



Republic of the Philippines
Supreme Court
 Manila

EN BANC

MARY ELIZABETH ORTIGA TY, **G.R. No. 257342**

Petitioner, Present:

GESMUNDO, C.J.,*
 LEONEN,*
 CAGUIOA,
 HERNANDO,**
 LAZARO-JAVIER,
 INTING,
 ZALAMEDA,
 LOPEZ, M.,
 GAERLAN,
 ROSARIO,**
 LOPEZ, J.,
 DIMAAMPAO,
 MARQUEZ,
 KHO, JR., and
 SINGH, J.

- versus -

**HOUSE OF REPRESENTATIVES
 ELECTORAL TRIBUNAL
 (HRET) and PROSPERO
 ARREZA PICHAY, JR.,**
Respondents.

Promulgated:

April 25, 2023

X-----*[Signature]*-----X

DECISION

SINGH, J.:

This is a Petition for *Certiorari*¹ under Rule 65 of the Rules of Court filed by Mary Elizabeth Ortiga Ty, assailing the Resolution,² dated February

* No part.

** On Leave.

¹ *Rollo*, pp. 3-46.

² Id. at 47-57. Penned by House of Representatives (HOR) Member Resurreccion M. Acop and signed by Associate Justice Rosemari D. Carandang (now a Retired Member of the Court) and HOR Members

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11, 2021, and the Resolution,³ dated July 29, 2021, of the House of Representatives Electoral Tribunal in HRET Case No. 19-009 (QW), for having been issued with grave abuse of discretion. The first assailed Resolution dismissed the Petition for *Quo Warranto* filed by Mary Elizabeth Ortiga Ty against Prospero Arreza Pichay, Jr. The dismissal, however, is without prejudice to the outcome of the Supreme Court's Decision in *Pichay, Jr. v. Tutol*.⁴ The second assailed Resolution denied the petitioner's Motion for Reconsideration.

The Facts

The Local Water Utilities Administration (LWUA) is a government owned and controlled corporation created under Presidential Decree No. 198. It primarily serves as a specialized lending institution for the promotion, development, and financing of local water utilities.⁵ On September 23, 2008, the LWUA Board of Trustees, of which Prospero Arreza Pichay, Jr. (**Pichay, Jr.**) is the Chairman, adopted and issued Board Resolution No. 145 for the establishment of a "Water Development Bank."⁶

Pichay, Jr. sought legal advice from the Office of the Government Corporate Counsel (OGCC) regarding the proposed creation of the "Water Development Bank." The OGCC opined that the creation of a "Water Development Bank" is within the corporate powers of the LWUA, albeit, subject to review by the Department of Finance (DOF) and approval of the President of the Philippines. The OGCC added that the creation should be in compliance with applicable banking laws, rules, and regulations.⁷

Due to the existing moratorium in the establishment of a new bank, the Banko Sentral ng Pilipinas (BSP) suggested that the LWUA may instead consider acquiring an existing financing company, and thereafter apply for a quasi-banking authority from the BSP.⁸ Later, the BSP also informed Pichay, Jr. that the LWUA may be allowed to own only up to 60% of the voting stock of a domestic bank. Moreover, prior approval of the Monetary Board is required on any sale or transfer (or a series thereof) which: (1) results in ownership and control of more than 20% of the voting stock of a bank by any natural or juridical person or which will enable such person to elect, or be elected as a director of such bank, and (2) will effect a change in the majority

Dale R. Malapitan, Vincent J. Garcia, Lawrence Lemuel H. Fortun and Henry R. Villarica. Associate Justice and then Chairperson of the House of Representatives Electoral Tribunal (HRET) Marvic MVF. Leonen, joined by Associate Justice (now the sitting Chief Justice of the Court) Alexander G. Gesmundo dissented. Representative Abdullah D. Dimaporo was on official mission.

³ Id. at 65-75.

⁴ G.R. Nos. 211515 & 236288, November 11, 2021.

⁵ Id.

⁶ *Rollo*, p. 108, CA Decision in CA-G.R. SP No. 127341 dated October 23, 2013.

⁷ Id.

