



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated January 11, 2023, which reads as follows:

“A.M. No. P-22-064 [Formerly JIB FPI No. 21-021-P] (Atty. Michael Hanz D. Villaster, Clerk of Court VI, Branch 43, Regional Trial Court, Bacolod City, Negros Occidental, *Complainant* vs. Melinda T. Robles, Legal Researcher, Branch 43, Regional Trial Court, Bacolod City, Negros Occidental, *Respondent*). – This administrative matter stemmed from an untoward incident which transpired on February 7, 2018 between respondent Melinda T. Robles, Legal Researcher, and Atty. Michael Hanz D. Villaster (Atty. Villaster), Clerk of Court. At the time of the incident, both parties were assigned to Branch 43, Regional Trial Court (RTC Branch 43) of Bacolod City, Negros Occidental.¹

The Antecedents

In Atty. Villaster’s Judicial Affidavit² dated August 28, 2018, the facts of the February 7, 2018 incident are as follows:

In the morning of February 7, 2018, Atty. Villaster gave respondent a note which reads: *“Please provide time of arrival in the morning and time of departure in the afternoon of January 8, 2018. For verification.”*³ Respondent angrily confronted Atty. Villaster; she insisted that her time of arrival was 7:51 am; she forgot to write it on the logbook; but she was present in the office. Atty. Villaster explained to respondent that her failure to put her time of arrival was the reason behind his request for verification.⁴

Aggrieved, respondent raised her voice, and even more, she challenged Atty. Villaster that she would check the CCTV cameras of the Hall of Justice on January 8, 2018.⁵

Respondent left the office and returned at about 11:20 a.m. In a mocking

¹ *Rollo*, p. 171.

² *Id.* at 247-253.

³ *Id.* at 248.

⁴ *Id.* at 249.

⁵ *Id.*

manner, she told Atty. Villaster that she arrived at the Hall of Justice at around 8:47 am. Atty. Villaster, in composed manner, replied that he just wanted to verify. Nonetheless, respondent was still angry, and in a mocking voice, told Atty. Villaster that he left her no choice but to photocopy all the attendance logbook entries for the year 2017 and expose everyone's office anomalies. Atty. Villaster replied that she can expose whatever anomalies if there were any. Respondent then took the logbook from Atty. Villaster's table and brought it to her table.⁶

Atty. Villaster, however, realized that he is accountable for the logbook, and it can only be taken out of the office for lawful purposes with Judge Agraviador's express permission. Hence, he took back the logbook from respondent and messaged Judge Agraviador,⁷ viz.:

Atty. Villaster: She said she wants to photocopy the logbook
now. Everything for 2017. (11:53 am)

Should I allow her? I said I will consult you
first. (11:54 am)

Judge Agraviador: *Hayzt...bsi maglala na gd and sick ko.*
Hambala, wait for me lng ah. (11:55 am)

For your conflict, no further action until I am
there. (11:55 am)⁸

Atty. Villaster immediately relayed Judge Agraviador's directive to respondent. She agreed and replied "*Okay. Ga teksanay man kami.*"⁹

The exchange of words between Atty. Villaster and respondent was witnessed by Rhett Poyogao.¹⁰

Thereafter, Atty. Villaster left the office to take his lunch; but before he could finish his meal, he had a hunch that respondent might have taken the logbook. His hunch turned out to be true. Jocel Espulgar told Atty. Villaster that respondent took the logbook to the photocopying area after asking permission from Julieta Lam (Lam), who had no idea about Judge Agraviador's directive. He immediately headed straight to the photocopier outside RTC Branch 43 and saw respondent standing beside Elvira¹¹ "Nang Bebing" Tabujara (Tabujara), with the pages of the logbook already getting photocopied.¹²

Atty. Villaster headed straight to the photocopying machine to get the logbook; however, respondent forcefully resisted and wrestled the logbook from

⁶ Id. at 249-250.

⁷ Id. at 250.

⁸ Id. at 255.

