

SC E-LIBRARY REPORT 2015



The SC E-Library was conceived in April 2004 by Senior Associate Justice Antonio T. Carpio, then Chairperson of the Committee on Library and Printing to serve as a primary research tool in the speedy and effective administration of justice. The SC E-Library “puts all laws, decisions and rules and regulations in the Judge’s fingertips” (1900 to present)

The SC E-Library which was funded by the World Bank was launched twice: 1) CD version (1996- September 2004 decisions) in October 2004 during the Philippine Judges Convention in Iloilo and 2). the internet or Online version on November 19, 2004 at the Pan Pacific Hotel. Initially, it was open to the Justices of the Supreme Court, Court of Appeals, Court of Tax Appeals, Sandiganbayan and to all judges throughout the Philippines. Clerks of Court were allowed on June 13, 2012 and legal researchers of the lower courts were allowed access to the SC E-Library by the Hon. Chief Justice Maria Lourdes P. A. Sereno. The Supreme Court En Banc in its resolution dated January 24, 2006 (A.M. No. 06-1-06-SC) (**Annex A**) allowed law schools to access to the SC E-Library upon their request and through their libraries. Not all law schools have internet access. At present, there are sixty five (65) law schools who were allowed access. (**Annex B**) At times, problem in their access arises when the school changes the IP numbers. At this instance, they are required to register again.

Since then, the updates on line were made on real time and CDs were distributed quarterly. CD cover decisions from 1996 to present. The rationale for the CDs are for areas where there are no internet access and also serves as back-up. During its online launch on November 19, 2004, the SC E-Library contains decisions from 1996, Court of Appeals and Court of Tax Appeals decisions which enable a researcher to do a “judiciary search” for the Supreme Court and available Appellate Court decisions. This facility was however discontinued when the Management Information Systems Office (MISO) took over the SC E-Library from 2009-2011. As an evidence of the availability of decisions of the Appellate Courts then, in a Resolution of the Court En Banc dated November 11, 2008 (A.M. No. 08-10-15-S) (**Annex C**), the court approved the request of Ms. Espiritu for the removal of a Court of Appeals decision in the SC E-Library

website. A.M. No. 12-7-15-SC, September 4, 2012 (**Annex D**) was issued covering decisions of the Supreme Court.

In 2012, the management and update of the SC E-Library was returned to the Library Services. When Senior Associate Justice Antonio T. Carpio was the Acting chief Justice, the undersigned was instructed to upload all available digital sources of law that the Library Services has done. Starting this June 1, 2012, the On line version covers decision from 1901-present and Laws from Act 1 (1900)to present, Court issuances from 1973 to present and Treaties 1946-2010 and Executive Issuances. The SC E-Library at present is the only database which contains Minute Resolutions. Since the E-Library is complete as far as Supreme Court decisions from 1901 and laws from Act No. 1, Court Administrator Midas P. Marquez issued a circular (OCA Circular No. 51-2012, June 13, 1012) (**Annex E**) to all Judges and Clerks of Court of the First and Second Level Courts to register in the SC E-Library.

Executive Issuances were in the E-library were taken from the *Official Gazette*. To complete its Executive and Presidential Issuances, a Memorandum of Agreement was made with Malacanang on July 12, 2012. The compilation of treaties was a product of a Memorandum of Agreement with the Department of Foreign Affairs during the time of Chief Justice Artemio Panganiban.

Borrowing the words of the World Bank, the SC E-Library is a “winnable solution,” to legal research and judicial reform. This can be attested by the statistics of use (**Annex F**). One actual evidence of use in the decisions of the Court is found in the footnotes of *Romeo v. Luna*, A.M. No. RTJ-11-2301, March 12, 2012) (**Annex G**).

Reasonable suggestions and comments for the users have been incorporated if the software allows it. One improvement based on a suggestion of a court attorney from is to put the *Philippine Reports* citation in the decisions. Another is to include the source in the *Official Gazette* for laws : Republic Acts, Batas, Pambansa and Presidential Decrees. More improvement and upgrade can still be made attuned to the times. The improvement and upgrade of the E-Library were discussed with the MISO when the TOR for the Legal Resource Management System was discussed.

