

SECOND DIVISION

[**A.M. NO. P-05-1950 (FORMERLY OCA I.P.I. NO. 04-1898-P), August 30, 2006**]

JUDGE CRISPIN B. BRAVO, COMPLAINANT, VS. ATTY. MIGUEL C. MORALES, BRANCH CLERK OF COURT, METROPOLITAN TRIAL COURT, BRANCH 17 (NOW DETAILED WITH OCC), MANILA, RESPONDENT.

[**A.M. NO. MTJ-1612 (FORMERLY OCA I.P.I. NO. 04-1571-MTJ)**]

ATTY. MIGUEL C. MORALES, COMPLAINANT, VS. JUDGE CRISPIN B. BRAVO, PRESIDING JUDGE, METROPOLITAN TRIAL COURT, BRANCH 16, MANILA, RESPONDENT.

R E S O L U T I O N

GARCIA, J.:

These consolidated administrative cases which are in the nature of a charge and countercharge sprang from the same incident. In **A.M. No. P-05-1950**, Judge Crispin B. Bravo, Presiding Judge, Metropolitan Trial Court (MeTC) of Manila, Branch 16, charges his former branch clerk of court, Atty. Miguel C. Morales, now detailed with the Office of the Clerk of Court, MeTC, Manila, with grave misconduct and conduct unbecoming a public officer. In **A.M. No. MTJ-1612**, on the other hand, Atty. Morales charges Judge Bravo with grave abuse of authority, slander, harassment, grave ignorance of the law, inefficiency and grave/serious misconduct.

In his complaint in **A.M. No. P-05-1950**, Judge Bravo alleged, in gist, the following:

1. That while serving as the Acting Presiding Judge of MeTC, Manila, Branch 17, he requested the detail of his branch clerk of court, Atty. Morales, to the OCC, MeTC, Manila. Later, he recommended to the Office of the Court Administrator (OCA) the immediate dismissal of Atty. Morales from the service for corrupt practices;
2. That since he made the recommendation, he observed Atty. Morales to have acted discourteously and disrespectful toward him. He relates that whenever he greets court employees with a "*good morning ladies and gentlemen*" after every flag raising ceremony, as was his usual practice, he noticed Atty. Morales mimicking him in a squeaky comical voice, obviously to make fun of him;
3. That in the morning of March 22, 2004, before the start of the flag raising rite at the old MWSS Building in Arroceros, Manila he caught Atty. Morales about to do his mocking imitating act, prompting him to tell the latter "*tumigil ka*"; that he then ordered one of the security guards to arrest Atty. Morales preparatory

to charging him with unjust vexation;

4. That so as not to exacerbate an embarrassing situation, he waited for the flag raising ceremony to end before apologizing to the crowd for the incident, only to witness Atty. Morales responding with a shout: "*sa akin hindi ka mag-aapology*"(sic)^[1]
5. That he ignored Atty. Morales' outburst and instead instructed the Officer-in-Charge of the security guards to call the Manila City Hall Police Detachment, which immediately dispatched PO3 Pacifico Wong and PO2 Jose Rancho; that he briefed both police officers regarding the flag-raising ceremony incident and about the preceding exchange of charges and counter-charges filed with the OCA
6. That no arrest was effected on that day owing to the intervention of MeTC Executive Judge Myra G. Fernandez and 2nd Vice Executive Judge Tingaraan Guiling who instructed the police officers to maintain the *status quo*; and
7. That Atty. Morales' sympathizers circulated a manifesto^[2] on that same day denouncing his act as a judge and soliciting support for Atty. Morales from the Union of the Clerks of Court of the MeTC, Manila; that of the twenty-nine union members, only three supported Atty. Morales, one of the three, Atty. Eusebio Yarra, even pointing to the provocative act of Atty. Morales as the root cause of the incident adverted to.

At his end, Atty. Morales avers in his counter-complaint that Judge Bravo failed to behave with due restraint when the judge ordered his arrest. As Atty. Morales argued, unjust vexation is covered by the Rules on Summary Procedure, adding that unjust vexation is not a continuing offense and, *ergo*, a warrantless arrest could not be effected therefor, let alone by the responding police officers who have no personal knowledge, as it were, of the alleged crime.

Upon the Office of the Court Administrator's (OCA's) recommendation, both cases were re-docketed as a regular administrative matter.

Pursuant to a Resolution of the Court dated December 6, 2004, both parties submitted separate manifestations in which they indicated their willingness to submit their respective charges for resolution on the basis of the pleadings thus filed. Pursuant too to another Resolution of September 28, 2005, the Court, upon due motion, ordered the consolidation of A.M. No. MTJ-1612 with A.M. No. P-05-1950.

In its report, the OCA recommended that Judge Bravo be reprimanded for abuse of authority and Atty. Morales be fined in the amount of ₱2,000.00 for conduct unbecoming a government officer.

We find the recommendations of the OCA and the premises holding them together to be well-taken.

At bottom is the sad spectacle of two officials of the judiciary wasting the precious hours of the Court, including theirs, that could have otherwise been devoted to a more salutary productive judicial pursuit rather than on petty wrangling that has no