⁹ Id. at 250.

¹⁰ Id. See also id. at 260.

¹¹ See id. at 264.

¹² Id. at 251.

him. Eventually, Atty. Villaster got hold of the logbook, but respondent still tried to grab it. The logbook was in Atty. Villaster's possession when respondent purposefully shoved the logbook straight to his face. Atty. Villaster then let go of the logbook and held his hands up as a gesture of surrender. Despite raising his hands, Richard Robles (Mr. Robles), respondent's husband, suddenly punched Atty. Villaster in the stomach. Atty. Villaster then held his hands higher and said that he did not hurt anyone. Tabujara then escorted him back to their office.¹³

In support of his judicial affidavit, Atty. Villaster submitted respondent's January DTR,¹⁴ a screenshot of his conversation with Judge Agraviador,¹⁵ a picture of his injury¹⁶ together with his medical certificate,¹⁷ the incident record form he filed with the police,¹⁸ and the CCTV footage of the incident.¹⁹

Respondent likewise submitted her judicial affidavit²⁰ dated August 29, 2018 which alleged the following:

On the day of the incident, Atty. Villaster left her a note and when she went to him, he told her to show proof that she was present on January 8, 2018. She thought that there was something wrong with Atty. Villaster as it was too much for him to ask for proof that her "body and soul were present on the very day of January 8, 2018." She then asked Atty. Villaster if he wanted a copy of the CCTV footage, to which he answered "sure."²¹

Thus, she went to the office of Engr. Vincent²² Solis (Engr. Solis) where the CCTV was located and reviewed the CCTV footage of January 8, 2018. After a while, she saw herself on the screen. She then started to cry and shake until she felt numbness in her nape. She then asked Bee Pee G. Viñas (Viñas) to get her bag so she can take the medicine prescribed by her doctor to lower her blood pressure. Her husband, Mr. Robles, then arrived and comforted her.²³

Respondent then instructed Viñas to tell Atty. Villaster to go down and see the CCTV for himself, but Viñas refused. She then returned to their office and told Atty. Villaster that she "*really felt sorry for him as he failed to see [respondent] in the CCTV on the questioned date, despite his checking on February 5, 2018.*"²⁴ He answered: "well, for verification."²⁵

¹³ Id.

¹⁴ Id. at 254.

¹⁵ Id. at 255.

¹⁶ Id. at 256.

¹⁷ Id. at 257.

¹⁸ Id. at 258.

¹⁹ Id. at 252. See also id. at 287.

²⁰ Id. at 178-185.

²¹ Id. at 179.

²² See id. at 7.

²³ Id. at 179-180.

²⁴ Engr. Solis told respondent that Atty. Villaster went to his office on February 5, 2018 and checked the CCTV footage, id. at 179.

²⁵ Id. at 180.

While walking back to her table, she told Atty. Villaster that she will photocopy the logbook. He then immediately took the logbook from his table and “*hug[ged] the same as if in intense fear*” and told respondent that he will inform Judge Agraviador first. After about two seconds, Atty. Villaster returned, still hugging the logbook with his right hand, and holding his cellphone with his left hand; he disclosed to respondent that Judge Agraviador told him that she will act on her request the next day, February 8, 2018.²⁶ She doubted Atty. Villaster because, in her own knowledge, he has a “propensity for lying.”²⁷

Respondent took the logbook from Atty. Villaster’s table so she can update her DTR. She did not ask permission from Atty. Villaster because the latter was taking his lunch at the courtroom; instead, she informed Lam that she was going to photocopy the logbook.²⁸

While at the photocopier machine, respondent saw Atty. Villaster walking towards her. He then grabbed the logbook from the photocopier. When she tried to stop him, he pushed her with his elbow so hard that she almost fell. She was able to stand back straight but became dizzy. Mr. Robles then hugged her but was provoked in punching Atty. Villaster in the stomach. She and her husband went to Police Station 2, Bacolod City and had the whole incident “blottered.”²⁹