EN BANC

[A.M. No. 06-1-06-SC, January 24, 2006]

A.M. No. 06-1-06-SC Re: Request of Justice Antonio T. Carpio for Clearance to Accept the Offer of Arellano Law Foundation to Offer to all Philippine Law Schools Free Access to Our E-Library

Sirs/Mesdames:

Sirs/Mesdames:

Quoted hereunder, for your information, is a resolution of this Court dated **JAN 24 2006**.

"A.M. No. 06-1-06-SC.- Re: Request of Justice Antonio T. Carpio for Clearance to Accept the Offer of Arellano Law Foundation to Offer to all Philippine Law Schools Free Access to Our E-Library.- The Court Resolved, upon the recommendation of Associate Justice Antonio T. Carpio, Chair, Committee on Library, Record Management, Legal Research and Printing, to **AUTHORIZE** the said Committee to

(a) Accept the offer of Arellano Law Foundation to allow the Court's E-Library to use, for free, their digitized copies of Philippine laws from 1901 to 1986; and

(b) Offer to all Philippine Law Schools free access to the Court's E-Library at the rate of one (1) access code per one hundred (100) law students, provided all the computers used are located in the law school libraries."

Very truly yours,

(SGD.) MA. LUISA D. VILLARAMA

Clerk of Court

Supreme Court E-Library Resource Management System



Home Judiciary Government APJR LAW SCHOOLS Messages Logout

E-LIBRARY LAWSCHOOLS' USER LIST: [ADD LAWSCHOOL]

Institutions' List

- | # Law Schools | Action |
|---|--------|
| 1. UNIVERSITY OF SAN CARLOS | X |
| 2. UNIVERSITY OF CEBU - BANILAD CAMPUS | X |
| 3. SAN BEDA COLLEGE | X |
| 4. ANGELES UNIVERSITY FOUNDATION | X |
| 5. UNIVERSITY OF SANTO TOMAS | X |
| 6. University of Iloilo | X |
| 7. Bulacan State University-Marcelo H. del Pilar | X |
| 8. Gullas Law School/University of the Visayas | X |
| 9. UC | X |
| 10. University of Nueva Caceres | X |
| 11. Foundation University | X |
| 12. University of San Agustin | X |
| 13. UNIVERSITY OF SAN DIEGO | X |
| 14. BATANGAS STATE UNIVERSITY | X |
| 15. Ateneo de Davao University | X |
| 16. University of the East | X |
| 17. Pamantasan ng Lungsod ng Maynila | X |
| 18. University of Mindanao College of Law | X |
| 19. Central Philippine University | X |
| 20. University of Nueva Caceres | X |
| 21. University of the Cordilleras | X |
| 22. University of Southern Philippines Foundation | X |
| 23. Washington University in St. Louis | X |
| 24. Mindanao State University - Iligan Institute of T | X |
| 25. Central European University | X |
| 26. ARELLANO UNIVERSITY SCHOOL OF LAW | X |
| 27. De La Salle University | X |
| 28. mindanao state university | X |
| 29. University of San Agustin | X |
| 30. Vanderbilt Law School | X |
| 31. University Of St. La Salle Bacolod City Neg.Occ. | X |
| 32. Northwestern University | X |
| 33. Washington University Law Library | X |
| 34. university of bohol | X |
| 35. New York University | X |
| 36. Penn State University | X |
| 37. University of the Visayas | X |
| 38. Saint Louis University | X |
| 39. University of Iloilo | X |
| 40. University Of Manila | X |

Profiles:

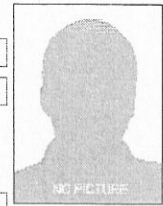
**University Of Nueva Caceres
Ime Amor Adorna Mortel**

Application Status: **PENDING**
Number of Allowable Accounts: **2**
[APPROVE APPLICANT]

