



Republic of the Philippines
Supreme Court
Manila

EN BANC

RE: LETTER OF RAFAEL
DIMAANO REQUESTING
INVESTIGATION OF THE
ALLEGED ILLEGAL
ACTIVITIES PURPORTEDLY
PERPETRATED BY
ASSOCIATE JUSTICE JANE
AURORA C. LANTION OF
THE COURT OF APPEALS,
CAGAYAN DE ORO CITY,
and a CERTAIN ATTY.
DOROTHY S. CAJAYON
OF ZAMBOANGA CITY

A.M. No. 17-03-03-CA

X ----- X

RE: UNSWORN COMPLAINT
OF ROSA ABDULHARAN
AGAINST ASSOCIATE
JUSTICE JANE AURORA C.
LANTION OF THE COURT
OF APPEALS, CAGAYAN DE
ORO CITY, and a CERTAIN
ATTY. DOROTHY S. CAJAYON
OF ZAMBOANGA CITY

IPI No. 17-258-CA-J

Present:

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

Promulgated:

July 11, 2017

X ----- X

RESOLUTION

MENDOZA, J.:

Before the Court are two (2) Letter-Complaints filed by Rosa Abdulharan (*Abdulharan*) and Rafael Dimaano (*Dimaano*) charging Justice

* On Official Leave.

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Jane Aurora C. Lantion (*Justice Lantion*), Court of Appeals, Cagayan de Oro City (*CA-CDO*) and Atty. Dorothy Cajayon (*Atty. Cajayon*) with selling a favorable decision.

The Antecedents

In a Letter,¹ dated September 12, 2016, filed before the Office of the President (*OP*), Abdulharan alleged that Atty. Cajayon was making business out of the sufferings of poor litigants by telling the parties with a pending case before the CA-CDO to prepare money because Justice Lantion was giving a “favorable decision if the price is right.”

Another Letter,² dated November 14, 2016, was filed before the Department of Justice (*DOJ*) by Dimaano, requesting an investigation on the “consistent and incessant allegation of an existing syndicate of selling a favorable decision” from the CA-CDO purportedly committed by Atty. Cajayon and Justice Lantion.

The OP and the DOJ referred the letters to the Court, thru the Office of the Court Administrator (*OCA*), on December 13, 2016³ and on January 6, 2017,⁴ respectively. They were subsequently docketed as IPI No. 17-258-CA-J and A.M. No. 17-03-03-CA.

In a Resolution,⁵ dated April 4, 2017, the Court resolved to consolidate the two (2) cases and require Justice Lantion and Atty. Cajayon to comment thereon.

Comment of Atty. Cajayon

In her Answer/Comment,⁶ Atty. Cajayon specifically averred that:

x x x x

6. While the undersigned did not receive a copy of the letters/complaints referred to in A.M. No. 16-12-03-CA and IPI No. 17-248-CA-J, the Honorable Court *en banc* is most respectfully informed that the undersigned does not know complainants Lucena Ofendoreyes, Sylvia Adante, Rosa

¹ *Rollo* (IPI No. 17-258-CA-J), p. 4.

² *Rollo* (A.M. No. 17-03-03-CA), pp. 4-5.

³ Letter, dated November 3, 2016, *rollo* (IPI No. 17-258-CA-J), p. 3.

⁴ Indorsement, dated January 3, 2017, *rollo* (A.M. No. 17-03-03-CA), p. 3.

⁵ *Rollo* (IPI No. 17-258-CA-J), pp. 5-6; *rollo* (A.M. No. 17-03-03-CA), pp. 7-8.

⁶ *Rollo* (IPI No. 17-258-CA-J), pp. 7-13.

Abdulhasan, and Rafael Dimaano. She has not, in the course of her 13 years of service as a public prosecutor of Zamboanga City and 16 years as a private lawyer, dealt with the aforementioned complainants.