In a letter³⁰ dated February 27, 2018, Judge Agraviador reported the incident to Executive Judge Raymond Joseph Javier (Executive Judge Javier) and submitted her observations, to wit:

1. Ms. Robles ha[d] no respect for Atty. Villaster and all the other staff in my court. This is evidenced not only during the incident that happened on February 7, 2018 but also on the past confrontations that she usually initiates, either with Atty. Villaster only or together with all the other staff of our court.³¹

Thereafter, on March 5, 2018, Executive Judge Javier wrote to then Court Administrator Jose Midas P. Marquez, now a member of the Court (Associate Justice Marquez), requesting authority to conduct an administrative investigation of the incident.³² On July 6, 2018, the Office of the Court Administrator (OCA) granted Executive Judge Javier’s request and required him to submit his report within thirty (30) days from the termination of the investigation.³³

²⁶ Id.

²⁷ Respondent shared that in 2016, Atty. Villaster went to a “boys-out” in Dakak with other court personnel of RTC Branch 43 but there was an unfamiliar woman in their pictures. Upon her inquiry, Atty. Villaster told respondent that she was his friend. Respondent later learned from Viñas that the woman was Anamrissa Pearl Macahilig (Macahilig), a petitioner in a pending annulment case before their court. She relayed this information to Atty. Villaster. He then stated that Macahilig was actually not his friend but a friend of Gil M. Gulmatico, then court stenographer of RTC Branch 43 and a close buddy of Atty. Villaster. Id. at 181.

²⁸ Id.

²⁹ Id. at 182.

³⁰ Id. at 25-27.

³¹ Id. at 26.

³² Id. at 2.

³³ Id. at 28.

Judge Javier's Investigation Report

In an Investigation Report³⁴ dated September 21, 2018, Executive Judge Javier recommended that respondent be found guilty of Discourtesy in the Performance of Official Duties and be meted out the penalty of suspension for a period of one month and one day, *viz.*:

WHEREFORE, the undersigned Executive Judge hereby recommends that Ms. Melinda T. Robles be found "GUILTY" of discourtesy in the performance of official duties. Consequently, she should suffer a penalty of suspension from service for a period of one month and one day with stern warning that a repetition of a similar act in the future shall be dealt with more severely.³⁵

Executive Judge Javier noted that the February 7, 2018 incident would not have happened if respondent merely obeyed the orders of her superiors.³⁶ According to Judge Javier, respondent's resistance to the authority of her superiors failed to meet the exacting standards required of employees of the judiciary and that her high-strung and belligerent behavior has no place in government service.³⁷

OCA Memorandum

In a Memorandum³⁸ dated March 20, 2019 addressed to Associate Justice Marquez, Wilhelmina D. Geronga, OCA Chief of Office-Legal Office, (OCA Chief Geronga) opined that respondent committed the offenses of Conduct Unbecoming of a Court Employee and Insubordination – not Discourtesy in the Performance of Official Duties, as recommended by Executive Judge Javier,³⁹ *viz.*:

IN VIEW OF THE FOREGOING, it is respectfully recommended that: (1) a copy of the Investigation Report be furnished to Legal Researcher Melinda T. Robles and that she be required to EXPLAIN why no disciplinary action should be taken against her for Conduct Unbecoming of a Court Employee and Insubordination within fifteen (15) days from receipt, or manifest if she is willing to submit the matter to the Court for resolution based on the records already filed; and (ii) the issue regarding the Branch Clerk of Court Michael Hanz D. Villaster be considered CLOSED and TERMINATED for lack of merit.⁴⁰

OCA Chief Geronga stressed that a Branch Clerk of Court is the chief administrative officer of the court where he is stationed and as such, has control and supervision over its court personnel, records, and properties. She then concluded that respondent committed two administrative offenses: (1) Conduct

³⁴ Id. at 29-34.

³⁵ Id. at 34.

³⁶ Id. at 31.

³⁷ Id. at 33.

³⁸ Id. at 104-108.

