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REPORT OF CASES

DECIDED BY THE

SUPREME COURT OF THE PHILIPPINES

EN BANC

[A.M. No. RTJ-19-2552; December 7, 2021]
(Formerly OCA IPI No. 13-4139-P)

JUDGE EDWIN G. LARIDA, JR., *Complainant*, *v.* **ATTY. STANLEY CALMA, DIANA RUIZ, LIGAYA BATINO, and ANITA GOBOY,** *Respondents*.

D E C I S I O N

***PER CURIAM*:**

The present case involved two administrative complaints, namely:

(1) complaint[1] filed by former Presiding Judge, Regional Trial Court (RTC), Tagaytay City, Branch 18, and presently Assisting Judge of RTC, Malabon City, Branch 74, Edwin G. Larida, Jr. (Judge Larida) against respondents: (a) Atty. Stanley Calma (Atty. Calma), former Clerk of Court; (b) Diana Ruiz (Ruiz), Legal Researcher/Officer-in-Charge (OIC); (c) Ligaya R. Batino (Batino), Court Stenographer III; and (d) Anita R. Goboy (Goboy), Clerk III, all of RTC, Tagaytay City, Branch 18, for Serious Misconduct, Falsification of Public Documents, and Serious Neglect of Duty; and

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[1] *Rollo*, pp. 2-7.

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(2) counter-complaint[2] filed by respondents Ruiz, Batino and Goboy against Judge Larida for Gross Misconduct, Falsification of Public Documents and Violation of Canon 3, Section 1 of the New Code of Judicial Conduct.

The Antecedents:

The instant controversy stemmed from the Decision[3] dated March 14, 2008 rendered by Judge Larida, then Presiding Judge of RTC, Tagaytay City, Branch 18, in LRC Case No. TG-07-1321, granting Annabella Ocampo's (Ocampo) petition for the issuance of new owner's copies of Transfer Certificates of Title (TCT) Nos. (T-968419) 6406 and (T-968420) 6405[4] registered in the name of Victorino Angcaya (Angcaya). As a result, new owner's copies of TCT Nos. (T-968419) 6406 and (T-968420) 6405 were issued, but were thereafter cancelled in lieu of the issuance of new titles, *i.e.*, TCT Nos. T-17628 and T-17629, in the name of a certain Clarito Poblete (Poblete).[5]

Meanwhile, in 2002, Original Development and Construction Corporation (ODECOR) allegedly bought the subject properties covered by TCT Nos. (T-968419) 6406 and (T-968420) 6405 from their registered owner, Angcaya.[6] From then on, ODECOR was in possession of the owner's duplicate copies of TCT Nos. (T-968419) 6406 and (T-968420) 6405 in the name of Angcaya until their cancellation and the issuance of TCT Nos. T-17628 and T-17629 in the name of Poblete.[7]

Aggrieved by the ensuing effects of the Decision dated March 14, 2008, ODECOR filed an administrative case against Judge Larida docketed as A.M. OCA IPI No. 10-3550-RTJ (now A.M.

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[2] Id. at 27-34.

[3] Id. at 9-11.

[4] Id. at 65-67, 100 and 109-111.

[5] Id. at 112-113 and 173.

[6] Id. at 91.

[7] Id. at 92.

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No. RTJ-13-2343).[8] ODECOR averred that the Decision dated March 14, 2008 and Certificate of Finality[9] dated April 18, 2008 issued by Atty. Calma do not form part of the records of LRC No. TG-07-1321.[10] In addition, ODECOR filed an "Annulment and Cancellation of Decision dated March 14, 2008 and Certificate [of Finality] dated April 18, 2008 in LRC No. TG-07-1321, and TCT Nos. T-17628 and T-17629, Reconveyance of Title with Damages," docketed as Civil Case No. TG-10-2922 before Acting Presiding Judge Emma Young (Judge Young) of RTC, Tagaytay City, Branch 18.[11]

As per respondent Batino's Certification[12] dated March 12, 2010, LRC No. TG-07-1321 was still pending for resolution. Thus, then Acting Presiding Judge Young of RTC, Tagaytay City, Branch 18, proceeded to hear LRC No. TG-07-1321 and eventually issued an Order dated May 28, 2010[13] dismissing Ocampo's petition for issuance of new owner's copies of TCT Nos. (T-968419) 6406 and (T-968420) 6405.