Details
























Institution:	University of Nueva Caceres
Institution code:	UNC
Population:	200
PCs in Library:	25
First name:	Ime Amor
Midle name:	Adorna
Last name:	Mortel
Birth date:	1987 01 28
ID no:	c12fba8889d6d5b881e9ab755ef9bfb3
Picture:	nopix.png
Street #:	
Street name:	J. Hernandez Avenue
Barangay:	
City/Munici:	Naga City
Province/Region:	Camarines Sur
Zipcode:	4400
Mobile no.	09165046476
Office no.	4726100148
Website:	elibrary.unc.edu.ph
I.P.	210.4.60.154
Connectivity:	<input checked="" type="checkbox"/> DSL <input type="checkbox"/> Dial-up <input type="checkbox"/> Cable
Sex:	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female
E-mail:	amorsiblings@yahoo.com
Appl. date:	2014 05 28
Reg. date:	

ANNEX "B"



nopix.png

EDIT USER

- 41. Don Vicente Orestes Romualdez Educ Foundation  
- 42. Centro Escolar University - School of Law and Jurisprudence  
- 43. Polytechnica University of the Philippines  
- 44. pamantasan lunsod ng pasay  
- 45. San Beda College of Law  
- 46. Jose Rizal University  
- 47. Centro Escolar University  
- 48. University of the Philippines  
- 49. Xavier University (Ateneo de Cagayan)  
- 50. silliman university  
- 51. Misamis University  
- 52. san beda college alabang  
- 53. Bicol College  
- 54. Arellano  
- 55. University of Mindanao  
- 56. University of Pangasinan-PHINMA  
- 57. New York University School of Law  
- 58. University of Perpetual Help System DALTA  
- 59. UNIVERSITY OF NEGROS OCCIDENTAL-RECOLETOS  
- 60. San Pablo Colleges  
- 61. Far Eastern University JD Law Library  
- 62. UP LAW LIBRARY  
- 63. Mindanao State University  
- 64. Lyceum of the Philippines College of Law  
- 65. Western Leyte College of Ormoc  

EN BANC

[A.M. No. 08-10-15-SC, November 11, 2008]

RE: REQUEST FOR REMOVAL OF A COURT OF APPEALS DECISION
POSTED ON THE SC E-LIBRARY WEBSITE.

Sirs/Mesdames:

Quoted hereunder, for your information, is a resolution of the Court En Banc dated November 11, 2008

"A.M. No. 08-10-15-SC.- Re: Request for Removal of a Court of Appeals Decision Posted on the SC E-Library Website.- The Court Resolved to

(a) **NOTE** the

(i) 1st Endorsement dated October 21, 2008 of Chief Justice Reynato S. Puno, referring the letter dated October 16, 2008 of Atty. Teresita R. Marigomen, Executive Assistant Clerk of Court IV, Court of Appeals (CA); and

(ii) Aforesaid Letter of Atty. Marigomen, regarding the request of Ms. Wrenelee Espiritu for permanent removal of the CA decision promulgated in her case and posted on the SC E-Library website; and

(b) **DENY** the aforesaid request for removal of the subject decision from the SC E-Library website." Ynares-Santiago, J., on leave

Very truly yours,

(Sgd.) MA. LUISA D. VILLARAMA
Clerk of Court

EN BANC

[A.M. No. 12-7-15-SC, September 04, 2012]

RE: RECOMMENDATION OF ATTY. MARIA VICTORIA GLEORESTY SP. GUERRA, DIRECTOR IV & ACTING CHIEF, PUBLIC INFORMATION OFFICE, TO REMOVE OR MODIFY THE DECISIONS POSTED IN THE SC WEBSITE INVOLVING CASES OF VIOLENCE AGAINST WOMEN AND THEIR CHILDREN.

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated SEPTEMBER 4, 2012, which reads as follows:

"A.M. No. 12-7-15-SC - RE: RECOMMENDATION OF ATTY. MARIA VICTORIA GLEORESTY SP. GUERRA, DIRECTOR IV & ACTING CHIEF, PUBLIC INFORMATION OFFICE, TO REMOVE OR MODIFY THE DECISIONS POSTED IN THE SC WEBSITE INVOLVING CASES OF VIOLENCE AGAINST WOMEN AND THEIR CHILDREN.