³⁹ Id. at 107-108.

⁴⁰ Id.

Unbecoming of a Court Employee as shown by her engaging her superior in a verbal and physical tussle and causing a commotion in the court premises; and (2) Insubordination for openly ignoring the verbal instruction of Atty. Villaster regarding the logbook.⁴¹

Respondent's Comment

In her Comment⁴² dated June 25, 2019, respondent averred that she asked for Atty. Villaster's permission to remove the logbook from the court premises. According to her, Judge Agraviador's instruction, as relayed by Atty. Villaster, was "shady" in view of his "propensity for lying."⁴³ She contended that it was a normal occurrence in their office to have the logbook photocopied anytime during working hours.⁴⁴

Respondent denied that Mr. Robles punched Atty. Villaster and instead argued that her husband merely "pushed" Atty. Villaster with his right palm heel. According to respondent, if Mr. Robles, a retired policeman, had the intention to punch Atty. Villaster, he would have punched him on the vulnerable parts of his body such as his eyes, ears, neck, or groins and that the latter would not have sustained a mere "mild contusion." She justified Mr. Robles' action as something any husband would do considering that at that moment, it appeared to him that she was being unlawfully attacked by Atty. Villaster.⁴⁵

Respondent further argued that it was Atty. Villaster's "unreasonable instruction" that caused the incident to happen. She insisted that her actions do not constitute Insubordination because it imports "a willful or intentional disregard of the *lawful* and *reasonable* instructions of the employer."⁴⁶ To her mind, she was not the aggressor on the February 7, 2018 incident. She blamed it on Atty. Villaster who "*overbearingly* went to the photocopier and *aggressively grabbed* the logbook from the photocopying machine."⁴⁷

Lastly, respondent averred that Executive Judge Javier was influenced by Judge Agraviador's letter; hence, she was prejudged guilty before a hearing was even conducted; that it is unfair, if not an utter lie, for Judge Agraviador to accuse her of being an office bully; and that Judge Agraviador has a "high-and-mighty" attitude as shown by her letter-request to Executive Judge Javier for respondent to be detailed to another branch the day after the incident.⁴⁸

Judicial Integrity Board (JIB) Report and Recommendation

⁴¹ Id. at 107.

⁴² Id. at 110-120.

⁴³ Id. at 115.

⁴⁴ Id. at 117.

⁴⁵ Id. at 115-116.

⁴⁶ Id. at 116.

⁴⁷ Id. at 117.

⁴⁸ Id. at 117-118.

In the Report and Recommendation⁴⁹ dated March 30, 2022, the JIB found respondent guilty of Gross Insubordination. Citing Section 50(B)(9) of the 2017 Rules of Administrative Cases in the Civil Service, the JIB recommended that respondent be meted out the penalty of suspension of six (6) months and one (1) day:

ACCORDINGLY, it is respectfully RECOMMENDED that:

1. The Instant case be RE-DOCKETED as a regular administrative matter; and
2. Respondent Melinda T. Robles, Legal Researcher, branch 43, Regional Trial Court, Bacolod City, now on detail with Branch 45, same court, be found GUILTY of gross insubordination and be penalized with SUSPENSION of six (6) months and one (1) day without pay with a stern warning that a repetition of similar offense will be dealt with more severely.⁵⁰

The JIB found that her acts constitute defiance to the authority of her superiors – not to mention disrespect to them and their positions;⁵¹ hence, respondent is administratively liable for Gross Insubordination.⁵²

CCTV Footage

An examination of the CCTV footage failed to support respondent's allegation that Atty. Villaster pushed her with his elbow while they were grappling for the logbook. Instead, it corroborated Atty. Villaster's contention that his hands were raised before Mr. Robles struck him.⁵³ Although Mr. Robles used his palm heel, it is clear from the video that it is not an innocent push but a strike meant to hurt Atty. Villaster.

The Issues

Whether respondent should be held administratively liable for the February 7, 2018 incident involving her and Atty. Villaster.