By way of defense and attesting to the authenticity of the Decision dated March 14, 2008 and the accompanying Certificate of Finality issued by former Clerk of Court Atty. Calma, Judge Larida filed the present administrative complaint against Atty. Calma, Ruiz, Batino and Goboy alleging that both the Decision dated March 14, 2008 and Certificate of Finality dated April 18, 2008 in LRC No. TG-07-1321 were already released and served upon the proper parties and duly recorded in the Registry of Deeds.[14] He concluded that the missing Decision dated March 14,

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[8] Id. at 227.

[9] Id. at 11-12.

[10] Id. at 173.

[11] Id. at 228.

[12] Id. at 116.

[13] Id. at 127.

[14] Id. at 3-5.

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2008 and Certificate of Finality were intentionally removed from the records of LRC No. TG-07-1321 by respondents Ruiz, Batino and Goboy, as the latter had full access to the records by reason of their functions.[15]

Judge Larida also averred that with ODECOR's filing of Civil Case No. TG-10-2922, Judge Young and herein respondents should have proceeded with caution in dealing with LRC Case No. TG-07-1321 since the decision sought to be annulled in Civil Case No. TG-10-2922 was the same one issued by him on March 14, 2008 in LRC Case No. TG-07-1321. Judge Larida concluded that respondents acted in bad faith, wanton disregard of rules and serious negligence in misleading Judge Young into believing that LRC Case No. TG-07-1321 remains pending when in fact it was already decided upon by him on March 14, 2008.[16]

In their joint comment with counter-complaint,[17] respondents Ruiz, Batino and Goboy denied the accusations of Judge Larida, Jr. They claimed that it is impossible for them to remove or lose the Decision dated March 14, 2008 as there was no such decision or document to begin with as part of the records of LRC Case No. TG-07-1321.[18] They maintained that LRC Case No. TG-07-1321 was not yet submitted for decision in 2008 as it still appeared or included in the pending cases listed in semestral docket inventories for the first and second semesters of the year 2008.[19] They further averred that LRC Case No. TG-07-1321 was not decided in 2008 but was dismissed by Judge Young in May 2010 for failure of petitioner Ocampo to present evidence.[20] In addition, they alleged that RTC, Tagaytay City, Branch 18 was subjected to an audit by

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[15] Id.

[16] Id.

[17] Id. at 27-34.

[18] Id. at 27-29 and 229.

[19] Id.

[20] Id. at 229.

the Supreme Court after the arson incident on October 12, 2008 during which LRC Case No. TG-07-1321 was still pending.[21]

Respondents further claimed, that the Order dated September 16, 2007 finding Ocampo's petition to be sufficient in form and substance and setting the case for initial hearing for presentation of jurisdictional requirements on December 3, 2007, does not exist as there was no corresponding entry indicating the said date in the Docket Book of RTC, Tagaytay City, Branch 18.[22] Also, the purported hearing of LRC Case No. TG-07-1321 on December 3, 2007 did not take place as it was not part of the calendar of cases heard on that day.[23] They also refuted Judge Larida's statement that Ocampo presented evidence in LRC Case No. TG-07-1321 since there was no formal offer of evidence filed with the court.[24]

Moreover, respondents stressed that the lower left portion of page 2 of the Decision dated March 14, 2008 has an initial "EGL/ ddm" which indicates the stenographer who typed or printed the decision, and on which folder the soft copy was saved. They pointed out that "EGL" stands for "Edwin G. Larida" but refuted the initials "ddm" as there was no stenographer or court personnel with the said initials at the time Decision dated March 14, 2008 was supposedly rendered. Also, the Decision dated March 14, 2008 does not contain a header, *i.e.*, the case number and page number.[25]

As to the Certification of Finality dated April 18, 2008, Atty. Calma opined in his Affidavit[26] dated October 2, 2013 that the same is a forgery as his signature thereon was falsified, and that he never issued handwritten certifications.[27] In addition, Official

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[21] Id. at 28.