⁸ Id. at 109, CA Decision in CA-G.R. SP No. 127341 dated October 23, 2013.

ownership or control of the voting stock of the bank from one group of persons to another group.⁹

Thus, the LWUA, through a board resolution, proceeded to acquire 60% of the outstanding shares of Express Savings Bank, Inc. (ESBI) in the amount of ₱780,000,000.00. After the BSP was formally notified by Pichay, Jr. of the acquisition, the BSP replied reiterating that the acquisition, which resulted in a change in the majority ownership in ESBI, required prior Monetary Board approval. The BSP further asked for the required documents pertaining to the transfer of shares of ESBI.¹⁰

Subsequently, the DOF sent a letter to the BSP stating that the LWUA's proposed investment in ESBI is inconsistent with the "ongoing rationalization and streamlining of the government corporate sector and of the government bureaucracy as a whole."¹¹

Rustico B. Tutol, Luis DG. Estrada and Carmen F. Amores, all employees of the LWUA, filed before the Office of the Ombudsman (Ombudsman), a consolidated criminal and administrative complaint-affidavit, dated September 9, 2010, for "grave misconduct, violation of R.A. No. 6713, malversation, misappropriation of public funds in conjunction with R.A. No. 7080, and violation of R.A. No. 3019."¹²

The Ruling of the Ombudsman in OMB-C-A-10-0426-I

On July 4, 2011, the Ombudsman rendered a Decision¹³ in OMB-C-A-10-0426-I, which found Pichay, Jr., among others, guilty of grave misconduct and imposed upon him the penalty of dismissal from the service, with the accessory penalties of forfeiture of all benefits, except leave credits, and disqualification from holding any public office. The dispositive portion reads:

UNDER THE PREMISES, there being substantial evidence, **PROSPERO A. PICHAY, JR., DANIEL I. LANDINGIN, and WILFREDO M. FELEO**, are hereby found **GUILTY OF GRAVE MISCONDUCT**. The penalty of **DISMISSAL FROM THE SERVICE** is accordingly imposed against them pursuant to **Section 52-A, Rule IV of the Uniform Rules on Administrative Cases in the Civil Service**, with accessory penalties of forfeiture of all benefits, except leave credits, and disqualification to hold any public office.

⁹ Id.

¹⁰ Id. at 110.

¹¹ Id.

¹² *Pichay, Jr. v. Tutol*, G.R. No. 211515 & 236288, November 11, 2021.

¹³ *Rollo*, pp. 76-96.

With respect to **ATTY. ARNALDO M. ESPINAS**, the administrative case against him is **DISMISSED** for lack of substantial evidence.

This Order is **immediately executory** pursuant to Ombudsman Memorandum Circular No. 01, Series of 2006, in relation to paragraph 1, Section 27 of R.A. 6770, and Section 7, Rule III, Administrative Order No. 7, Rules of Procedure of the Office of the Ombudsman, *as amended*, and in accordance with the ruling of the Supreme Court in **Ombudsman vs. Joel Samaniego**.

Accordingly, let a copy of this Decision be furnished to the **Honorable Executive Secretary Paquito N. Ochoa Jr.** for the implementation hereof against **PROSPERO A. PICHAY, JR., DANIEL I. LANDINGIN, and WILFREDO M. FELEO**.

SO ORDERED.¹⁴ (Emphasis in the original; citations omitted)

Pichay, Jr. filed a Verified Motion for Reconsideration, dated July 8, 2011, which the Ombudsman denied in a Joint Order,¹⁵ dated August 1, 2011.

The Ruling of the Court of Appeals in CA-G.R. SP No. 127341

Aggrieved, Pichay, Jr. filed a Petition for Review under Rule 43 of the Rules of Court before the Court of Appeals (CA). The CA, in CA-G.R. SP No. 127341, affirmed the Decision of the Ombudsman in its Decision,¹⁶ dated October 23, 2013, and Resolution,¹⁷ dated February 24, 2014.¹⁸

The CA ruled that there was substantial evidence to prove that the acts complained of were inspired by an intention to violate the law, or constitute a flagrant disregard of established rules, and that the elements particular to grave misconduct were adequately proven.¹⁹

Subsequently, the CA Decision and Resolution were elevated to this Court in *Pichay, Jr. v. Tutol*, docketed as G.R. No. 211515.

¹⁴ Id. at 94-95.

¹⁵ Id. at 97-106.

¹⁶ Id. at 107-121. Penned by Associate Justice Amelita G. Tolentino and concurred in by Associate Justices Magdangal M. De Leon and Rodil V. Zalameda (now a Member of this Court).

¹⁷ Id. at 122-123.

¹⁸ Id. at 48, HRET Case No. 19-009 Resolution dated February 11, 2021.

¹⁹ Id. at 107-120, CA Decision in CA-G.R. SP No. 127341 dated October 23, 2013.



