

MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 335

**IMPOSING THE PENALTY OF DISMISSAL FROM SERVICE WITH FORFEITURE OF RETIREMENT AND GRATUITY BENEFITS UNDER THE LAW ON ATTORNEY NEREO C. NUÑEZ, REGISTER OF DEEDS OF OZAMIZ CITY**

This refers to the 31 July 1995 administrative complaint for grave misconduct filed *motu proprio* by the Land Registration Authority (LRA) against Atty. Nereo C. Nuñez, Register of Deeds of Ozamiz City for his failure to account, for among others, three hundred (300) pieces of blank land title forms.

The records show that on 01 December 1993, Atty. Nuñez personally received from the Land Registration Authority, Property Section, three hundred (300) pieces of Judicial Forms 109 and 109-D bearing serial numbers 2940901 to 2941200, one typewriter, three (3) staplers and carbon papers. Said items were not turned over by Atty. Nuñez to the Ozamiz City Registry of Deeds, as confirmed by the 17 May 1995 letter of Acting Register of Deeds Libby S. Tan. This was later validated by the failure of Atty. Nuñez to mention the 300 forms in his January to December 1994 Report on Judicial Forms which submitted to the LRA Central Office.

On 05 June 1995, the Chief of the LRA Inspection and Investigation Division formally requested respondent to account for the missing forms. Despite receipt of the letter, no explanation was submitted by the respondent.

On 31 July 1995, the present charge against the respondent was raised by LRA Administrator Reynaldo Maulit. Two "show-cause" directives were sent to respondent requiring him to explain his failure to account for the forms and supplies he received. He was warned that his failure to answer will be deemed a waiver of his right to a hearing and the case deemed submitted for appropriate action. Again, notwithstanding receipt of the second notice, respondent failed to respond.

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The evidence gathered during the investigation established the illegal and fraudulent use by the respondent of the land title forms which he received.

Atty. Libby Tan submitted on 25 July 1995, four copies of certificates of title nos. T-17915, T-20404, T-20566 and T-20249 issued and signed by the respondent and which bear serial nos. 2940918, 2940925, 2940973 and 2940967, respectively. Said serial numbers are among the missing 300 land title-forms.

The falsity of the foregoing alleged certificates of titles was confirmed by the certified genuine copies of the four Transfer Certificate of Titles submitted by Records Officer Adelina A. Chiong.

Following are the titles issued by the respondent using the missing serial numbers vis-à-vis the regularly issued serial numbers:

1. TCT No. 17915

SN 2940918 (Missing form)	:	SN 2859414
Registered Owner: Purissima Habel	:	Registered Owner: Compressed Air Machines and Equipment Corporation
Lot No. 3255-C-1 Plan (LRC) Psd 258636 Area: 944 sq. m.	:	Lot No. 16-B Plan (LRC) Psd-135744 Area: 35,091 sq. m.

2. TCT No. T-20404

SN 2940925 (Missing form)	:	SN 3260522
Registered Owner: Helen Medina	:	Registered owner: Antero Roa
Lot No. 3259-D-4 Plan Psd-10-005615 Area: 325 sq. m.	:	Lot No. 1105-B-2 Plan (LRC) Psd-10-888094 Area: 2,452 sq. m.

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3. TCT No. T-20566

SN 2940973 (Missing form)	:	SN 3533822
Registered Owner: Regina Tenchavez	:	Registered Owner: Dante Bandoles
Lot No. 5433-C Plan Psd-10-0088885 Area: 640 sq. m.	:	Lot No. 1333-B-2-F-4 Plan Psd-10-020695 Area: 200 sq. m.

4. TCT No. T-20249

SN 2940967 (Missing form)	:	SN 3260392
Registered Owner Rufina Cabrera-Castro	:	Registered Owner: Eugene L. Lim
Lot No. 966-A Plan Psd-10-021735 Area: 642 sq. m.	:	Lot No. 3020-A Plan (LRC) Psd-10-021607 Area: 8,726 sq. m.

As further proof of the spurious nature of the transactions, the titles issued in the names of Habel, Medina, Tenchavez and Cabrera-Castro are not supported by the records of the Ozamiz City Registry of Deeds, particularly the Primary Book for Act 496.

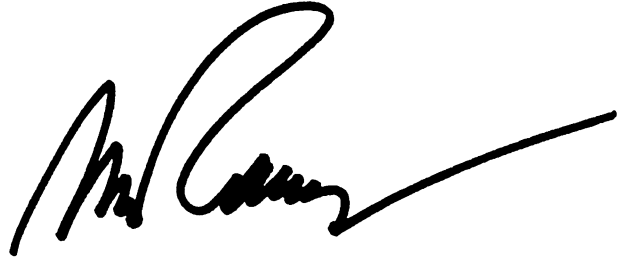
The records, therefore, provide sufficient basis to conclude that respondent, taking advantage of his position, used the aforementioned four title forms in perpetrating fraud. By said acts, respondent committed a serious breach of his duties as Register of Deeds. The damage which the same has wrought on the integrity of our Torrens system is grave and clearly militates against his continued stay in the service.

In view of the foregoing, and upon the recommendation of the Department of Justice, respondent Nereo C. Nuñez is found guilty of grave misconduct. Accordingly, respondent is hereby **DISMISSED** from service, with forfeiture of retirement and gratuity benefits under the law.

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Let the records of this case be furnished to the Office of the Ombudsman for the conduct of proper criminal investigation against respondent Nuñez.

**DONE** in the City of Manila, this 19th day of May in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

A large, stylized handwritten signature in black ink, likely belonging to the President mentioned in the text below.

By the President:

A handwritten signature in black ink, appearing to be 'R. D. Torres', with a long horizontal stroke extending to the right.

**RUBEN D. TORRES**  
Executive Secretary