In a letter dated July 13, 2012, Atty. Maria Victoria Gleoresty Sp. Guerra, Director IV and Acting Chief, Public Information Office, requests the Court's guidance regarding the letters, endorsed to her office, from relatives and litigants-victims (*movants*)^[1] in sexually-related crimes; **they request the removal of decisions involving these crimes from the Court's website to make the victims' identities (and those of their relatives) confidential.**

According to Atty. Guerra, the decisions subject of these requests were promulgated prior to the effectivity on March 27, 2004 of Republic Act (*R.A.*) No. 9262 or the *Anti-Violence Against Women and Their Children Act of 2004*, which mandated the confidentiality of all records pertaining to cases of violence against women and their children. These decisions also came before the Court's ruling on September 19, 2006 in the case of *People v. Cabalquinto*,^[2] where the Court directed the withholding of the names of the victims of crimes of violence against women, children and their relatives, and of such other personal circumstances that would establish or compromise their identities. These decisions were also promulgated prior to the Court's Resolution^[3] in A.M. No. 99-7-06-SC, Re: *In Re Internet Web Page of the Supreme Court*, where we resolved "in the meantime" to refrain from posting in the internet web page the full text of decisions in cases involving child sexual abuse.

Atty. Guerra recommends that the letters-requests be granted in order to assist the movants in their recovery process, either by removing or modifying the decisions posted in the Court's website.

We agree with Atty. Guerra's recommendation under the terms of the *Guidelines* outlined below.

In addition to our ruling in *Cabalquinto* and the policy we laid down in A.M. No. 99-7-06-SC, we have adopted rules in *court proceedings* that ensure confidentiality of the identities of relatives and litigants in sexually-related crimes.^[4] However, with the increase in the public's access to information on court decisions, we also recognize that the protection to privacy afforded to these litigants must now extend *beyond court proceedings*.

The State's policy of affording special protection to women and children who are victims of violence and child abuse is unequivocal and is a policy that the Court fully supports. In line with this policy, the provisions on confidentiality under R.A. No. 9262 and other laws affecting women and children who are victims of violence and child abuse must be extended not only prospectively, but even retroactively in order to apply to previously resolved cases which have not benefited from the abovesited law and rulings. The cutoff date of retroactive application should be 1996, the year of the earliest SC decisions in the SC website. This approach will immeasurably help the victims-litigants and their relatives by limiting the aggravation of the trauma that may have resulted or that may result in the disclosure of their identities in Court decisions published in the Supreme Court's openly-accessible website.

ACCORDINGLY, the Court hereby resolves to:

(1) **NOTE** the letter dated July 13, 2012 of Atty. Maria Victoria Gleoresty Sp. Guerra, Director IV and Acting Chief, Public Information Office;

(2) **ESTABLISH** the following Guidelines for compliance:

a. These Guidelines shall cover decisions under **R.A. No. 9262** (*Anti-Violence Against Women and Their Children Act of 2004*), **R.A. No. 7610** (*Special Protection of Children Against Abuse, Exploitation and Discrimination Act*) and **R.A. No. 9208** (*Anti-Trafficking in Persons Act of 2003*); and **cases** where the confidentiality of the court proceedings and the identity of the parties involved are mandated by law and/or by the rules in order to protect the privacy and the dignity of the victims and their relatives.^[5]

b. Decisions rendered by lower courts are likewise covered if they are to be posted in the part of the Supreme Court's official website openly accessible to the public.

c. The modification of the decisions shall extend to: (a) the withholding of the names of the women and child victims in covered decisions and the use of fictitious initials instead; and (b) the non-disclosure of their personal circumstances or any other information tending to identify them or disclose their identities, including the names and information of their immediate family and household members, from which data the identities of the victims can be inferred.^[6]

d. The modification of covered decisions shall only be made in the part of the official website of the Supreme Court openly accessible to the public. Decisions subject to modification shall

extend only to those published in the Supreme Court website beginning 1996, the year of the earliest Supreme Court decisions uploaded and made publicly accessible in the SC website.

e. Modifications shall be made by the Public Information Office (*PIO*). The *PIO* shall furnish a monthly list of modified decisions to the SC Clerk of Court, the SC Library and the Office of the Reporter.

