

THIRD DIVISION

[A.M. No. RTJ-00-1555, June 22, 2000]

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
JUDGE LYLIHA A. AQUINO, REGIONAL TRIAL COURT, BRANCH 4,
TUGUEGARAO, CAGAYAN, RESPONDENT.**

RESOLUTION

GONZAGA-REYES, J.:

An anonymous Letter-Complaint dated March 9, 2000 charges respondent Judge Lyliha A. Aquino, of the Regional Trial Court of Tuguegarao, Cagayan, Branch 4 for delay in resolving the following cases:

1. Crim. Case No. 0536 - People vs. Merling
2. Crim. Case No. 0655 - People vs. Pader
3. Crim. Case No. 1835 - Taquino vs. Gannaban
4. Civil Case No. 2048 - Prudencio vs. Roman Catholic Bishop of Tuguegarao
5. Civil Case No. 2271 - Sorita vs. Cabotaje
6. Civil Case No. 2648 - Quebalayan vs. Quebalayan
7. Civil Case No. 3650 - Rural Bank of Southern Cagayan vs. Razon

In the said letter-complaint, it is alleged that the complainant is a party in a case pending before the sala of the respondent Judge and that he followed up his case in the respondent's branch but up to the present, his case has not yet been decided. He claims that an employee of the RTC-Branch 4 informed him that the cases submitted during the time of Judge Villacete were transferred to the other branches of the Regional Trial Court for decision and his case was purportedly transferred to RTC-Branch 3. He learned that his case was returned to RTC-Branch 4 by virtue of SC Resolution dated October 21, 1997 which reads as follows:

"xxx xxx xxx

"Acting further on the Letter of Judge Loreto Cloribel Purugganan, Regional Trial Court, Branch 3, Tuguegarao, Cagayan, dated June 3, 1997, informing this Court that cases submitted for decision before then Judge Plaridel L. Villacete were re-raffled among the other branches of that court by Acting Executive Judge Orlando D. Beltran pursuant to the resolution of the Court dated February 4, 1997, the Court Resolved to: a) RETURN to Branch 4 the nine (9) criminal and civil cases submitted for

decision before then Judge Villacete and raffled off to Judge Loreto C. Purugganan; (b) DIRECT: (1) Judge Lyliha Aquino, the newly appointed judge of Branch 4, to decide the aforesaid cases within three (3) months from notice; and (2) the Clerk of Court- of Regional Trial Court, Branch 4 to submit a report to the Court, through the Office of the Court Administrator, upon compliance by Judge Aquino with this directive."

The period for respondent Judge to decide the cases aforementioned was extended up to May 18, 1998 per SC Resolution dated April 28, 1998, which reads as follows:

"x x x. Acting on the separate Letters of: (1) Judge Loreto C. Purugganan, Regional Trial Court, Branch 3, Tuguegarao, Cagayan, in compliance with the letter dated February 2, 1998 of the Office of the Court Administrator and (2) Judge Lyliha L. Abella-Aquino, Regional Trial Court, Branch 4, Tuguegarao, Cagayan, requesting for an extension of up to the end of May 1998, within which to decide the seven (7) criminal and civil cases submitted for decision before then Judge Plaridel Villacete raffled off to Judge Loreto C. Purugganan, subsequently returned to her court by order of the Court in a Resolution dated October 21, 1997 with case Docket Nos. as follows:

1. CrC No. 0536, "Pp. vs. Merling;"
2. CrC No. 0655, "Pp. vs. Pader;"
3. CvC No. 1835, "Taquino v s. Gannaban;"
4. CvC No. 2048, "Prudencio vs. Roman Catholic Bishop of Tuguegarao;"
5. CvC No. 2271, "Sorita v.s Cabotaje;"
6. CvC No. 2648, "Quebalayan vs. Quebalayan;" and
7. CvC No. 3650 - "Rural Bank of Southern Cagayan vs. Razon."

for the reasons stated therein, the Court Resolved to: (a) NOTE the January 20, 1998 letter filed by Judge Lyliha L. Abella-Aquino, Regional Trial Court, Branch 4, Tuguegarao, Cagayan, requesting an extension up to the end of May, 1998 within which to decide CrC No. 0536, CrC No. 0655, CrC No. 1835, CvC No. 2048, CvC No. 2271, CrC No. 2648 and CvC No. 3650; and (b) GRANT Judge Aquino a new ninety (90) day period without any further extension, counted from February 18, 1997 (sic), or until May 18, 1998, within to decide said cases."

Complainant alleges that the aforementioned cases have not yet been decided up to the present and prays that the same be decided soon.

In her Comment, respondent Judge avers that the aforementioned cases were already submitted for decision during the incumbency of Judge Plaridel L. Villacete; that she decided Civil Case No. 3650 on October 26, 1998; and that for the remaining six (6) cases, aside from being voluminous, the TSN are not yet complete for the simple reason that the stenographers concerned are no longer with the court, as one already died and the others have retired from the service and are presently out of the country. Respondent Judge allegedly instructed her Clerk of Court, Atty. Blaise Sambolledo, as early as last year to hand her the complete records of the said cases together with the TSN but she found out that the TSN were not in the records. Thus, on March 1, 2000 she issued orders directing the parties