



Republic of the Philippines  
Supreme Court  
Manila

*EN BANC*

**CONCERNED LAWYERS OF  
BULACAN,**

Complainant,

- versus -

**PRESIDING JUDGE  
VICTORIA VILLALON-  
PORNILLOS, ETC.,**  
Respondent.

**RE: PETITION FOR JUDICIAL  
CLEMENCY OF THEN JUDGE  
VICTORIA VILLALON-  
PORNILLOS.**

**A.M. No. RTJ-09-2183**

Present:

SERENO, *C.J.*, Chairperson,  
CARPIO,  
VELASCO, JR.,\*  
LEONARDO-DE CASTRO,\*\*  
PERALTA,  
BERSAMIN,  
DEL CASTILLO,  
MENDOZA,  
REYES,  
PERLAS-BERNABE,  
JARDELEZA,  
LEONEN, and  
CAGUIOA, *JJ.*

Promulgated:

February 14, 2017

*H. P. Mangon-Prerna*

X-----X

**RESOLUTION**

***PER CURIAM:***

For resolution is a petition for judicial clemency filed by Victoria Villalon-Pornillos (respondent), former Presiding Judge of the Regional Trial Court, Branch 10, Malolos City, Bulacan, through a letter<sup>1</sup> dated December 28, 2016.

\* No part.

\*\* No part.

<sup>1</sup> *Rollo*, pp. 192-196.

### The Facts

On July 7, 2009, the Court rendered a Decision,<sup>2</sup> dismissing respondent from service, after having been found guilty of gross misconduct, *i.e.*, borrowing money from a lawyer in a case pending before her court, aggravated by undue delay in rendering decisions or orders, and violation of Supreme Court rules, directives, and circulars. The dispositive portion of the subject Decision reads:

**WHEREFORE**, Judge Victoria Villalon-Pornillos, Presiding Judge of Branch 10 of the Regional Trial Court of Malolos City, is found guilty of violating paragraph 7, Section 8, Rule 140 of the Rules of Court (borrowing money from a lawyer in a case pending before her court) which is also a gross misconduct constituting violation of the Code of Judicial Conduct, aggravated by, *inter alia*, undue delay in rendering decision or orders, and violation of Supreme Court rules, directives and circulars. She is **DISMISSED** from the service, with forfeiture of all retirement benefits, except accrued leave credits, with prejudice to re-employment in any government agency or instrumentality. Immediately upon service on her of this decision, she is deemed to have vacated her office and her authority to act as judge is considered automatically terminated.

SO ORDERED.<sup>3</sup>

On August 8, 2016, respondent filed a Petition for Absolute Pardon from 'Dismissal from the Service Sentence'<sup>4</sup> accompanied by a letter<sup>5</sup> dated August 4, 2016 addressed to the Office of the President (OP), which was referred to the Office of the Court Administrator (OCA), for appropriate action.<sup>6</sup> In a Resolution<sup>7</sup> dated November 8, 2016, the Court denied the said petition for being an improper pleading.

Meanwhile, on November 3, 2016, respondent also filed a letter<sup>8</sup> addressed to the OCA, informing the OP's transmittal of her petition for judicial clemency to the Court, and requesting that the same be subject for judicial review and, consequently, the subject Decision be reversed in her favor. The Court, in a Resolution<sup>9</sup> dated November 29, 2016, noted the said letter without action.

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<sup>2</sup> Id. at 2-23.

<sup>3</sup> Id. at 22.

<sup>4</sup> Id. at 119-134.

<sup>5</sup> Id. at 136-146.

<sup>6</sup> See letter dated September 5, 2016 of Acting Deputy Executive Secretary for Legal Affairs Ryan Alvin R. Acosta; *id.* at 44.

<sup>7</sup> Id. at 115.

<sup>8</sup> Id. at 117.

<sup>9</sup> Id. at 189-190.