The Office of the Court Administrator, through its Legal Office, shall make the required modifications for lower court decisions to be uploaded in the Supreme Court's official website. Covered decisions of the Court of Appeals and the Sandiganbayan shall be modified by their respective Clerks of Court who shall furnish a monthly list of these modified decisions to their respective libraries, to the *PIO* and the SC Library.

f. Modification of covered decisions in the SC E-Library and other SC sites which are accessible only by using a "username" and "password" provided by the SC Library, shall be made by the SC Library.

g. The SC Library, the other court libraries, the Clerks of Court of the Court of Appeals and of the Sandiganbayan, and the Office of the Court Reporter shall duly take note of the *Guidelines* and the modified decisions, and shall not release to the public hard copies of the original or unmodified decisions that have been modified as provided under pars. (e) and (f) above;

(3) **GRANT** the letter-requests of the following *movants*: (1) Ronald Diaz; (2) Karen Campomanes-Reyes; (3) Mary Jane Calinagan; (4) Rizen Quijano; and (5) Geraldine Panique Takato; and

(4) **DIRECT** the *PIO* to submit a report, within fifteen (15) days, on the modifications it made on the uploaded decisions involving these *movants*.

The responsible court office and/or concerned court personnel are **STRICTLY ORDERED** to follow the *Guidelines*. The Court may impose administrative sanctions for non-compliance or for failure to adopt measures to comply with the provisions of the *Guidelines*."

Very truly yours,

(Sgd.) ENRIQUETA E. VIDAL
Clerk of Court

[1] Except for Michael Alexius A. Sarte who requests for the removal of the decision in his annulment case, the other *movants* are relatives or victims of sexually-related crimes. They are: (1) Ronald Diaz; (2) Karen Campomanes-Reyes; (3) Mary Jane Calinagan; (4) Rizen Quijano; and (5) Geraldine Panique Takato.

[2] 533 Phil. 703 (2006).

[3] Dated February 14, 2006.

[4] Re: Rule on Violence Against Women and Their Children, A.M. No. 04-10-11-SC, October 19, 2004.

[5] The request in A.M. No. 11-8-8-SC, *Re: Recommendation of Court Administrator Jose Midas P. Marquez that in Decisions Regarding Petitions for Annulment of Marriage and Declaration of Marriage the Names and Identifying Particulars of the Parties Be Withheld and that Instead Fictitious Initials Be Used* is still pending with the Court.

[6] See *People v. Cabalquinto*, *supra* note 2.

[OCA CIRCULAR NO. 51-2012, June 13, 2012]

TO : ALL JUDGES AND CLERKS OF COURT OF THE FIRST AND
SECOND LEVEL COURTS

SUBJECT : REGISTRATION WITH THE **SC E-LIBRARY**

The **SC E-Library**, the online web-based library of the Supreme Court is the research tool of the Judiciary in decision making. The E-Library now contains Supreme Court decisions from 1901 to present. It also contains all laws -Acts, Commonwealth Acts, Presidential Decrees, Batas Pambansa and Republic Acts - from 1901 to present. Also included are Supreme Court Circulars from 1973 to present.

In relation thereto, all Judges and Clerks of Court are hereby **ENJOINED** to **REGISTER** with the E-Library (<http://elibrary.judiciary.gov.ph>) and use it as a research tool.

Any concern in the registration or access may be addressed to the SC Library Services at sclib@sc.judiciary.gov.ph or telephone no. 524-2706.

For strict compliance.

June 13,2012.

(SGD.) **JOSE MIDAS P. MARQUEZ**
Court Administrator

ANNEX "F"

LOG-DNS PER MONTH

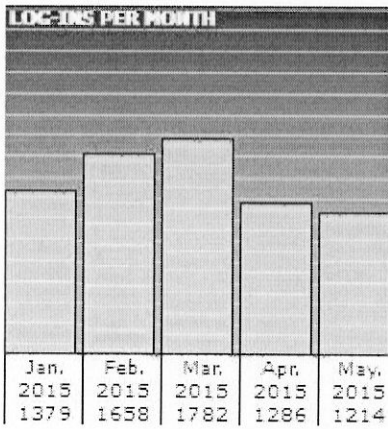
Month	Year	Value
Jan.	2014	1492
Feb.	2014	1640
Mar.	2014	1817
Apr.	2014	1427
May.	2014	1626
Jun.	2014	1721
Jul.	2014	1818
Aug.	2014	1693
Sep.	2014	1809
Oct.	2014	1696
Nov.	2014	1543
Dec.	2014	994