[22] Id. at 29 and 229.

[23] Id.

[24] Id. at 29-30.

[25] Id. at 176.

[26] Id. at 176-177.

[27] Id. at 176.

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Receipts (OR) Nos. 0897128 A and 0897875 A[28] that were supposedly issued to Ocampo on April 18, 2008 as payment for the purported certifications were falsified as the said receipts were actually issued on March 6, 2008 to a certain Alvin Javier.[29]

In turn, respondents filed a counter-complaint against Judge Larida for gross misconduct, falsification of public documents and violation of Canon 3, Section 1 of the New Code of Judicial Conduct. Respondents accused Judge Larida of issuing Decision dated March 14, 2008 in LRC Case No. TG-07-1321 despite the fact that the case was not yet submitted for decision; and for releasing the said Decision dated March 14, 2008 to the concerned parties.[30] They added that Judge Larida, Jr. connived with the parties in LRC Case No. TG-07-1321 to falsify the two Certifications dated April 18, 2008, and OR Nos. 0897128 A and 0897875 A.[31]

On November 3, 2014, the Office of the Court Administrator (OCA) recommended the referral of the instant administrative case to the Court of Appeals (CA) for investigation, report and recommendation. However, as to respondents Batino and Goboy, the OCA recommended the dismissal of the charge against them for being moot and academic due to lack of jurisdiction over their persons. As culled from the records, respondents Batino and Goboy retired from government service on April 1, 2013, or before the filing of the herein complaint on June 27, 2013. Hence, the Court already lost jurisdiction over their persons.[32]

Report and Recommendation of the Investigating Justice:

On September 2, 2015, the Investigating Justice Ma. Luisa C. Quijano-Padilla (Justice Quijano-Padilla) of the CA issued a

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[28] Id. at 51-52.

[29] Id. at 53-54.

[30] Id. at 31-34.

[31] Id.

[32] Id. at 177-178.

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Report and Recommendation[33] recommending the dismissal of the charge against Ruiz for lack of sufficient basis. On the other hand, she found Judge Larida guilty of Gross Misconduct and Falsification of Decision dated March 14, 2008; and recommended the penalty of suspension for six months, if this was his first offense, or dismissal from service, if this be his second offense.[34]

Justice Quijano-Padilla noted the dismissal of the charge against Atty. Calma due to the latter's resignation from the judiciary, stating that the present administrative case against him had been mooted. With Atty. Calma's severance from the Judiciary, Justice Quijano-Padilla prudently acted by not simply relying on Atty. Calma's affidavit denying his participation in the issuance of the Certificate of Finality.[35] Nonetheless, she found overwhelming evidence to disprove Judge Larida's claim of authenticity and immutability of the Decision dated March 14, 2008.

Upon examination of the records of LRC Case No. TG-07-1321, Justice Quijano-Padilla found no Order submitting the case for decision. The case was set for hearings on January 4, 2008 and February 22, 2008, but Ocampo and her counsel failed to appear on both. The case was further reset for another hearing on March 28, 2008, June 20, 2008, August 22, 2008 and October 3, 2008 due to repeated non-appearance of party and counsel. All Orders issued for the resetting of LRC Case No. TG-07-1321 were signed by Judge Larida himself. Justice Quijano-Padilla stressed that the issuance of Decision dated March 14, 2008 is highly suspect as it came after a mere Order for resetting dated February 22, 2008, followed by three more Orders for resetting dated March 28, 2008, June 20, 2008 and August 22, 2008.[36]

Justice Quijano-Padilla noted that Judge Young issued an Order dated October 3, 2008 setting the case for another hearing

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[33] Id. at 226-239.

[34] Id. at 239.

[35] Id. at 226.

[36] Id. at 233-235.

