

THIRD DIVISION

[G.R. Nos. 177105-06, August 12, 2010]

**JOSE REYES Y VACIO, PETITIONER, VS. PEOPLE OF THE
PHILIPPINES, RESPONDENT.**

DECISION

BERSAMIN, J.:

The petitioner appeals by petition for review on *certiorari* the decision dated January 15, 2007 rendered by the Sandiganbayan, finding him guilty in Criminal Case No. 24655 of a violation of Section 3 (e) of Republic Act No. 3019,^[1] and in Criminal Case No. 24656 of usurpation of judicial functions as defined and penalized under Article 241, *Revised Penal Code*.^[2]

Antecedents

Belen Lopez Vda. de Guia (Belen) was the registered absolute owner of two parcels of agricultural land with an area of 197,594 square meters located in Santa Barbara, Baliwag, Bulacan and covered by Transfer Certificate of Title (TCT) No. 209298 of the Register of Deeds of Bulacan. On March 19, 1975, Belen's son, Carlos de Guia (Carlos), forged a deed of sale, in which he made it appear that his mother had sold the land to him. Consequently, the Register of Deeds of Bulacan cancelled TCT No. 209298 by virtue of the forged deed of sale and issued TCT No. 210108 in Carlos' name.

On March 20, 1975, Carlos sold the land to Ricardo San Juan (Ricardo). On the same date, Ricardo registered the deed of sale in the Registry of Deeds of Bulacan, which cancelled TCT No. 210108 and issued TCT No. 210338 in Ricardo's name. Subsequently, Ricardo mortgaged the land to Simeon Yangco (Simeon).

Upon learning of the transfers of her land, Belen filed on December 20, 1975 an adverse claim in the Register of Deeds of Bulacan. Her adverse claim was annotated on TCT No. 210338. She also filed in the then Court of First Instance (CFI) of Baliwag, Bulacan a civil action for cancellation of sale, reconveyance, and damages against Carlos, Ricardo and Simeon, docketed as Civil Case No. 655-B.

On January 20, 1981, the CFI decided Civil Case No. 655-B, dismissing Belen's complaint and affirming the validity of the deeds of sale between Belen and Carlos and between Carlos and Ricardo. Belen filed a motion for reconsideration but her motion was denied.

Belen appealed to the Intermediate Appellate Court (IAC), docketed as AC-G.R. CV No. 5524-UDK.

On April 19, 1983, the IAC dismissed Belen's appeal due to non-payment of docket

fees. The dismissal became final on May 17, 1983, and entry of judgment was issued on June 21, 1983. The records were remanded to the CFI on July 6, 1983.^[3]

Thereafter, the tenants of the land, namely, Paulino Sacdalan, Leonardo Sacdalan, Santiago Sacdalan, Numeriano Bautista and Romeo Garcia (tenants), invoked their right to redeem pursuant to Section 12 of Republic Act No. 3844, as amended.^[4] Acting thereon, Ricardo executed a *deed of reconveyance* in favor of the tenants on October 24, 1983.^[5]

Upon registration of the *deed of reconveyance*, TCT No. 210338 was cancelled, and TCT No. 301375 was issued in the names of the tenants. The land was subdivided into several lots, and individual TCTs were issued in the names of the tenants.

In the meanwhile, Belen discovered for the first time through a letter-inquiry to the IAC Clerk of Court that her appeal in AC-G.R. CIV No. 5524-UDK had been dismissed for non-payment of docket fees. She thus filed in the IAC a *motion to reinstate* her appeal. The IAC granted her motion.^[6] The reinstated appeal was re-docketed as AC-G.R. CV No. 02883.

On February 20, 1986, the IAC promulgated its decision in AC-G.R. CV No. 02883, granting Belen's appeal,^[7] thus:

WHEREFORE, the decision appealed from is hereby REVERSED and SET ASIDE and another one entered:

(1) declaring as null and void and without any effect whatsoever the deed of sale executed by and between appellant Belen Lopez vda. De Guia and defendant Carlos de Guia, Exhibit "A;"

(2) declaring defendant-appellant Ricardo San Juan as a purchaser in bad faith and ordering him to reconvey to appellant the two (2) parcels of land described in the complaint;

(3) ordering the Register of Deeds of Bulacan to cancel and/or annul TCT No. 210338 in the name of defendant-appellee Ricardo San Juan as well as TCT No. 210108 in the name of defendant-appellee Carlos de Guia for being null and void and to reinstate TCT No. 209298 in the name of appellant as the true and valid title over the lands described therein; and

(4) ordering the defendants-appellees to pay the costs.