*J. Villalon-Pornillos*

On December 28, 2016, respondent filed another letter,<sup>10</sup> reiterating her plea for judicial clemency. Respondent insists that she has endured almost eight (8) years of unfounded punishment as the charges and findings against her were based on mere gossip.<sup>11</sup> Likewise, she cites the Court's exoneration of former President Gloria Macapagal Arroyo, begging that the same privilege be extended to her in the spirit of Christmas.<sup>12</sup>

### The Court's Ruling

Judicial clemency is an act of mercy removing any disqualification from the erring judge.<sup>13</sup> It can be granted only if there is a showing that it is merited; **thus, proof of reformation and a showing of potential and promise are indispensable.**<sup>14</sup>

Proof of remorse and reformation is one of the requirements to grant judicial clemency. As held by the Court in *Re: Letter of Judge Augustus C. Diaz, Metropolitan Trial Court of Quezon City, Branch 37, Appealing for Judicial Clemency*:<sup>15</sup>

1. There must be **proof of remorse and reformation**. These shall include but should not be limited to certifications or testimonials of the officer(s) or chapter(s) of the Integrated Bar of the Philippines, judges or judges associations and prominent members of the community with proven integrity and probity. A subsequent finding of guilt in an administrative case for the same or similar misconduct will give rise to a strong presumption of non-reformation.
2. Sufficient time must have lapsed from the imposition of the penalty to ensure a period of reformation.
3. The age of the person asking for clemency must show that he still has productive years ahead of him that can be put to good use by giving him a chance to redeem himself.
4. There must be a showing of promise (such as intellectual aptitude, learning or legal acumen or contribution to legal scholarship and the development of the legal system or administrative and other relevant skills), as well as potential for public service.
5. There must be other relevant factors and circumstances that may justify clemency.<sup>16</sup> (Emphasis supplied)

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<sup>10</sup> Id. at 192-196.

<sup>11</sup> See id. at 192, 194-195.

<sup>12</sup> Id. at 194-195.

<sup>13</sup> See Resolution in *OCA v. Caballero*, A.M. No. P-05-2064, January 12, 2016.

<sup>14</sup> *Re: Letter of Judge Augustus C. Diaz, MTC-QC, Br. 37, Appealing for Judicial Clemency*, 560 Phil. 1, 5 (2007); emphasis and underscoring supplied.

<sup>15</sup> Id.

<sup>16</sup> Id. at 5-6, citations omitted.

*Re: Letter of Judge Augustus C. Diaz*

In this case, records are bereft of showing that respondent has exhibited remorse for her past misdeeds, which occurred more than eight (8) years ago. Apart from respondent's submission to the Court's disciplinary authority, there were no signs of repentance showing that at the very least, she accepted the judgment of the Court in her case. In fact, she even sees nothing wrong with her actions. In her petition, respondent narrates that she "stood her ground against offers of bribery for her to agree to issue orders that would give a go signal to the anomalous Bullet Train Project of Gloria Macapagal Arroyo."<sup>17</sup> She even touts herself as a judge who committed "honest acts and deeds,"<sup>18</sup> and submits that the only way to give her justice is through absolute pardon.<sup>19</sup> In this relation, she firmly insists that she was unduly deprived of her fundamental rights under the constitution when she was unceremoniously disrobed, raising doubts as to the integrity and impartiality of the court process.

Likewise, respondent points out that the charge of borrowing money from a litigant, for which she was dismissed, occurred more than fourteen (14) years ago and, at that time, she had a very "slim chance"<sup>20</sup> of borrowing money since: (a) her "salary as a judge was substantially big enough compared against other employees or lawyers or businessman";<sup>21</sup> and (b) both her parents are lawyers who left her "substantial real and personal property that would easily be sufficient for her and her children to live for a lifetime."<sup>22</sup> She claims the same of her late husband who was "well-off" and landed thus, making the act imputed against her unbelievable.<sup>23</sup>

Far from exhibiting remorse and reformation, the tenor of respondent's petition only demonstrates her attitude of impenitence, self-righteousness, and even, vindictiveness, which unquestionably renders her undeserving of judicial clemency. Neither did she show compliance with the other requisites for judicial clemency as cited above. Accordingly, there is no quibble that the instant petition should be denied.

The Court, in numerous cases, has come down hard and wielded the rod of discipline against members of the judiciary who have fallen short of the exacting standards of judicial conduct.<sup>24</sup> Judicial clemency is not a privilege or a right that can be availed of at any time,<sup>25</sup> as the Court will grant it only if there is a showing that it is merited.<sup>26</sup> Verily, clemency, as an act of mercy removing any disqualification, should be balanced with the preservation of public confidence in the courts.<sup>27</sup>

<sup>17</sup> *Rollo*, p. 46.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at 59.

<sup>20</sup> *Id.* at 50.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.* at 50-51.

<sup>23</sup> *Id.* at 51.

<sup>24</sup> *Ali v. Pacalna*, 722 Phil. 112, 117 (2013).

<sup>25</sup> See Resolution in *OCA v. Caballero*, supra note 13.