On November 24, 2015, the Ombudsman furnished the Commission on Elections (**COMELEC**) copies of its Decision, dated July 4, 2011, and Joint Order, dated August 1, 2011.²⁰

Thereafter, the Ombudsman issued the 1st Indorsement,²¹ dated December 19, 2015, referring its Decision and Joint Order in OMB-C-A-10-0426-I, to the COMELEC for immediate implementation of the accessory penalty of perpetual disqualification from holding public office imposed upon Pichay, Jr. The Ombudsman likewise advised the COMELEC that its Decision and Joint Order were upheld by the CA in CA-G.R. SP No. 127341.

The Ombudsman, likewise, issued its 1st Indorsement,²² dated July 14, 2016, referring to the House of Representatives (**HOR**) copies of the Ombudsman Decision, dated July 4, 2011, and Joint Order, dated August 1, 2011, as well as the CA Decision, dated October 23, 2013, for its appropriate action.

As for the criminal aspect of the case, the Sandiganbayan in SB-16-CRM-0425, SB-16-CRM-0426, SB-16-CRM-0427, and SB-16-CRM-0432, issued the Resolutions, dated October 18, 2016 and November 17, 2017, affirming with modifications the Ombudsman's Joint Resolution and Joint Order, thus upholding the finding of probable cause to charge Pichay, Jr., among others, "for three counts of violation of Sec. 3(e) of Republic Act (R.A.) No. 3019 and for violation of Section X126.2(c)(1)(2) of the Manual of Regulation for Banks in relation to Sections 36 and 37 of R.A. No. 7653."²³ These Resolutions were elevated to this Court in *Pichay, Jr. v. Sandiganbayan and People*, docketed as G.R. No. 236288. This was later on consolidated with the earlier case of *Pichay, Jr. v. Tutol*, G.R. No. 211515.

Nevertheless, on October 17, 2018, Pichay, Jr. filed his Certificate of Candidacy²⁴ (**COC**) for the position of Member of the HOR, 1st District of Surigao del Sur for the May 13, 2019 National and Local Elections.²⁵ In item no. 22 of his COC, in answer to the question "[h]ave you ever been found liable for an offense which carries with it the accessory penalty of perpetual disqualification to hold public office which has become final and executory?," Pichay, Jr. answered, "no."²⁶

²⁰ Id. at 351, Letter dated November 24, 2015.

²¹ Id. at 352, 1st Indorsement addressed to the COMELEC dated December 19, 2015.

²² Id. at 124 & 353, 1st Indorsement addressed to the HOR dated July 14, 2016.

²³ *Pichay, Jr. v. Tutol*, supra note 12.

²⁴ Id. at 230, Pichay Jr.'s Certificate of Candidacy dated October 17, 2018.

²⁵ Id. at 230, Certificate of Candidacy.

²⁶ Id.

This prompted Mary Elizabeth Ortiga Ty (**Ty**), who was also then a candidate for the same position of Member of the HOR, 1st District of Surigao del Sur, to file before the COMELEC a Petition to Deny Due Course and to Cancel Certificate of Candidacy²⁷ (**Petition to Deny Due Course**), dated November 11, 2018, praying for the cancellation of Pichay, Jr.'s COC for the position of Member of the HOR, 1st Legislative District of Surigao del Sur, "on the ground that material representation contained therein is false."²⁸

Meanwhile, on February 7, 2019, a case entitled *Murillo, Jr. v. Pichay, Jr.*²⁹ (**Murillo**), involving the same factual antecedents as the present case, which similarly sought to, among others, have Pichay, Jr. disqualified,³⁰ was decided by the House of Representatives Electoral Tribunal (**HRET**). The dispositive portion reads:

WHEREFORE, the instant petition is **DISMISSED WITHOUT PREJUDICE** for lack of merit, subject to the outcome of *Pichay, Jr. vs. Tutol, et al.*, G.R. No. 211515, before the Supreme Court and whatever actions that may later be instituted by the parties arising from the said Supreme Court case.³¹ (Emphasis in the original)

The HRET in *Murillo* ruled, among others, that the accessory penalty of perpetual disqualification is not immediately executory unlike the principal penalty of dismissal from the service.

While the Petition to Deny Due Course was pending before the COMELEC, Pichay, Jr. was proclaimed as the winning candidate on May 15, 2019.³²

On July 5, 2019, the COMELEC issued a Resolution,³³ denying the Petition to Deny Due Course filed by Ty.