SO ORDERED.

The IAC decision became final on March 15, 1986, and entry of judgment was made on November 7, 1986.^[8] The records were remanded to the Regional Trial Court (RTC) of Baliwag, Bulacan (RTC).

On December 18, 1986, Belen filed in the RTC a *motion for execution vis-à-vis* the decision in AC-G.R. CV No. 02883. The RTC granted her motion. However, when the

writ of execution was about to be executed, Belen learned that Ricardo had sold the land to the tenants through a *deed of reconveyance*. Thus, Belen filed in the RTC a motion to declare Ricardo and the tenants in contempt of court for circumventing the final and executory judgment in AC-G.R. CV No. 02883.

On October 12, 1987, the RTC held Ricardo and the tenants in contempt of court and ordered each of them to pay a fine of P200.00. It directed Ricardo and the tenants to reconvey the land to Belen and to deliver to her the share in the harvest.

Ricardo and the tenants appealed the RTC order to the Court of Appeals (CA), docketed as CA-G.R. SP No. 14783 entitled *Mariano Bautista, et al vs. Hon. Felipe N. Villajuan, Jr. as Judge RTC of Malolos, Bulacan, Branch XIV and Belen Lopez Vda. De Guia*.

On November 8, 1988, Belen, through her daughter and attorney-in-fact, Melba G. Valenzuela (Melba), filed in the Department of Agrarian Reform Adjudication Board (DARAB) a complaint for ejectment and collection of rents against the tenants, entitled *Belen Lopez Vda. De Guia thru her Attorney-in-Fact, Melba G. Valenzuela vs. Paulino Sacdalan, Romeo Garcia, Numeriano Bautista, Leonardo Sacdalan and Santiago Sacdalan* and docketed as DARAB Case No. 034-BUL'88.^[9]

On July 6, 1989, the CA rendered its decision in CA-G.R. SP No. 14783,^[10] affirming the RTC order dated October 12, 1987 with modification. It ruled that the RTC correctly ordered Ricardo and the tenants to reconvey the land to Belen, but held that the RTC erred in finding Ricardo and the tenants in contempt of court. This decision became final and executory on July 31, 1989.

On March 16, 1993, the petitioner, as Provincial Adjudicator, rendered a decision in DARAB Case No. 034-BUL'88 entitled *Belen Lopez vda. De Guia thru her Attorney-in-Fact, Melba G. Valenzuela v. Paulino Sacdalan, Romeo Garcia, Numeriano Bautista, Leonardo Sacdalan and Santiago Sacdalan*,^[11] dismissing Belen's complaint for ejectment and collection of rents and affirming the respective TCTs of the tenants, viz:

WHEREFORE, premises considered, the Board finds the instant case wanting of merit, the same is hereby dismissed. Consequently, the Transfer Certificate of titles Nos. T-307845, T-307846, T-307856, T-307857, T-307869, T-307870, T-307871, T-307873 and T-307874 issued in the name of Numeriano Bautista, Romeo Garcia, Leonardo Sacdalan, Paulino Sacdalan and Santiago Sacdalan respectively are hereby AFFIRMED. The plaintiff and all other persons acting in their behalf are hereby ordered to permanently cease and desist from committing any acts tending to oust or eject the defendants or their heirs or assigns from the landholding in question.

SO ORDERED.^[12]

Belen filed a *notice of appeal* in the DARAB on March 26, 1993.

On March 31, 1993, the petitioner granted the tenants' *motion for execution* in

DARAB Case No. 034-BUL'88.^[13]

Aggrieved, Belen, through Melba, filed an *urgent motion to set aside the writ of execution* in DARAB Case No. 034-BUL'88,^[14] but her motion was denied.

On October 24, 1994, the DARAB Central Office affirmed the petitioner's ruling.^[15]

After her *motion for reconsideration* was denied, Belen lodged an appeal to the CA (CA-G.R. SP No. 39315).