7. Dealings, whether in consultation with a view to an attorney-client relationship, or in any other capacity, with the aforementioned complainants are likewise nil.
8. The undersigned is engaged in the practice of law primarily in Zamboanga City; however, she has not had the occasion of having any appealed case filed before the division of the Court of Appeals, Cagayan de Oro City where respondent Associate Justice Jane Aurora Lantion sits as a member.
9. There is never an occasion, too, when the undersigned is consulted about an appealed case pending before a division of the same Court of Appeals station where Respondent Associate Justice Lantion sits as a member.
10. The undersigned pleads innocent of the charges of the complainants primarily because she has not in any form or manner associated, been consulted on a matter or related with the complainants and second, even if there be any association, consultation or relation with the said complainants, the undersigned does not and has never proposed to bribe or in any way corrupt a public officer or a magistrate, in order to obtain a favorable resolution of a case. The allegation that the undersigned sells cases to the highest payment that is given is, thus, a blatantly impossible claim.
11. The undersigned, in her 29 years of practice, has taken every step towards maintaining and contributing to the high standard of moral fitness required of the profession; and, ensuring that the respect to our justice system is upheld.
12. The undersigned, in both her professional and personal capacity, has consistently lived a life becoming of an officer of the law. She has not engaged in illegal gambling, as claimed by complainant Abdulhasan, or in any activity proscribed by law.
13. Associate Justice Lantion is the undersigned's underclasswoman at the College of Law of the Ateneo de Manila University where respondent graduated in 1974. As schoolmates and later as members of the legal profession, Associate Justice Lantion and the undersigned have not associated with each other, professionally or personally. It is thus humbly and respectfully pointed out that the complainants' allegations of systematic practice of corruption and illicit activities being perpetrated with Associate Justice Lantion, or by one in connivance with the other, is implausible.

14. With due respect to the Honorable Court *en banc*, the undersigned is at a loss considering that the alleged letters/complaints of Adante and Ofrendoreyes were not attached to the respective Notices for their complaints; and, as regards the complaints of Dimaano and Abdulhasan, the averments are not substantial enough to afford her a proper and thorough response to each of the alleged wrongdoings imputed to her and Associate Justice Lantion.
15. To the undersigned, the complainants' allegations are only intended to injure the reputation which she has painstakingly built and preserved in her practice of the legal profession.⁷

Comment of Justice Lantion

On her part, Justice Lantion vehemently denied the charges and averred that the allegations were false, malicious and bereft of substance and factual basis. She stressed that the unsworn letters were too sweeping and replete with generalizations and not supported by proof or leads. Justice Lantion averred that she was born in Manila where she grew up. She was assigned only in the CA-CDO for two and a half years from February 2007 to August 2009 and within that short period of time, it was highly improbable for her to gain connections to engage in the nefarious scheme that Abdulharan and Dimaano maliciously implied. In addition, Justice Lantion asserted that the complaints were questionable as they were filed after the lapse of almost eight (8) years from the time she was transferred to CA-Manila. Finally, she denied knowing Atty. Cajayon, explaining that though she encountered a person by the name of Dorothy Sandalo in law school, she had no personal knowledge if Dorothy Sandalo and Atty. Cajayon are one and the same person. Further, she did not have any personal or professional interaction with Dorothy Sandalo or Atty. Cajayon after law school and up to the present.⁸

The Court finds the letter-complaints bereft of merit.

The Court's Ruling

Section 1, Rule 140 of the Rules of Court provides:

⁷ Id. at 9-11.

⁸ Comment, dated June 9, 2017, *rollo* (IPI No. 17-258-CA-J), pp. 16-22.

SECTION 1. *How instituted.* Proceedings for the discipline of Judges of regular and special courts and Justices of the Court of Appeals and the *Sandiganbayan* may be instituted *motu proprio* by the Supreme Court or upon a verified complaint, supported by affidavits of persons who have personal knowledge of the facts alleged therein or by documents which may substantiate said allegations, or upon an anonymous complaint, supported by public records of indubitable integrity. The complaint shall be in writing and shall state clearly and concisely the acts and omissions constituting violations of standards of conduct prescribed for Judges by law, the Rules of Court, or the Code of Judicial Conduct.