The Court's Ruling

The Court agrees with the findings of the JIB that respondent is guilty of Gross Insubordination; however, the Court finds that respondent is also guilty of Simple Misconduct for her disrespectful behavior towards Atty. Villaster, her superior, and her other officemates prior to, and at the time of the incident.

At the outset, it must be emphasized that administrative cases against officials, employees, and personnel of the judiciary, are now governed by Rule

⁴⁹ Id. at 292-301. Penned by Retired Justice Angelina Sandoval-Gutierrez and concurred in by Retired Justices Romeo J. Callejo, Sr., Sesinado E. Villon, and Rodolfo A. Ponferrada.

⁵⁰ Id. at 300.

⁵¹ Id. at 297.

⁵² Id. at 299.

⁵³ Id. at 251.

140 of the Rules of Court, as amended by A.M. No. 21-08-09-SC⁵⁴ – not the 2017 Rules of Administrative Cases in the Civil Service.

The Court declared in Section 24 of A.M. No. 21-08-09-SC that Rule 140, as amended, “shall be applied to all pending and future administrative cases involving the discipline of Members, officials, employees, and personnel of the Judiciary, without prejudice to the internal rules of the Committee on Ethics and Ethical Standards of the Supreme Court insofar as complaints against Members of the Supreme Court are concerned.” Thus, Rule 140, as amended, applies in the case even though the incident transpired before the Rule was amended.⁵⁵

Respondent is guilty of the serious charge of Gross Insubordination

The JIB aptly found that respondent’s act of taking out the logbook out of RTC Branch 43 despite the instructions of her superiors constitutes Gross Insubordination.

In *Gandia-Asuncion v. Martin*,⁵⁶ the Court defined Insubordination as follows:

Insubordination is defined as a refusal to obey some order, which a superior officer is entitled to give. The term imports a willful or intentional disregard of the lawful and reasonable instructions of the employer.⁵⁷

An act becomes Gross Insubordination if a subordinate’s refusal to obey is inexplicable and unjustified and manifested by a *brazen disrespect and defiance* towards one’s superior.⁵⁸

Here, it is undisputed that Judge Agraviador instructed both parties not to make any further action until she arrives, and this instruction was relayed to respondent by Atty. Villaster.

Respondent cannot excuse her disobedience of Judge Agraviador’s directive by alleging that the instruction was “shady” or “unreasonable,” and accusing her superior, Atty. Villaster, of having the “propensity for lying.”

In *Borcillo v. Maghinay*,⁵⁹ the Court found the respondent therein guilty of Insubordination despite the fact that in the case, the Decision of the Secretary of Department of Education was void. The Court stressed that the instruction given to the respondent therein enjoys the presumption of regularity and warrants her obedience and compliance; thus, she should have immediately

⁵⁴ A.M. No. 21-08-09-SC, Further Amendments to Rule 140 of the Rules of Court, effective April 4, 2022.

⁵⁵ See the 15th Whereas Clause of A.M. No. 21-08-09-SC, Further Amendments to Rule 140 of the Rules of Court, effective April 4, 2022.

⁵⁶ A.M. No. P-22-042, June 28, 2022.

⁵⁷ Id. citing *Dalmacio-Joaquin v. Dela Cruz*, 604 Phil. 256, 261 (2009).

⁵⁸ See *Alano v. Delicana*, A.M. No. P-20-4050, June 14, 2022.