In due course, the CA reversed and set aside the decision of the DARAB Central Office,^[16] and ordered the tenants: (a) to vacate the land; (b) to deliver its possession to Belen; and (c) to pay to Belen the rents on the land corresponding to the period from 1981 until they would have vacated.

The tenants filed a *motion for reconsideration*, but the CA denied their motion.

Thus, the tenants appealed to this Court (G.R. No. 128967), which *affirmed* the CA's decision in CA-G.R. SP No. 39315.^[17]

On May 13, 1998, the Office of the Ombudsman filed two informations in the Sandiganbayan, one charging the petitioner with a violation of Section 3 (e) of RA 3019, and the other with usurpation of judicial functions under Article 241 of the *Revised Penal Code*,^[18] as follows:

Criminal Case No. 24655
(for violation of section 3 (e) of RA 3019)

That on or about 16 March 1993, or sometime prior or subsequent thereto, in Malolos, Bulacan, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused Jose V. Reyes, a public officer being then employed as Provincial Adjudicator of the Department of Agrarian Reform Adjudication Board (DARAB) in Malolos, Bulacan, while in the performance of his official function as such and acting with evident bad faith and manifest partiality, did then and there willfully, unlawfully and criminally render his decision in DARAB Case No. 034-Bul-88 favorable to the tenants who were respondents in said agrarian case, thereby ignoring and disregarding the final and executory decision of the Court of Appeals in AC-GR CV-02883 which declared complainant Belen de Guia as the true owner of the lands subject of the litigation in both cases, thus causing undue injury and damage to the said Belen de Guia and to the public interest.^[19]

Criminal Case No. 24656
(for usurpation of judicial functions under
Article 241 of the *Revised Penal Code*)

That on or about 16 March 1993, or immediately prior or subsequent thereto, in Malolos, Bulacan, Philippines, above-named accused Jose V. Reyes, a public officer being then employed as Provincial Adjudicator of

the Department of Agrarian Reform Adjudication Board (DARAB) in Malolos, Bulacan, while in the performance of his official function as such and taking advantage thereof, with full knowledge of a Decision in AC-GR CV-02883 of the Court of Appeals, which declared Belen de Guia as the true owner of the lands litigated in said case, did then and there willfully, unlawfully and feloniously disregard, obstruct and ignore the said final and executory decision of the Court of Appeals, by rendering a decision in DARAB Case No. 034-Bul-88 thereby favoring and emboldening the tenants-respondents in said DARAB case to unlawfully continue occupying the lands of Belen de Guia, the complainant, to her damage and prejudice, as well as to the public interest.^[20]

Arraigned on August 8, 2000, the petitioner, assisted by counsel *de parte*, pleaded *not guilty* to each information.^[21]

After trial, on January 15, 2007, the Sandiganbayan rendered its assailed decision,^[22] finding the petitioner guilty of both charges; and sentencing him to suffer: (a) in Criminal Case No. 24655 (for violation of Section 3 (e) of RA 3019), an indeterminate sentence of imprisonment from six years and one month, as minimum, to 10 years as maximum, with perpetual disqualification from holding public office; and (b) in Criminal Case No. 24656 (for usurpation of judicial functions under Article 241 of the *Revised Penal Code*), imprisonment of four months of *arresto mayor*.

The Sandiganbayan denied the petitioner's *motion for reconsideration* on March 15, 2007.^[23]

Hence, this appeal by petition for review on *certiorari*.

Issues

The issues raised herein are:

- a) Whether the petitioner was guilty of violating Section 3 (e) of RA 3019 in rendering his decision in DARAB CASE NO. 034 BUL'88; and
- b) Whether the petitioner was guilty of usurpation of judicial functions under Article 241 of the *Revised Penal Code*.^[24]

Anent the first issue, the petitioner maintains that there was no evident bad faith, manifest partiality, and gross inexcusable negligence on his part when he decided DARAB Case No. 034-BUL'88; that his decision therein had been solely based on what he had perceived to be in keeping with the letter and spirit of the pertinent laws; and that his decision had been rendered upon a thorough appreciation of the facts and the law.^[25]

As to the second issue, the petitioner insists that his rendition of the decision did not