From the foregoing, there are three ways by which administrative proceedings against judges and justices of the CA and Sandiganbayan may be instituted: (1) *motu proprio* by the Supreme Court; (2) **upon verified complaint with affidavits of persons having personal knowledge of the facts alleged therein or by documents which may substantiate said allegations**; or (3) upon an anonymous complaint supported by public records of indubitable integrity.⁹

In the same vein, Section 1, Rule 139-B of the Rules of Court provides the manner for which a complaint against a lawyer may be instituted, thus:

Section 1. *How instituted.* Proceedings for the disbarment, suspension, or discipline of attorneys may be taken by the Supreme Court *motu proprio*, or by the Integrated Bar of the Philippines (IBP) upon the verified complaint of any person. The complaint shall state clearly and concisely the facts complained of and shall be supported by affidavits of persons having personal knowledge of the facts therein alleged and/or by such documents as may substantiate said facts. [Underscoring supplied]

The verification of a pleading is made through an affidavit or sworn statement confirming that the affiant has read the pleading whose allegations are true and correct of the affiant's personal knowledge or based on authentic records.¹⁰ The rationale behind the rule is to secure an assurance that what are alleged in the pleading are true and correct and not the product

⁹ *Sinsuat v. Judge Hidalgo*, 583 Phil. 38, 47 (2008).

¹⁰ *Valmonte v. Alcala*, 581 Phil. 505, 512 (2008).

of the imagination or a matter of speculation, and that the pleading is filed in good faith.¹¹

Generally, a pleading need not be verified, unless there is a law or rule specifically requiring the same. A pleading required to be verified but lacks proper verification, is to be treated as an unsigned pleading which produces no legal effect.¹²

In administrative proceedings, the quantum of proof necessary for a finding of guilt is substantial evidence or that amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion.¹³ It must be stressed that the burden of substantiating the charges in an administrative proceeding falls on the complainant, who must be able to prove the allegations in the complaint with substantial evidence.¹⁴ Reliance on mere allegations, conjectures and suppositions will leave an administrative complaint with no leg to stand on.¹⁵

In this case, not only are the two handwritten letter-complaints unverified, they are also unsupported by any affidavits or documents which would validate the charges against the respondents. Even if the Court sets aside technicality, the handwritten letters of the complainants are couched in general terms that contain no material, relevant and substantial allegation to support the accusation of continuous and widespread selling of a favorable decision in CA-CDO. The complainants failed to aver specific acts or to present proof to show that Justice Lantion and Atty. Cajayon were in cahoots and involved in the continuous and widespread selling of a favorable decision in CA-CDO. Moreover, the Court notes that these allegations/reports were filed after the lapse of seven (7) years from the time Justice Lantion was transferred to CA-Manila. Indeed, if Justice Lantion and Atty. Cajayon should be disciplined for a grave offense, the evidence against them should be competent and should be derived from direct knowledge.¹⁶

¹¹ *Pajuyo v. Court of Appeals*, 474 Phil. 557, 577 (2004).

¹² 1997 Rules of Court, Rule 7, Section 4, as amended by A.M. No. 00-2-10-SC, effective May 1, 2000.

¹³ *Complaint of Imelda D. Ramil against Stenographer Evelyn Antonio*, 552 Phil. 92, 100 (2007).

¹⁴ *Dayag v. Judge Gonzales*, 526 Phil. 48, 57 (2006).

¹⁵ *Alfonso v. Ignacio*, 487 Phil. 1, 7 (2004).