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on November 21, 2008 for failure of party and counsel to appear. When Judge Young took over as the new Acting Presiding Judge of RTC, Tagaytay City, Branch 18, it is incredulous to presume that she would be misled by Batino's Certification dated March 12, 2010 stating that LRC Case No. TG-07-1321 was still pending resolution.[37] Ultimately, Judge Young dismissed LRC Case No. TG-07-1321 in her Order dated May 28, 2010.[38]

Moreover, Justice Quijano-Padilla agreed with Ruiz that there were irregularities in the Decision dated March 14, 2008, such as: (a) the missing header and pagination; (b) the initials appearing on the second page of the decision; and (c) the matters set forth in the decision were not in conformity with the actual proceedings of the trial court.[39]

Lastly, Justice Quijano-Padilla pointed out that there is no merit in Judge Larida's contention that the Decision dated March 14, 2008 is considered "official" since it was duly furnished to the parties and favorably acted upon by the Register of Deeds of Tagaytay City. The official copy of said decision is the one attached to the records kept in the custody of the trial court.[40] Also, Judge Young's Order dated May 28, 2010 deserves more weight as it was issued on the basis of the proceedings that actually transpired at the trial court in contrast with the Decision dated March 14, 2008 which was null and void and can never attain finality.[41]

Report and Recommendation of the OCA:

On April 10, 2017, the OCA issued its Report and Recommendation[42] adopting the findings of Investigating Justice Quijano-Padilla finding Judge Larida guilty of Gross Misconduct

[37] Id. at 235.

[38] Id. at 238.

[39] Id. at 236-237.

[40] Id. at 237-238.

[41] Id. at 238-239.

[42] Id. at 245-251.

in Violation of Section 8, Rule 140 of the Rules of Court. The OCA further recommended a penalty of suspension for one year without pay, to wit:

> **RECOMMENDATION**: It is respectfully recommended for the consideration of this Honorable Court that:
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> 1. the instant administrative matter be **RE-DOCKETED** as a regular administrative case against Assisting Judge Edwin G. Larida, Jr., Branch 74, Regional Trial Court, Malabon City;
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> 2. Judge Larida, Jr. be found **GUILTY** of gross misconduct which constitutes a serious violation of the Code of Judicial Conduct under Section 8, Rule 140 of the Rules of Court; and
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> 3. Judge Larida, Jr. be meted out the penalty of **SUSPENSION** of one (1) year without pay, and **STERNLY WARNED** that the commission of the same or any similar act will be dealt with more severely.
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> RESPECTFULLY SUBMITTED.[43]

The OCA gave credence to the observations of Justice Quijano-Padilla that there were irregularities in the Decision dated March 14, 2008. Also, the issuance of the Decision on March 14, 2008 was questionable as Judge Larida even set the case for another hearing on June 20, 2008, August 22, 2008 and October 3, 2008 through Orders dated March 28, 2008, June 20, 2008 and August 22, 2008, respectively.[44]

The OCA further agreed with the findings of Justice Quijano-Padilla that there were discrepancies between the actual proceedings in the trial court and those mentioned in the body of the Decision dated March 14, 2008. The actual hearing date of compliance with the jurisdictional requirements as found in the records was on November 23, 2007 but the date mentioned in the Decision dated March 14, 2008 was December 3, 2007. In addition, the OCA noted that after the November 23, 2007 hearing, Judge Larida issued an order setting the initial presentation of evidence

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[43] Id. at 251.

[44] Id. at 248.

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on January 4, 2008 that was rescheduled on February 22, 2008 due to non-appearance of party and counsel. And then the hearing was rescheduled again on March 28, 2008 or a few days after the Decision dated March 14, 2008.[45]

The OCA found Judge Larida guilty of Gross Misconduct for failure to exhibit the exacting qualities a member of the bench should possess. Hence, the OCA recommended a penalty of suspension for one year without salary and other benefits.[46]

Issues

The issues for resolution in this case are whether or not: (a) Judge Larida is guilty of Grave Misconduct for allegedly issuing a falsified decision, and (b) Atty. Calma, Ruiz, Batino and Goboy are guilty of Grave Misconduct for allegedly removing the Decision dated March 14, 2008 from the records of LRC Case No. TG-07-1321.