LOG-DNS PER MONTH

Month	Year	Value
Jan.	2013	1507
Feb.	2013	1299
Mar.	2013	1294
Apr.	2013	1256
May.	2013	1556
Jun.	2013	1559
Jul.	2013	1884
Aug.	2013	1357
Sep.	2013	1459
Oct.	2013	1490
Nov.	2013	1368
Dec.	2013	1036

LOG-DNS PER MONTH

Month	Year	Value
Jan.	2012	910
Feb.	2012	1121
Mar.	2012	1087
Apr.	2012	903
May.	2012	1099
Jun.	2012	1280
Jul.	2012	2108
Aug.	2012	1668
Sep.	2012	1577
Oct.	2012	1500
Nov.	2012	1470
Dec.	2012	650



SECOND DIVISION

[A.M. No. RTJ-11-2303 (Formerly A.M. OCA IPI No. 10-3416-RTJ), March 12, 2012]

**MARIO S. ROMERO, COMPLAINANT VS. MANUEL C. LUNA, JR.
EXECUTIVE JUDGE, REGIONAL TRIAL COURT, BR. 39, CALAPAN CITY,
ORIENTAL MINDORO, RESPONDENT.**

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated 12 March 2012 which reads as follows:

A.M. No. RTJ-11-2303 (Formerly A.M. OCA IPI No. 10-3416-RTJ) Mario S. Romero, *complainant* vs. Manuel C. Luna, Jr. Executive Judge, Regional Trial Court, Br. 39, Calapan City, Oriental Mindoro, *respondent*.

This treats of the Motion for Reconsideration of the Resolution^[1] dated 14 November 2011 finding respondent Executive Judge Manuel C. Luna, Jr. liable for violation of A.M. No. 01-1-07-SC for "prescribing a new rate and dimension of font sizes for the publication of legal and judicial notices."

A re-examination of the facts of the case and the alleged violation of the issuance of the Supreme Court would show that this Court is actually called to resolve two (2) interrelated issues, namely: (1) whether or not an executive judge has the power to adjust publication rates even after an application for accreditation has long been approved; and (2) whether or not the rates determined at the time of the approval of accreditation may be altered during the five-year validity of such approved accreditation, both of which are clearly judicial in nature.

A further study of existing jurisprudence likewise revealed that herein complainant also filed similar complaints^[2] against Judge Recto A. Calabocal, then Executive Judge of the Regional Trial Court, Pinamalayan, Oriental Mindoro, and Vice-Executive Judge Tomas C. Leynes, Regional Trial Court, Calapan City, Oriental Mindoro.

Perusal of the records of the administrative complaint against then Executive Judge Calabocal, which this Court DISMISSED for being judicial in nature,^[3] would disclose that, as in the present case, then Executive Judge Calabocal issued an Order prescribing new rates and printing formats to address concerns of litigants regarding the excessive and exorbitant fees that complainant charges in the publication of judicial and legal notices in the province of Oriental Mindoro.

Inasmuch as the aforesaid case clearly involved facts and issues identical to the case at bar, this Court is convinced that the Office of the Court Administrator should have disposed of the instant case in the same manner. Pertinent portions of its Report in the Calabocal case read:

EVALUATION: The complaint has no merit.

The complaint involves matters that are judicial in nature. Complainant Romero assails the wisdom underlying the questioned Order. Hence this Office refrains from resolving the following interrelated issues, to wit: (a) whether or not respondent Judge Calabocal has residual rate-fixing powers; (b) whether or not the previously approved rates [are] unalterable during its (five-year) period of effectivity. These issues should be threshed out in the proper judicial forum.

Further, the appellate jurisdiction of this Office can only be invoked in a grant/denial or suspension/revocation of the accreditation.^[4] The issues raised here are not those enumerated.