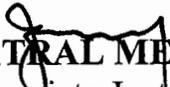
¹⁶ *Id.*

Hence, in the case of *Diomampo v. Judge Alpajora*,¹⁷ the Court held that:

It must be stressed that any administrative complaint leveled against a judge must always be examined with a discriminating eye, for its consequential effects are by their nature highly penal, such that the respondent stands to face the sanction of dismissal and/or disbarment. Thus, the Court cannot give credence to charges based on mere suspicion and speculation. As champion – at other times tormentor – of trial and appellate judges, this Court must be unrelenting in weeding the judiciary of unscrupulous judges, but it must also be quick in dismissing administrative complaints which serve no other purpose than to harass them. While it is our duty to investigate and determine the truth behind every matter in complaints against judges and other court personnel, it is also our duty to see to it that they are protected and exonerated from baseless administrative charges. The Court will not shirk from its responsibility of imposing discipline upon its magistrates, but neither will it hesitate to shield them from unfounded suits that serve to disrupt rather than promote the orderly administration of justice. When the complainant, as in the case at bar, relies on mere conjectures and suppositions and fails to substantiate her claim, the administrative complaint must be dismissed for lack of merit.¹⁸

WHEREFORE, the complaints against respondents Justice Jane Aurora C. Lantion, Court of Appeals, Cagayan de Oro City and Atty. Dorothy S. Cajayon are hereby **DISMISSED**.

SO ORDERED.


JOSE CATRAL MENDOZA
Associate Justice

¹⁷ 483 Phil. 560 (2004).

¹⁸ Id. at 565-566.

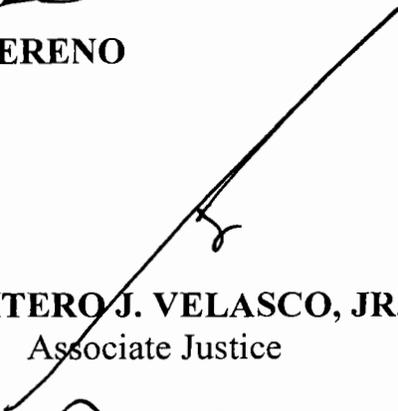
WE CONCUR:



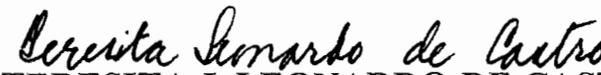
MARIA LOURDES P. A. SERENO
Chief Justice



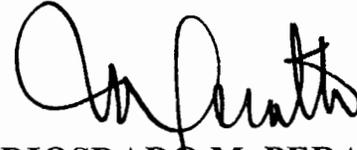
ANTONIO T. CARPIO
Associate Justice



PRESBITERO J. VELASCO, JR.
Associate Justice



TERESITA J. LEONARDO-DE CASTRO
Associate Justice



DIOSDADO M. PERALTA
Associate Justice

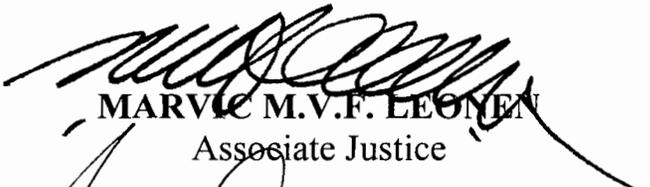


LUCAS P. BERSAMIN
Associate Justice

(On Official Leave)
MARIANO C. DEL CASTILLO
Associate Justice

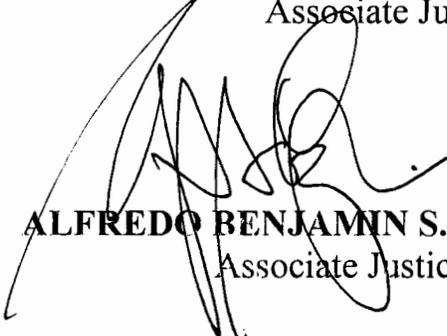


ESTELA M. PERLAS-BERNABE
Associate Justice



MARVIC M.V.F. LEONEN
Associate Justice

(On Official Leave)
FRANCIS H. JARDELEZA
Associate Justice



ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

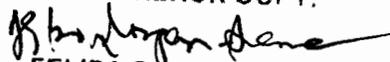


SAMUEL R. MARTIRES
Associate Justice



NOEL C. TIJAM
Associate Justice

CERTIFIED XEROX COPY:



FELIPA B. ANAMA
CLERK OF COURT, EN BANC
SUPREME COURT

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