Our Ruling

After due consideration, we hereby adopt and approve the findings of facts and conclusions of law in the above OCA report and recommendation.

At the outset, we confirm the dismissal of the administrative charges filed against Batino and Goboy who have retired from public office on April 1, 2013 before the filing of the herein complaint on June 28, 2013.[47] Similarly, the administrative charge against Atty. Calma, who resigned from public office on November 13, 2008, or before the herein complaint was filed on June 28, 2013.[48] Nevertheless, we dismiss the administrative charge filed against respondents Atty. Calma, Ruiz, Batino and Goboy for lack of merit and sufficient basis for reasons that will be herein discussed.

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[45] Id. at 248-249.

[46] Id. at 250-251.

[47] Id. at 179.

[48] Id. at 226.

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The crux of the controversy is the subject Decision dated March 14, 2008 rendered by Judge Larida in LRC Case No. TG-07-1321 that he attested to be authentic and genuine. In turn, he blamed respondents Atty. Calma, Ruiz, Batino and Goboy for the removal of Decision dated March 14, 2008 and Atty. Calma's alleged Certificate of Finality from the records of LRC Case No. TG-07-1321. Respondents, on the other hand, faulted Judge Larida for rendering a decision when the case, *i.e.*, LRC Case No. TG-07-1321, was not yet submitted for decision as the party had not yet presented her evidence when the subject decision was issued on March 14, 2008.

As between these two versions, there is overwhelming evidence to disprove Judge Larida's accusations against Atty. Calma, Ruiz, Batino and Goboy and his claim of authenticity and immutability of Decision dated March 14, 2008.

As correctly observed by Investigating Justice Quijano-Padilla, LRC Case No. TG-07-1321 was not yet submitted for decision when Judge Larida issued the March 14, 2008 Decision as the records are bereft of any order which considered the case ripe for determination. In fact, the records reveal that after the subject Decision was rendered on March 14, 2008, Judge Larida himself issued several Orders, *i.e.*, March 28, 2008,[49] June 20, 2008[50] and August 22, 2008,[51] setting the case for hearing on June 20, 2008, August 22, 2008 and October 3, 2008, respectively, for failure of Ocampo and her counsel to appear and present evidence.[52]

Thus, when Judge Young assumed her duties as Acting Presiding Judge of RTC, Tagaytay City, Branch 18, she fittingly issued an Order dated October 3, 2008 resetting LRC Case No. TG-07-1321 for another hearing on November 21, 2008 for failure of Ocampo and her counsel to appear.[53] Respondents Atty. Calma,

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[49] Id. at 170.

[50] Id. at 171.

[51] Id. at 172.

[52] Id. at 235.

[53] Id.

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Ruiz, Batino and Goboy could not have deceived Judge Young into believing that LRC Case No. TG-07-1321 was still pending for the determination of the court as the case records patently show Judge Larida's Orders dated March 28, 2008, June 20, 2008 and August 22, 2008 setting the case for hearing on June 20, 2008, August 22, 2008 and October 3, 2008, respectively. Thus, Batino's Certification dated March 12, 2010 stating that LRC Case No. TG-07-1321 was still pending at that time was surely not issued in bad faith, or in wanton disregard of rules and serious negligence, or to influence Judge Young to ultimately issue Order dated May 28, 2010 dismissing LRC Case No. TG-07-1321.

Also, it is highly questionable for Judge Larida to render Decision dated March 14, 2008 granting Ocampo's petition for issuance of new owner's copies of TCT Nos. (T-968419) 6406 and (T-968420) 6405 when he himself issued and signed several Orders resetting the case for hearing for Ocampo's presentation of evidence. As culled from the records of LRC Case No. TG-07-1321, prior to the issuance of the Decision dated March 14, 2008, the last Order dated February 22, 2008 issued by Judge Larida was a resetting of hearing on March 28, 2008.[54] No other order was issued stating that the case was already submitted for decision. It is therefore highly irregular for a judge to attest to the veracity and authenticity of a decision when the same was not even supported by the records of LRC Case No. TG-07-1321. Indeed, Atty. Calma, Ruiz, Batino and Goboy could not have removed or concealed Decision dated March 14, 2008 and Certificate of Finality dated April 18, 2008 when they were not even part of the records of LRC Case No. TG-07-1321 in the first place.