<sup>26</sup> *Ali v. Pacalna*, supra note 24, at 118.

<sup>27</sup> *Id.*

*gfp/pindog on - stone*

**WHEREFORE**, the petition for judicial clemency is **DENIED**.

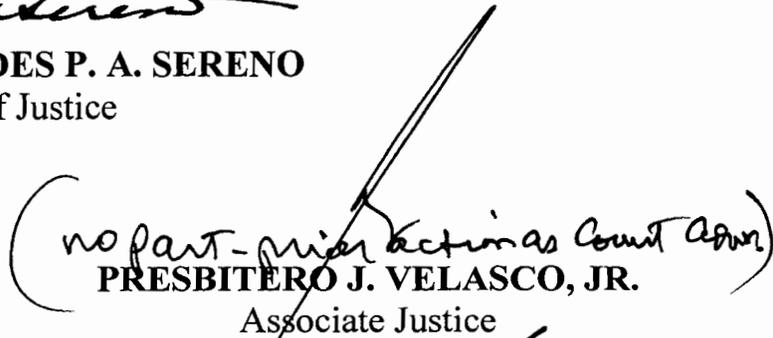
**SO ORDERED.**



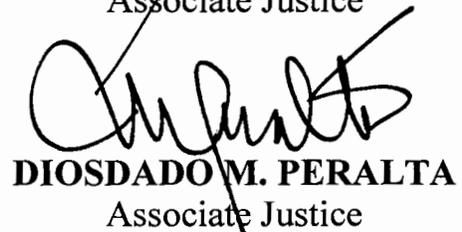
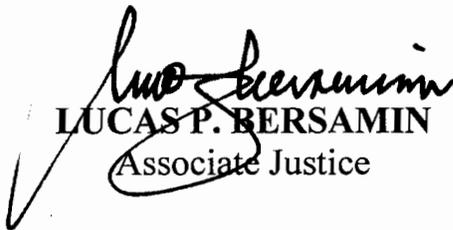
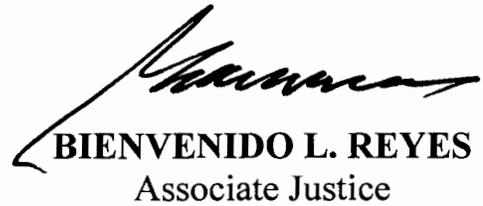
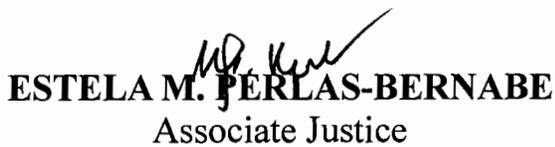
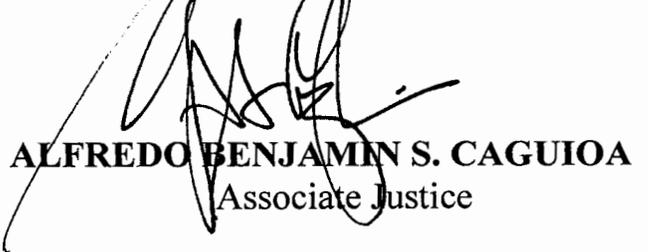
**MARIA LOURDES P. A. SERENO**  
Chief Justice

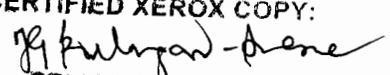


**ANTONIO T. CARPIO**  
Associate Justice

*(no part - prior actions Court approved)*  
  
**PRESBITERO J. VELASCO, JR.**  
Associate Justice

*No part:*  
*Teresito Leonardo de Castro*  
**TERESITA J. LEONARDO-DE CASTRO**  
Associate Justice

  
**DIOSDADO M. PERALTA**  
Associate Justice  
**LUCAS P. BERSAMIN**  
Associate Justice  
**MARIANO C. DEL CASTILLO**  
Associate Justice  
**JOSE CATRAL MENDOZA**  
Associate Justice  
**BIENVENIDO L. REYES**  
Associate Justice  
**ESTELA M. PERLAS-BERNABE**  
Associate Justice  
**MARVIC M. V. F. LEONEN**  
Associate Justice  
**FRANCIS H. JARDELEZA**  
Associate Justice  
**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice

**CERTIFIED XEROX COPY:**  
  
**FELIPA B. ANAMA**  
CLERK OF COURT, EN BANC  
SUPREME COURT

