

Malacañang
Manila



BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 323

REMOVING MR. LEOVIGILDO R. AQUINO FROM OFFICE AS JUSTICE OF THE PEACE
OF NATIVIDAD, PANGASINAN.

This is an administrative case against Justice of the Peace Leovigildo R. Aquino of Natividad, Pangasinan, for gross neglect of duty relating to certain criminal cases of his court. The case was formally investigated by the district judge.

It appears during the investigation conducted by the district judge that the record of Criminal Case No. 115 could not be located anywhere. Respondent's explanation is that he remanded the case to the Court of First Instance, delivering the record thereof to the clerk of court. However, there is no showing in his docket record how the case was disposed of.

Concerning Criminal Cases Nos. 248, 255 and 263, it appears that, after receiving the corresponding complaints together with the supporting papers, the respondent just informally deposited the records with the clerk of court without making an order remanding said cases to the Court of First Instance for further proceedings in view of the existence of sufficient evidence against the accused. It was only after the present administrative proceedings were instituted that respondent completed the records of said criminal cases so that they could be docketed in the Court of First Instance.

Further investigation of his official records discloses patent remissness on his part in the keeping thereof. While Criminal Cases Nos. 112, 113, 114 and 115 were duly entered, there is absolutely no entry as to how they were disposed of or terminated. These cases were for August and October 1952 yet. Moreover, from Criminal Case No. 116 to Criminal Case No. 367, all the pages of the criminal docket of the respondent are blank, that is, no entry appears. The same is true of his docket for civil cases. Finally, the record of Criminal Case No. 116 was apparently lost, while no action of any sort was ever taken on 70 criminal cases.

These irregularities were substantially admitted by the respondent who alleges that those cases were orally disposed of by him. However, he explains that he does not have a clerk or stenographer or a typewriter, and that the table and chair he is using are his, because the municipal government cannot afford to acquire them for him. As he has no cabinet, he keeps the records of the cases in his house.

Respondent's explanation is manifestly unsatisfactory. As justice of the peace it was his inescapable duty to make the corresponding entries in his docket books. If he felt that, for lack of the facilities mentioned

by him, he could not properly perform the duties of his office, he should have vacated it to give way to another who could perform such duties properly and well.

Finally, when respondent was required to explain his failure to submit his monthly reports from January 1959, he merely stated that he was preparing them. For similar habitual delinquency in the submission of his reports, his salary was withheld.

The evidence clearly shows respondent's utter irresponsibility in the discharge of his duties, particularly in making records or reports of his official actuations. His demonstrated inability to perform these essential duties of his office inescapably leads to the conclusion that he is unfit to continue holding such responsible office from which he should be removed in the public interest.

Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Leovigildo R. Aquino is hereby removed from office as justice of the peace of Natividad, Pangasinan, effective upon receipt of a copy of this order.

Done in the City of Manila, this 19th day of March, in the year of Our Lord, nineteen hundred and sixty, and of the Independence of the Philippines, the fourteenth.



By the President:



NATALIO P. CASTILLO
Executive Secretary