

EN BANC

[A.M. No. P-06-2225 (Formerly OCA IPI No. 04-2027-P), November 23, 2010]

**BERNALETTE L. RAMOS, COMPLAINANT, VS. SUSAN A. LIMETA,
LEGAL RESEARCHER, RESPONDENT.**

D E C I S I O N

PER CURIAM:

In an Affidavit-Complaint dated August 12, 2004,^[1] Bernalette L. Ramos charged Susan A. Limeta with Graft and Corruption, Gross Misconduct and/or Conduct Unbecoming of a Court Employee. Limeta works as a legal researcher in Branch 20, Regional Trial Court (*RTC*) of Imus, Cavite and is a first cousin of the complainant. She allegedly extorted money from Ramos amounting to thirty-five thousand pesos (P35,000.00), as down payment for her services in finding a competent lawyer for her cousin and in preparing the necessary documents needed in the filing of an annulment case, including the payment of filing fees and other administrative expenses.

According to Ramos, sometime between July and August 2003, her mother approached Limeta regarding the prospect of filing an annulment case against her estranged husband. Limeta agreed to assist her cousin in the filing of an annulment case and assured her that she would not go through the long and tedious court process, for a fee amounting to seventy thousand pesos (P70,000.00). Ramos made a down payment of P35,000.00, which Limeta personally received, to be used for the payment of filing fees and for the lawyer's services.

In October 2003, Ramos came across a family friend, Carissa U. Sosa. As Ramos did, Sosa had requested the assistance of Limeta in the filing of an annulment case against her husband. She likewise paid Limeta the amount of P35,000.00 as down payment for her services. Due probably to the length of time it was taking for her annulment case to finally be resolved, Sosa concluded and told Ramos that Limeta extorted money from her in the same manner that the latter had allegedly done to a certain Jocelyn Mendoza.

Alarmed by this discovery, Ramos requested her lawyer-friend, Atty. Emily Aliño-Geluz, to accompany her to the chambers of Judge Lucencio N. Tagle, Presiding Judge of Branch 20, RTC of Imus, Cavite. After their introduction, Ramos informed Judge Tagle of the problem she had with his court employee. The judge seemed unsurprised of Ramos's revelations and told her that this was not the first instance that someone had complained against Limeta regarding money matters.

In his effort to resolve the situation, Judge Tagle called Limeta to his chambers and asked her to return the money she owed Ramos. Limeta answered in the vernacular that she would return the money to Ramos at the end of the month, and for her not

to worry about getting her money back. Unsatisfied with this assurance, Ramos handed out a promissory note for Limeta to sign; the latter, however, refused. Furious by the distrust displayed by one she considered a relative, Limeta walked out of the judge's chambers, leaving the matter between her and Ramos unresolved. The events that transpired within Judge Tagle's chambers were attested to by Atty. Geluz in her affidavit.^[2]

On August 18, 2004, Ramos and Sosa filed separate affidavit-complaints against Limeta, for graft and corruption, gross misconduct and conduct not only unbecoming of a government employee, but also prejudicial to the best interest of the service.^[3] For her part, Ramos filed her complaint after unheeded demands to return the P35,000.00 she paid to Limeta. Ramos noticed that her annulment case had not moved since she made the down payment to Limeta, and suspected that the latter used the money for her own personal benefit and not for the purpose of filing the annulment case in accordance with their agreement.

In an Indorsement dated October 11, 2004,^[4] the Office of the Court Administrator (OCA) referred the matter to Limeta for comment. After several motions to extend time to file comment, the OCA received Limeta's Counter-Affidavit^[5] on February 7, 2006.

Limeta vehemently denied all the accusations against her in her submitted counter-affidavit. She argued that there was no evidence to prove that she received money from Ramos. She suspected that the real reason Ramos filed the complaint was because of her knowledge and involvement in a family argument concerning a property, owned by an aunt, whose title was transferred to Ramos through deceitful means. Driven by this motivation, Ramos filed her complaint with malicious intent to harass and humiliate her, and to eventually cause her to resign from her work.

On May 22, 2006, the OCA recommended the redocketing of the case as a regular administrative matter and referred it to Hon. Judge Norberto J. Quisumbing (Executive Judge of the RTC, Imus, Cavite) for investigation, report and recommendation.^[6] In its evaluation, the OCA felt the need for a full-blown investigation in order to ascertain the truth between the conflicting positions taken by the parties.

After a thorough investigation, Judge Quisumbing recommended Limeta's suspension for three (3) months without pay.^[7] In weighing the evidence presented by the parties, the judge favored the testimonies of Ramos and her witness, Atty. Geluz. According to his assessment, their testimonies demonstrated truthfulness as they narrated their story in a categorical, straightforward and candid manner. He also took into consideration the decision of the Court in A.M. No. P-04-1908^[8] where Limeta was given a one-year suspension for gross misconduct. In that case, Limeta was found liable when she helped a prospective litigant secure the services of a lawyer and accepted money from the litigant for the filing of a case for the declaration of nullity of marriage, in the very same court where she was employed as legal researcher.

In a Memorandum dated June 6, 2007,^[9] the OCA recommended Limeta's dismissal from the service with forfeiture of retirement benefits (except the value of her