⁵⁹ G.R. No. 246542, February 10, 2021.

reported to her new work assignment though she may not agree with it.⁶⁰

More, the Court finds that there is nothing “shady” or “unreasonable” in Judge Agraviador’s directive, as relayed by Atty. Villaster to respondent. Considering that Atty. Villaster, who is supposed to have control and supervision over RTC Branch 43’s personnel, records, and properties, was a party to the office conflict, it was understandable for Judge Agraviador to direct both parties to cease any further action which could escalate the situation. Judge Agraviador, as their superior, could have easily mediated in their conflict and prevented the matter from snowballing; however, respondent challenged and undermined her superiors’ authority when she took the logbook surreptitiously.⁶¹ As correctly noted by Executive Judge Javier, the incident would not have transpired if respondent simply obeyed Judge Agraviador’s directive.⁶²

Worse, respondent called her husband to the Hall of Justice⁶³ which further escalated an office conflict into a physical confrontation between Atty. Villaster and Mr. Robles. The Court finds that respondent’s contention that she called her husband to come see her because she was not feeling well⁶⁴ was an afterthought. This was belied by her subsequent act of taking the logbook to the photocopying area instead of immediately going to the clinic or to a nearby hospital for treatment. As stated by respondent herself, any husband would come to the rescue of his wife,⁶⁵ and in the case, respondent’s action of grappling with Atty. Villaster for the logbook prompted her husband to strike the latter. Regardless of whether it was a punch or a push, it is undisputed that Mr. Robles injured Atty. Villaster. This would not have happened if respondent did not call her husband to the Hall of Justice to serve as her backup or simply allowed Atty. Villaster to take the logbook back to their office.

In view of the foregoing, the Court agrees with the JIB that respondent is guilty of the serious charge of Gross Insubordination. Respondent’s act of taking the logbook out of their office despite her superiors’ directive and grappling with Atty. Villaster for the logbook in public view amount to Gross Insubordination. More, respondent brazenly displayed a cavalier attitude and showed no remorse as she continued to have the logbook photocopied even after her husband struck Atty. Villaster.⁶⁶

⁶⁰ Id.

⁶¹ See *rollo*, p. 265. Tabujara stated in her judicial affidavit dated August 28, 2018 that respondent told her that she stole the logbook, to wit:

Q5: *Ano ang nadumduman mo sa mga nagkalabato sadtong 07 Pebrero 2018?* (What could you recall regarding the incidents that took place on 07 February 2018?)

A5: *Udto sadto sang gindala ni Melinda sa akon ang logbook nila sa opisina. Hambal niya sa akon nga. “Bing, mapa xerox ko. Ginkawat ko ni sa lamesa hu ah.”* (It was noontime when Melinda brought their office logbook to me. She said to me “Bing, I’d like to have this xeroxed. I stole this from a table.)

⁶² Id. at 31.

⁶³ Id. at 280.

⁶⁴ Id.

⁶⁵ Id. at 115.

⁶⁶ See *id.* at 268.

Conduct for Court Personnel constitutes Simple Misconduct.

Proper Penalty

Under Section 14⁷⁴ and Section 17(1)⁷⁵ of Rule 140, as amended, Gross Insubordination is classified as a serious charge which is punishable by dismissal, suspension from office for more than six (6) months but not exceeding one (1) year, or a fine of more than ₱100,000.00 but not exceeding ₱200,000.00. Meanwhile, under Section 17(2)⁷⁶ of Rule 140, as amended, the less serious charge of Simple Misconduct is punishable by suspension from office for not less than one (1) month nor more than six (6) months, or a fine of more than ₱35,000.00 but not exceeding ₱100,000.00.

Considering that respondent committed both offenses during the same incident, the Court finds that the appropriate penalty to be imposed shall be the penalty for Gross Insubordination, the more serious offense, pursuant to Section 21 of Rule 140, as amended, which reads:

SECTION 21. *Penalty for Multiple Offenses.* — If the respondent is found liable for more than one (1) offense arising from separate acts or omissions in a single administrative proceeding, the Court shall impose separate penalties for each offense. Should the aggregate of the imposed penalties exceed five (5) years of suspension or ₱1,000,000.00 in fines, the respondent may, in the discretion of the Supreme Court, be meted with the penalty of dismissal from service, forfeiture of all or part of the benefits as may be determined, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits.

On the other hand, if a single act/omission constitutes more than one (1) offense, the respondent shall still be found liable for all such offenses, but shall, nonetheless, only be meted with the appropriate penalty for the most serious offense. (Italics supplied.)