On July 9, 2019,³⁴ Ty filed before the HRET an *Ad Cautelam* Petition for *Quo Warranto*³⁵ against Pichay, Jr.³⁶

²⁷ Id. at 125-136, Petition to Deny Due Course and to Cancel Certificate of Candidacy.

²⁸ Id. at 135.

²⁹ Id. at 468-480, HRET Case No. 16-008 Decision dated February 7, 2019.

³⁰ Id. at 470.

³¹ Id. at 479.

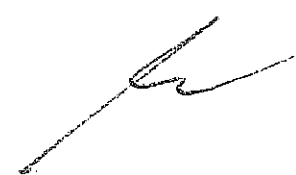
³² Id. at 231, Certificate of Canvass of Votes and Proclamation of Winning Candidates for Member, House of Representatives dated May 15, 2019.

³³ Id. at 48, Resolution dated February 11, 2021.

³⁴ Id. at 11, Petition for *Certiorari*.

³⁵ Id. at 202-226, *Ad Cautelam* Petition for *Quo Warranto* dated July 5, 2019.

³⁶ Id. at 48, HRET Case No. 19-009 Resolution dated February 11, 2021.



The Ruling of the HRET

On February 11, 2021, the HRET issued the first assailed Resolution,³⁷ dismissing the Petition for *Quo Warranto*, without prejudice:

WHEREFORE, premises considered, the instant petition for *quo warranto* is **DISMISSED WITHOUT PREJUDICE** to the outcome of the Supreme Court's decision in *Pichay, Jr. vs. Tutol, et al.*, G.R. 211515, and whatever actions that may later be instituted by the parties arising from such outcome.³⁸ (Emphasis in the original)

The HRET applied the principle of *stare decisis* in adopting its Decision in the case of *Murillo* to the case before it, since it involves the same issues and factual antecedents, albeit different petitioners.³⁹ While the HRET agreed with the settled rule that the decisions of the Ombudsman in administrative cases are immediately executory,⁴⁰ it, however, subscribed to the "legal theory," as it did in *Murillo*, that:

[T]he immediately executory nature of the decisions of the [Ombudsman] in administrative cases pertains only to the principal penalties of suspension or removal from public office, and not with respect to the accessory penalties, such as, cancellation of eligibility, forfeiture of retirement benefits, bar from taking the civil service exams and, especially the accessory penalty herein in issue, perpetual disqualification to hold public office, which eventually bars one to run for public office.⁴¹

In the first assailed Resolution, the HRET adopted the Separate Concurring Opinion⁴² of retired Senior Associate Justice Estela M. Perlas-Bernabe (**Justice Bernabe**) in the case of *Murillo*. She rationalized in *Murillo*, among others, that the imposition of an accessory penalty pending appeal would "not only affect a respondent's present term/tenure, but more so, spill-over to a term/tenure which she or he has not yet served, much more entered into."⁴³

Further, she opined that an Ombudsman ruling, which has not yet attained finality, should not be made to affect a positional expectancy. The "pending appeal rule" should only be deemed as a stop-gap measure to remove adjudged officials from their present posts. The application of the "pending

³⁷ Id. at 47-57, Resolution dated February 11, 2021.

³⁸ Id. at 55.

³⁹ Id. at 50.

⁴⁰ Id. at 50-51.

⁴¹ Id. at 52.

⁴² Id. at 496-502, Separate Concurring Opinion, J. Perlas-Bernabe in *Murillo*.

⁴³ Id. at 499, Resolution dated February 11, 2021, at 52, Separate Concurring Opinion, J. Perlas-Bernabe.

appeal rule” to the accessory penalty would deny the respondent the opportunity to run for or be appointed to any public office.⁴⁴

Ty’s Motion for Reconsideration was likewise denied:

WHEREFORE, premises considered, the Tribunal **DENIES** petitioner’s *Motion for Reconsideration* dated March 31, 2021, filed via email on even date, for lack of merit, and **NOTES** respondent’s Comment dated April 25, 2021, filed via email on even date.⁴⁵ (Emphasis in the original)

In the second assailed Resolution, the HRET refuted Ty’s assertion and justified that the first assailed Resolution is logically sound, based on equity, and in view of the law’s silence on the matter.⁴⁶

The HRET added that the Omnibus Election Code, or Batas Pambansa Blg. 881⁴⁷ (**B.P. 881**), requires a final judgment for an elected official to be disqualified from holding an elected office.⁴⁸ Hence, being substantive law, as compared to the Ombudsman Rules of Procedure, which is merely procedural, B.P. 881 should prevail.