We also agree with the findings of the OCA as to the irregularities in the issuance of Decision dated March 14, 2008 and Certificate of Finality, such as: (a) the absence of a header which contains the case number and page number contrary to the court's format;[55] (b) the initial "EGL/ddm" which appeared on the lower left part of the second and last page of the decision does not correspond to any

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[54] Id. at 234-235.

[55] Id. at 247.

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court employee;[56] (c) no formal offer of evidence was attached to the records of LRC Case No. TG-07-1321 in contrast with the exhibits referred to in the body of the decision;[57] and (d) the dates of the proceedings stated and cited in the body of the decision do not correspond to the records of LRC Case No. TG-07-1321.[58]

In view of the foregoing, we rule that Judge Larida is liable for Grave Misconduct and Gross Ignorance of the Law in rendering Decision dated March 14, 2008 without any factual and legal basis. Gross Ignorance of the Law is the disregard of basic rules and settled jurisprudence[59] while Grave Misconduct is defined as:

> Misconduct is a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by a public officer; and **the misconduct is grave if it involves any of the additional elements of corruption, such as willful intent to violate the law or to disregard established rules**, which must be established by substantial evidence.[60] (Emphasis and underscoring supplied)

Verily, Judge Larida rendered Decision dated March 14, 2008 in LRC Case No. TG-07-1321 when the same was not yet submitted for decision, and Ocampo has not yet presented her evidence before the court. As a member of the bench, Judge Larida manifested serious lack of knowledge and ignorance of basic established rules and settled jurisprudence. Although not every judicial error is considered gross ignorance of the law and if committed in good faith will not warrant administrative sanction, the same applies only in cases within the parameters of tolerable misjudgment.[61] However, such is not the case with Judge Larida.

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[56] Id.

[57] Id. at 248.

[58] Id. at 248-249.

[59] *Department of Justice v. Mislang*, 791 Phil. 219, 227 (2016).

[60] *Rojas, Jr. v. Mina*, 688 Phil. 241, 248-249 (2012), citing *Re: Complaint of Mrs. Corazon S. Salvador against Spouses Noel and Amelia Serafico*, 629 Phil. 192, 210 (2010).

[61] *Department of Justice v. Mislang*, supra 227, citing *Peralta v. Judge Omelio*, 720 Phil. 60, 86 (2013).

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Administrative Circular No. 28-89 states that a case is considered submitted for decision upon admission of the evidence of the parties at the termination of the trial. Patently, Ocampo had not yet presented her evidence in support of her petition for issuance of new owner's copies of TCT Nos. (T-968419) 6406 and (T-968420) 6405 as borne by her repeated failure to appear on the several hearings of LRC Case No. TG-07-1321. Thus, Judge Larida erroneously and blatantly disregarded established rules when he issued Decision dated March 14, 2008 prematurely when no evidence was presented at all to support the granting of Ocampo's petition. Also, Judge Larida contradicted himself when he issued Orders dated March 28, 2008, June 20, 2008 and August 22, 2008 setting the case for hearing on June 20, 2008, August 22, 2008 and October 3, 2008, respectively, after issuing Decision dated March 14, 2008.

If indeed LRC Case No. TG-07-1321 has already been decided and the Decision dated March 14, 2008 has become final, there is no reason for Judge Larida to issue several orders to set the case for hearing. Clearly, the only logical conclusion is that Judge Larida committed Grave Misconduct and Gross Ignorance of the Law by insisting on the authenticity and immutability of a falsified, non-existent, null and void Decision dated March 14, 2008. Judge Larida cannot now negate his own admission that he himself rendered Decision dated March 14, 2008 in LRC Case No. TG-07-1321 when he insisted on its authenticity and thereafter blamed Atty. Calma, Ruiz, Batino and Goboy on its removal from the records.