(a) Simple misconduct constituting violations of the Code of Judicial Conduct or of the Code of Conduct for Court Personnel[.]

⁷⁴ SECTION 14. *Serious Charges.* — Serious charges include:

x x x x

n) Gross insubordination; and x x x

⁷⁵ SECTION 17. *Sanctions.* —

(1) If the respondent is guilty of a serious charge, any of the following sanctions shall be imposed:

(a) Dismissal from service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits;

(b) Suspension from office without salary and other benefits for more than six (6) months but not exceeding one (1) year; or

(c) A fine of more than ₱100,000.00 but not exceeding ₱200,000.00.

⁷⁶ SECTION 17. *Sanctions.* —

(2) If the respondent is guilty of a less serious charge, any of the following sanctions shall be imposed:

(a) Suspension from office without salary and other benefits for not less than one (1) month nor more than six (6) months; or

(b) A fine of more than ₱35,000.00 but not exceeding ₱100,000.00.

The JIB's recommended penalty of suspension for six months and one day, however, is too lenient considering that her actions during the February 7, 2018 incident constitute more than one offense — Gross Insubordination and Simple Misconduct. More, respondent's act was done in public view and inevitably, diminished the dignity and adversely affected the image of the judiciary.

In her judicial affidavit⁷⁷ dated August 28, 2018, Tabujara declared that many people witnessed the incident, *i.e.*, personnel from the Bureau of Jail Management and Penology and Grace Segura, a court personnel of RTC Branch 41.⁷⁸ Tabujara was disgusted by the incident⁷⁹ and felt terrible because it only showed that respondent had no respect for Atty. Villaster.⁸⁰ She described the whole incident as scandalous because there were many people around when the incident happened.⁸¹

In view, however, of respondent's more than 31 years of service in judiciary, and the fact that this is her first offense,⁸² the Court deems it proper not to impose the ultimate penalty of dismissal from service in order to give respondent a chance to mend her ways.⁸³

WHEREFORE, Melinda T. Robles, Legal Researcher, Branch 45, Regional Trial Court, Bacolod City, Negros Occidental, is hereby declared administratively **GUILTY** of Gross Insubordination and Simple Misconduct.

Following the amended provisions of Rule 140 of the Rules of Court, as amended, Melinda T. Robles is **SUSPENDED** from office for one (1) year with a stern warning that a repetition of the same or similar acts will be dealt with more severely.

Let a copy of this Resolution be reflected in the permanent employment record of Melinda T. Robles.

SO ORDERED.”

By authority of the Court:

Misael Domingo C. Battung III
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court
2023 4-4-23

⁷⁷ *Rollo*, pp. 264-271.

⁷⁸ *Id.* at 268.

⁷⁹ *Id.*

⁸⁰ *Id.* at 269.

⁸¹ *Id.*

⁸² *Id.* at 119.

⁸³ See *Office of the Court Administrator v. Jotic*, 593 Phil. 8 (2008).

Clerk of Court VI
REGIONAL TRIAL COURT
Branch 43, Bacolod City
6100 Negros Occidental

Ms. Melinda T. Robles
Legal Researcher
REGIONAL TRIAL COURT
Branch 45, Bacolod City
6100 Negros Occidental

Hon. Philadelfa B. Pagapong-Agraviador
Presiding Judge
REGIONAL TRIAL COURT
Branch 43, Bacolod City
6100 Negros Occidental

Hon. Raul Bautista Villanueva
Court Administrator
OFFICE OF THE COURT ADMINISTRATOR
Supreme Court, Manila

Hon. Jenny Lind R. Aldecoa-Delorino
Hon. Leo T. Madrazo
Deputy Court Administrators
OFFICE OF THE COURT ADMINISTRATOR
Supreme Court, Manila

Hon. Lilian C. Barribal-Co
Hon. Maria Regina Adoracion Filomena M. Ignacio
Assistant Court Administrators
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