

EN BANC

[A.M. No. P-09-2720 [Formerly OCA I.P.I. No. 09-3259-P], April 07, 2012]

**JUDGE SALVADOR R. SANTOS, JR., PRESIDING JUDGE,
MUNICIPAL TRIAL COURT, ANGAT, BULACAN, COMPLAINANT,
VS. EDITHA R. MANGAHAS, COURT STENOGRAPHER OF THE
SAME COURT, RESPONDENT.**

DECISION

PER CURIAM:

Before this Court is an administrative complaint filed by Judge Salvador R. Santos, Jr. (Judge Santos), Presiding Judge, Municipal Trial Court (MTC), Angat, Bulacan, against respondent Editha R. Mangahas (Mangahas), of the same court for Conduct Unbecoming an Officer of the Court and Influence Peddling Activities.

The antecedent facts of the case, as culled from the records, are as follows:

On May 30, 2007, Judge Santos received a letter from respondent Mangahas, requesting that she be detailed back to Regional Trial Court (RTC), Branch 77, Malolos City, Bulacan, since she was allegedly suffering from high blood pressure and was advised by her physician to have an easy access to a hospital in case an attack occurs.^[1] Respondent alleged that being detailed in Malolos City will allow her to immediately seek medical assistance at the Bulacan Provincial Hospital which is only a few minutes away from the court.

Considering that it was already respondent's second time to request for detail to another court, complainant sought advise from the Office of the Court Administrator (OCA). Complainant alleged that respondent's request was based purely on personal reasons. He also pointed out that the first time respondent was approved to be detailed was also based on personal reasons, that is, she needed to give moral support to her daughter.

Complainant alleged that the true reason for respondent's request for detail to the RTC, Malolos City, was her disappointment that she is no longer the "favored" employee of the MTC, Angat, Bulacan; a status which she previously enjoyed before the appointment of complainant as Presiding Judge of the same court.

Complainant further mentioned several incidents which could have triggered respondent's resentment, to wit:

1. Complainant required several court personnel, including respondent, to explain the missing records of certain docketed criminal cases. However, when complainant inquired from respondent about it since she was said to be the one "in-charge," the latter rudely replied that complainant should ask the former judge instead;

2. Complainant likewise inquired about the solicitation which respondent made for her trip to Boracay for the stenographers' convention, to which respondent turned almost hysterical;

3. Without prior permission from complainant or the clerk of court, respondent hosted a party for her return to the MTC, Angat, Bulacan and utilized the court as her party venue;

4. Again, without complainant's permission, after respondent's return to the MTC, Angat, Bulacan, she hauled her new table, personal computer and installed and tapped her personal telephone unit with the official landline phone of the court. She even positioned her table at the entrance of the court area, outside of the staff area and accessible to all litigants. Respondent was, thereafter, requested to remove and transfer her table as it was complainant's policy to course all follow-up of cases through the clerk of court;

5. During one staff meeting, complainant alleged that respondent blatantly refused to talk to him because according to her "*masama ang loob niya baka may masabi pa siyang masama.*" Later, complainant learned that respondent confessed to her co-staff that she was jealous in not getting his attention. Respondent even went to the Office of the Mayor and complained complainant judge and told the Mayor to have him removed from Angat or transfer him elsewhere.

Complainant asserted that respondent's actuations were meant to show him that she is influential in Angat, Bulacan. Complainant attempted to settle their differences, but to no avail. Respondent even filed several sick leaves and vacation leaves without any supporting documents until her eventual resignation.

Moreover, complainant narrated that, coincidentally, after respondent's return, his family received a letter containing death threats with two live bullets of M-16 baby armalite. It was followed by telephone calls to his family's respective cellphones, followed by a text message that reads, "*alam namin na natanggap ninyo ang ipinadala naming mensahe paglalamayan na ninyo si Judge Santos.*"^[2]

Thus, the instant complaint.

On August 2, 2007, the OCA directed respondent Mangahas to submit her comment on the charges against her.^[3]

On September 11, 2007, in her Comment,^[4] respondent rebutted the accusations against her.

With regard to the allegation of soliciting financial assistance for the stenographers' association's convention in Boracay, respondent claimed that the P1,000.00 which Mayor Domingo gave her was charged against the local funds. She reasoned, "*It was even charged against the local funds. And what is P1,000 to cover the expenses?*"^[5] Respondent claimed that she was already decided not to attend the anniversary, but after Mayor De Leon, a relative of her husband, learned about her hesitance, he ordered the preparation of the voucher in the amount of P6,000.00, which was again charged against the local funds. She also claimed that the airplane

tickets were paid by Judge Rolando Bulan. The rest of the expenses, respondent averred she paid with her own money.^[6]

As to the allegation that she committed acts unbecoming of an officer of the court, respondent denied doing anything to be guilty of such. She averred that if it was related to the welcome party thrown for her by fellow officemates upon her return from her detail in Malolos, respondent pointed out that complainant likewise participated in the welcome party. Respondent averred that there were photos of them together during the party and complainant even bought a gallon of ice cream for the occasion.

Respondent submitted certifications from different barangay captains in the Municipality of Angat to prove that her character is beyond reproach.

Finally, respondent claimed that the instant complaint was intended to harass her as complainant was jealous of Judge Bulan.

In his Reply^[7] dated September 19, 2007, complainant pointed out that respondent appeared to have no qualms in soliciting money from anybody, even from counsels of litigants for official seminars. In fact, respondent, after being reprimanded for her solicitation of money, even went to the police station to have him blotted after their altercation.

Complainant further added other incidents of respondent's misconduct, which included: (1) brokering bail applications;^[8] (2) accepting money from litigants and counsels;^[9] and (3) making unauthorized security arrangements for complainant and virtually mocking every actuation of complainant.^[10]

Due to the conflicting versions of the parties, the OCA, in a Memorandum dated September 25, 2009, recommended that the instant matter be referred to the Executive Judge of the RTC, Malolos City, Bulacan for investigation, report and recommendation.

On November 23, 2009, the Court resolved to re-docket the instant administrative complaint as a regular administrative matter, and referred the same to the Executive Judge of the RTC, Malolos City, Bulacan, for investigation, report and recommendation.^[11]

On April 14, 2010, in her Report, Executive Judge Herminia V. Pasamba, Malolos City, found respondent to be guilty of assisting litigants in posting of bail bond for a fee.^[12] It was also revealed that respondent indeed solicited funds for her trip to Boracay to attend the stenographer's convention.

Another subject of investigation of the Executive Judge is the death threat received by complainant judge and his family. There was no proof that respondent instigated the death threat. However, it was established that there was indeed a death threat against complainant and it coincidentally happened right after respondent reported back from her detail, and her and complainant judge's unsettled differences.

Likewise, during the investigation, Melody M. Tolentino, Clerk of Court III, MTC,