"A judge is presumed to have acted with regularity and good faith in the performance of judicial functions. But a blatant disregard of the clear and un-mistakable provisions of a statute, as well as Supreme Court circulars enjoining their strict compliance, upends this presumption and subjects the magistrate to corresponding administrative sanctions."[62] As a judge, Judge Larida is expected to know the laws and procedures and to apply them properly in good faith. Unfamiliarity with the rules is a

[62] Id. at 228 citing *Caguioa v. Judge Laviña*, 398 Phil. 845, 848 (2000).

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sign of incompetence.[63] Judge Larida's insistence on the validity and authenticity of Decision dated March 14, 2008 despite contradiction with the records of LRC Case No. TG-07-1321 displays utter lack of familiarity with the rules and incompetency. More importantly, Judge Larida's act of issuing Decision dated March 14, 2008 in LRC Case No. TG-07-1321 constitutes Grave Misconduct as he deliberately intended to violate the law and established rules by rendering a falsified decision.

Grave Misconduct is a grave offense that is punishable by dismissal even for the first offense.[64] Penalties include forfeiture of retirement benefits, except accrued leave credits, and perpetual disqualification from reemployment in government service.[65] On the other hand, Gross Ignorance of the Law is classified as a serious charge punishable by a fine of more than ₱20,000.00 but not exceeding ₱40,000.00, and suspension from office for more than three but not exceeding six months without salary and other benefits or dismissal from service.[66]

As pointed out by OCA, Judge Larida had been convicted of a less serious charge in A.M. No. RTJ-08-2151 dated March 11, 2014 with a penalty of suspension for two months without pay and was sternly warned that a repetition of similar acts or omissions would be dealt with severely. In light of his previous infraction and the gravity of the offense, *i.e.*, issuing a falsified decision, the supreme penalty of dismissal is the proper penalty to be imposed. His act of issuing a falsified decision raises a serious question on his competence and integrity in the performance of his function as a magistrate. Thus, to protect and preserve the image and integrity of the entire judiciary, we are constrained to impose the dismissal in this case.

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[63] *Department of Justice v. Mislang*, supra note 59 at 228.

[64] Rojas, Jr. v. Mina, supra note 60 at 249, citing Uniform Rules on Administrative Cases in the Civil Service, Sec. 52 (A) 1 & 3; *Aguilar v. Valino*, 599 Phil. 398, 414 (2009).

[65] Id. at 249-250, citing *Retired Employee v. Manubag*, 652 Phil. 491 (2010).

[66] *Department of Justice v. Mislang*, supra note 59 at 231.

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As regards the charges against Atty. Calma, Ruiz, Batino, and Goboy for Serious Misconduct, Falsification of Public Documents, and Serious Neglect of Duty, we find the same totally lacking in merit and basis. There was absolutely no evidence showing that they committed the infractions imputed against them. Hence, the complaint against them ought to be dismissed.

ACCORDINGLY, the Court finds Judge Edwin G. Larida, Jr., former Presiding Judge, Regional Trial Court (RTC), Tagaytay City, Branch 18, and presently Assisting Judge of RTC, Malabon City, Branch 74, **GUILTY** of Grave Misconduct and Gross Ignorance of the Law and **ORDERS** his **DISMISSAL** from service with **FORFEITURE** of retirement benefits, except leave credits, and with prejudice to re-employment in any branch or instrumentality of the government, including government-owned and controlled corporations.

The administrative charges against Atty. Stanley Calma, former Clerk of Court; Diana Ruiz, Legal Researcher/Officer-in-Charge; Ligaya R. Batino, Court Stenographer III; and Anita R. Goboy, Clerk III, all of Regional Trial Court, Tagaytay City, Branch 18, for Serious Misconduct, Falsification of Public Documents, and Serious Neglect of Duty, are **DISMISSED** for utter lack of merit.

SO ORDERED.

Gesmundo, C.J., Perlas-Bernabe, Leonen, Caguioa, Hernando, Carandang, Lazaro-Javier, Inting, Zalameda, M. Lopez, Gaerlan, and *Rosario, JJ.*, concur.

J. Lopez and *Marquez, JJ.*, no part.

Dimaampao, J., on official leave.