from her husband while Judge Laron would ask money from her every month and whenever he needed it. She cited several occasions when she gave him money. Judge Laron would hurt her physically and threaten to tell her husband about their relationship every time she would refuse to give him money. To meet Judge Laron's demand for money, she said that she sold her house and lot in Taguig City and her two vehicles - a Pajero and a Honda CRV. Yet, only two of her four pending cases were settled. She also mentioned an incident in Judge Laron's office in April 2008 when a lawyer attempted to effect a reconciliation between her and Judge Laron.

Defense of Judge Laron

In his October 27, 2008 Comment,^[16] Judge Laron related that Melissa was introduced to him in November 2005 and that in December 2005, she informed him about her B.P. Blg. 22 cases. He refuted the alleged sexual liaisons that happened in his chambers by attaching affidavits of his staff who swore that the door to his chambers was necessarily open because the air conditioner that supplied the cold air to the staff room, the telephones, the fax machine, the coffee maker, and the refrigerator were all in his chambers. He likewise denied that he had asked Melissa for money or that she gave him money. He pointed out that Melissa could have settled the cases against her by paying the complainants because she had the money. The cases against her were violations of B.P. Blg. 22: two counts for P20,000.00, two counts for P19,377.00, and two counts for P24,620.00. He also mentioned that the threats and harassment against him started when he began avoiding her.

A member of the staff of Judge Laron, Ma. Anicia Razon, related in her affidavit that on April 16, 2008, a woman went inside the chamber of Judge Laron and started shouting and berating the judge.^[17] A man, who was then with her, pulled the woman away and brought her out of the room. She, however, continued her outburst even when they were already along the corridor. Seven other staff members executed a joint affidavit^[18] about the incident narrating that they ran to his chambers after they heard a woman shouting and then saw the woman berating Judge Laron (*minumura at inaalipusta*) while the judge just remained quiet (*nanatiling tahimik*). The woman's shouts were heard even in the courtroom. They recounted that the woman told the judge: "*IDEDEMANDA KITA!*" to which the judge retorted: "*Idedemanda ka rin ng misis ko.*"

Imelda Laron, the wife of Judge Tuvillo, also executed an affidavit where she recounted that sometime in January 2008, she lifted their home phone and heard a conversation between her husband and another person.^[19] She confronted her husband about what she overheard and they had a serious talk about Melissa. She also stated that after that incident, "nasty text messages with threats from different cellphone numbers were sent to me;" that their sons also received the same messages in their cell phones; and that her relatives in the province, whose

cellphone numbers were listed in her list of contacts, called her "about the damaging text messages they received about my husband and the woman named Michelle."

The Office of the Court Administrator in its Report^[20] recommended the consolidation of the two complaints as all the allegations in both were rooted on the alleged affair between Judge Laron and Melissa.^[21] After its evaluation, the OCA recommended that Judge Laron be found guilty of conduct unbecoming of a judge and be fined P10,000.00, and that the case for unexplained wealth be dismissed for being unsubstantiated.

The Court's Ruling

Unexplained Wealth

The charge of unexplained wealth was disputed by Judge Laron who was able to explain the source of the money he used to pay for the construction of his house and the purchase of his vehicle, televisions and furniture. He also attached copies of the educational plans of his children. On the other hand, Melissa failed to substantiate her claim that Judge Laron, by his salary, could not afford to buy those properties and send his children to private schools. For said reason, the Court agrees with the OCA's recommendation that the complaint for unexplained wealth against Judge Laron be dismissed.

Immorality

The charge of immorality, however, is a serious one covered by Section 8, Rule 140 of the Rules of Court. The penalty therefor includes dismissal from the service. Section 8 of Rule 140 provides:

Serious charges include:

1. Bribery, direct or indirect;
2. Dishonesty and violations of the Anti-Graft and Corrupt Practices Law (R.A. No. 3019);
3. Gross misconduct constituting violations of the Code of Judicial Conduct;
4. Knowingly rendering an unjust judgment or order as determined by a competent court in an appropriate proceeding;
5. Conviction of a crime involving moral turpitude;
6. Willful failure to pay a just debt;
7. Borrowing money or property from lawyers and litigants in a case pending before the court;
8. **Immorality;**
9. Gross ignorance of the law or procedure;
10. Partisan political activities; and
11. Alcoholism and/or vicious habits. [Emphasis Supplied]

Moreover, members of the judiciary are essentially guided by Code of Judicial Conduct and the Canons of Judicial Ethics in their acts. Canon 4, Section 1 of the

Code of Judicial Conduct mandates that a judge should avoid impropriety and the appearance of impropriety in all activities. Judge Laron's conduct of carrying on an affair with a married woman is highly improper. Pertinently, Paragraph 3 of the Canons of Judicial Ethics provides:

3. Avoidance of appearance of impropriety.

A judge's official conduct should be free from the appearance of impropriety, and his personal behavior, not only upon the bench and in the performance of official duties, *but also in his everyday life, should be beyond reproach.*

The Code of Judicial Ethics mandates that the conduct of a judge must be free of a whiff of impropriety both in his professional and private conduct in order to preserve the good name and integrity of the court.^[22] As the judicial front-liners, judges must behave with propriety at all times as they are the intermediaries between conflicting interests and the embodiments of the people's sense of justice. These most exacting standards of decorum are demanded from the magistrates in order to promote public confidence in the integrity and impartiality of the Judiciary.^[24] No position is more demanding as regards moral righteousness and uprightness of any individual than a seat on the Bench.^[25] As the epitome of integrity and justice, a judge's personal behavior, both in the performance of his official duties and in private life should be above suspicion. For moral integrity is not only a virtue but a necessity in the judiciary.^[26]

In these cases at bench, the conduct of Judge Laron fell short of this exacting standard. By carrying an affair with a married woman, Judge Laron violated the trust reposed on his office and utterly failed to live up to noble ideals and strict standards of morality required of the members of the judiciary.^[27] As the Court wrote in *Re: Letter of Judge Augustus Diaz*,^[28] "a judge is the visible representation of the law and of justice. He must comport himself in a manner that his conduct must be free of a whiff of impropriety, not only with respect to the performance of his official duties but also as to his behavior outside his sala and as a private individual. His character must be able to withstand the most searching public scrutiny because the ethical principles and sense of propriety of a judge are essential to the preservation of the people's faith in the judicial system."

In these cases, both Judge Laron and Melissa admitted the affair. In the case filed by Wilfredo, the July 2, 2008 Comment^[29] of Judge Laron reads:

1. Sometime in November 2005, Melissa Tuvillo was introduced to me. In December 2005, Melissa approached me regarding problems about a vehicular accident she was involved in. She later informed me about the bouncing checks filed against her. At that time, I had been married for more than 17 years, and my wife was in the United States attending to her ailing father. Melissa was likewise then without a husband and Mr. Tuvillo was out at sea. She was aware of my marital status and that I have three sons. **We were**