As a matter of policy "an administrative complaint is not the appropriate remedy for every act of a judge deemed aberrant or irregular." The administrative case cannot be used as a remedy to challenge the assailed order or decision rendered by the respondent judge nor cannot be used as a substitute for other judicial remedies.^[5] Errors committed by a judge in the exercise of his adjudicative functions cannot be corrected through administrative proceedings, but should instead be assailed through judicial remedies.^[6] It is only after the available judicial remedies have been exhausted and the appellate tribunals have spoken with finality, that the door to an inquiry into his criminal, civil or administrative liability may be said to have opened or closed.^[7]

All considered, the instant complaint against respondent Executive Judge Manuel C. Luna, Jr., Regional Trial Court, Calapan City, Oriental Mindoro, should similarly be **DISMISSED** for being judicial in nature.

WHEREFORE, the Resolution dated 14 November 2011 holding respondent Executive Judge Manuel C. Luna, Jr., Regional Trial Court, Calapan City, Oriental Mindoro liable for violation of A.M. No. 01-1-07-SC is hereby **REVERSED** and **SET ASIDE**. The instant complaint against respondent is **DISMISSED** for being judicial in nature.

SO ORDERED.

Very truly yours,

(Sgd.) **TERESITA AQUINO TUAZON**
Deputy Division Clerk of Court

^[1] *Rollo*, p. 70. The assailed Resolution reads:

A.M. NO. RTJ-11-2303 [Formerly A.M. OCA IPI No. 10-3416-RTJ] (*Mario S. Romero vs. Executive Judge Manuel C. Luna, Jr. Regional Trial Court, Br. 39, Calapan City, Oriental*

Mindoro). - The Court **NOTES** the: (1) verified affidavit-complaint dated 12 April 2010 filed by Mario S. Romero against Executive Judge Manuel C. Luna, Jr. Regional Trial Court (RTC), Br. 39, Calapan City, Oriental Mindoro, for violation of PD No. 1079 and A.M. No. 01-1-07-SC relative to the Order dated 9 July 2008 of respondent Executive Judge prescribing a new rate and dimension of font sizes for the publication of legal and judicial notices; and (2) comment dated 25 June 2010 of respondent Executive Judge.

The Court **RESOLVES** to **ADOPT** and **APPROVE** the findings of fact, conclusions of law, and recommendation of the Office of the Court Administrator in the attached Report dated 29 June 2011. (Annex "A"). Accordingly, the Court **RE-DOCKETS** the instant complaint as a regular administrative matter, **HOLDS** Executive Judge Manuel C. Luna, Jr., RTC, Br. 39, Calapan City, Oriental Mindoro, **LIABLE** for violation of A.M. No. 01-1-07-SC and **ADMONISHES** him with a **WARNING** that a repetition of the same or similar act shall be dealt with more severely.

[²] Comment dated 26 October 2010 of Judge Recto A. Calabocal, Regional Trial Court, Branch 42, Pinamalayan, Oriental Mindoro in A.M. OCA IPI No. 10-3517-RTJ (*Mario S. Romero vs. Judge Recto A. Calabocal*).

[³] Resolution dated 21 September 2011 in A.M. OCA IPI No. 10-3517-RTJ (*Mario S. Romero vs. Judge Recto A. Calabocal*)

[⁴] Report dated 22 August 2011 of the Office of the Court Administrator in OCA IPI No. 10-3517-RTJ (*Mario S. Romero v. Judge Recto A. Calabocal*), page 2 citing Sec. 17, Rule VI, A.M. No. 01-1-07-SC (*Re: Guidelines in the Accreditation of Newspapers and Periodicals and in the Distribution of Legal Notices and Advertisements for Publication*) dated 7 November 2001.

[⁵] *Id.* citing *Cabelic v. Geronimo*, A.M. No. OCA IPI No. 00-948-MTJ, 27 May 2002, SC E-Library.

[⁶] *Id.* at 3 citing *Maylas, Jr. v. Sese*, A.M. No. RTJ-06-2012, 4 August 2006, SC E-Library.

[⁷] *Id.* citing *Bello v. Diaz*, A.M. No. MTJ-00-1311, 3 October 2003 further citing *Flores v. Abesamis*, A.M. No. SC-96-1, 10 July 1997, SC E-Library.