



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **August 22, 2022** which reads as follows:*

“G.R. No. 215958 (ROLANDO B. FALLER, petitioner, v. THE OMBUDSMAN and FIELD INVESTIGATION OFFICE, respondents).—This Court resolves the petition¹ filed by Rolando B. Faller (Faller) challenging the Decision² and Resolution³ of the Court of Appeals, which, in turn, affirmed the Decision⁴ and Omnibus Order⁵ of the Office of the Ombudsman finding Faller guilty of simple misconduct and conduct prejudicial to the best interest of the service in violation of Section 4(a) of Republic Act No. 6713.⁶

On February 17, 2020,⁷ *Faller v. The Ombudsman and Field Investigation Office* in G.R. No. 215958 was deconsolidated from *People of the Philippines v. Sandiganbayan, Devanadera, Faller and Cruz* in G.R. Nos. 212706-13, which assailed the Sandiganbayan’s Resolutions granting Agnes VST Devanadera’s Motion to Quash the Amended Informations against her. *Faller* was then consolidated with *The Office of the Ombudsman v. Faller* in G.R. No. 215994, as the two cases involved similar parties, emanated from the same set of facts, and assailed the same Court of Appeals issuances, which found Faller guilty of simple misconduct instead of grave misconduct.

¹ *Rollo*, pp. 31–47.

² *Id.* at 49–65. The May 22, 2014 Decision in CA-G.R. SP No. 123745 was penned by Associate Justice Nina G. Antonio-Valenzuela and concurred in by Associate Justices Vicente S.E. Veloso and Jane Aurora C. Lantion of the Eleventh Division, Court of Appeals, Manila.

³ *Id.* at 67–68. The December 17, 2014 Resolution in CA-G.R. SP No. 123745 was penned by Associate Justice Nina G. Antonio-Valenzuela and concurred in by Associate Justices Vicente S.E. Veloso and Jane Aurora C. Lantion of the Former Eleventh Division, Court of Appeals, Manila.

⁴ *Id.* at 103–125. The March 3, 2010 Decision in OMB-C-A-08-0656-L was penned by Graft Investigation and Prosecutor Officer II Camilo S. Correa of the Office of the Ombudsman, Quezon City.

⁵ *Id.* at 126–132. The October 3, 2011 Omnibus Order in OMB-C-A-08-0656-L was penned by Graft Investigation and Prosecutor I Cherry Chiara L. Hernando of the Office of the Ombudsman, Quezon City.

⁶ An act establishing a code of conduct and ethical standards for public officials and employees, to uphold the time-honored principle of public office being a public trust, granting incentives and rewards for exemplary service, enumerating prohibited acts and transactions and providing penalties for violations thereof and for other purposes.

⁷ *Rollo*, pp. 605–606.

However, on March 8, 2021,⁸ *Faller v. Ombudsman* in G.R. No. 215958 was deconsolidated from *The Office of the Ombudsman v. Faller* as a Decision⁹ for the latter had been promulgated as early as June 6, 2016 and an Entry of Judgment had been issued on April 19, 2017.

This Court in *The Office of the Ombudsman v. Faller* upheld the Court of Appeals' ruling, finding petitioner guilty of simple misconduct instead of grave misconduct. The dispositive portion of the Decision reads:

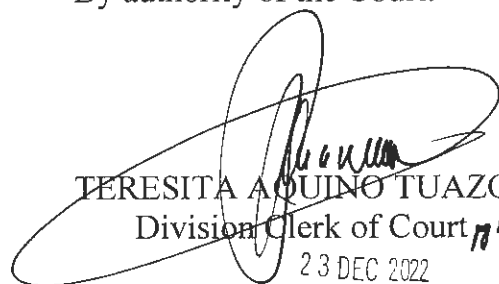
WHEREFORE, the Decision dated May 22, 2014 and the Resolution dated December 17, 2014 of the Court of Appeals in CA-G.R. SP No. 123745 are hereby **AFFIRMED** with **MODIFICATION**. Respondent Rolando B. Faller is found **GUILTY** of simple misconduct and conduct prejudicial to the best interest of the service. Accordingly, he is ordered **SUSPENDED** for a period of one (1) year and directed to reconstitute the total amount of ₱180,000.00 to the Office of the Government Corporate Counsel Trust Liability Account. The accessory penalty of disqualification from promotion corresponding to the one-year period of suspension is likewise imposed.

SO ORDERED.¹⁰ (Emphasis in the original)

Considering that an Entry of Judgment had already been issued in *The Office of the Ombudsman v. Faller*, the present case is considered **CLOSED** and **TERMINATED**. Let entry of judgment be issued immediately.

SO ORDERED.”

By authority of the Court:


TERESITA AQUINO TUZON
Division Clerk of Court
23 DEC 2022

⁸ Id. at 606-J.

⁹ *Office of the Ombudsman v. Faller*, 786 Phil. 467 (2016) [Per J. Perlas-Bernabe, First Division].

¹⁰ Id. at 483-484.

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Please notify the Court of any change in your address.
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