***The Court’s Resolution in the Consolidated Cases of
G.R. Nos. 211515 and 236288***

On November 11, 2021, this Court issued a Resolution,⁴⁹ in the consolidated cases of G.R. No. 211515 (*Prospero A. Pichay, Jr. v. Rustico B. Tutol, Luis DG Estrada and Carmen F. Amores*); and G.R. No. 236288 (*Prospero A. Pichay Jr. v. The Honorable Sandiganbayan [Fourth Division] and People of the Philippines as represented by the Office of the Special Prosecutor*) (**Tutol**), which reads:

WHEREFORE, the consolidated petitions are **DENIED**. The Decision dated October 23, 2013 and the Resolution dated February 24, 2014 rendered by the Court of Appeals in CA-G.R. SP No. 127341, subject of the petition in G.R. No. 211515, and the Resolutions dated October 18, 2016 and November 17, 2017 rendered by the Sandiganbayan in SB-16-CRM-0425, SB-16-CRM-0426, SB-16-CRM-0427, and SB-16-CRM-0432, subject of the petition in G.R. No. 236288 are **AFFIRMED**.

⁴⁴ Id. at 53 and 500.

⁴⁵ Id. at 74-75, Resolution dated July 29, 2021.

⁴⁶ Id. at 74.

⁴⁷ Approved on December 3, 1985.

⁴⁸ *Rollo*, p. 73.

⁴⁹ *Pichay, Jr. v. Tutol*, supra note 12.



SO ORDERED.⁵⁰ (Emphasis in the original)

Pichay, Jr., in *Tutol* argued, among others, that:

[T]he term “perpetual disqualification for re-employment in the government service, unless otherwise provided in the decision” as an accessory to the penalty of dismissal from service under A.O. No. 07, means that the disqualification extends only to government positions that involve employment, hence the Ombudsman gravely abused its discretion when it imposed disqualification to hold any public office, which is an accessory penalty under the Revised Rules on Administrative Cases in the Civil Service (RRACCS).⁵¹ (Emphasis supplied; citations omitted)

The Court in *Tutol*, however, ruled that such argument is without basis. The RRACCS provides that the penalty of dismissal carries with it “cancellation of eligibility, forfeiture of retirement benefits, perpetual disqualification from holding public office and bar from taking civil service examinations.” Hence, *Tutol* upheld, among others, the CA’s Decision and Resolution in CA-G.R. SP No. 127341, which affirmed the Ombudsman’s Decision and Joint Order in OMB-C-A-10-0426-I, imposing upon Pichay, Jr. the penalty of dismissal from the service with accessory penalties of forfeiture of all benefits, except leave credits, and disqualification from holding any public office.⁵²

The Issue

The sole issue for this Court’s consideration is whether the HRET gravely abused its discretion in ruling that the immediately executory nature of the decisions of the Ombudsman in administrative cases pertains only to principal penalties, and not with respect to accessory penalties, specifically, the perpetual disqualification from holding public office.

The Court’s Ruling

The Petition is dismissed for being moot.

The Court is mindful that after the 2022 National and Local Elections, neither of the private parties here is the incumbent Representative of the 1st Legislative District of Surigao del Sur. Moreover, this Court takes judicial notice of the decisions in *Tutol*, affirming the penalty of dismissal from the service, including the accessory penalty of disqualification from holding any

⁵⁰ Id.

⁵¹ Id.

⁵² *Rollo*, pp. 94-95, Office of the Ombudsman Decision dated July 4, 2011.

public office imposed upon Pichay, Jr. A Resolution was issued by the Court in *Tutol*, on August 17, 2022, denying the Motion for Reconsideration with finality.⁵³

When a case loses its justiciability, it becomes moot and academic.⁵⁴ A case ceases to present a justiciable controversy when the declaration thereon would be of no practical use or value, by reason of supervening events. Consequently, the courts generally do not take cognizance of the case and no longer consider questions in which no actual interests are involved.⁵⁵

Pichay, Jr. had already argued before the Court's First Division in 2021, in *Tutol*,⁵⁶ that the penalties imposed against him, including the penalty of perpetual disqualification from holding public office, are erroneous. In response to this argument, the Court held in *Tutol*:

Pichay is mistaken.

There is nothing from the provisions of A.O. Order No. 07 that would prevent the application of the RRACCS. On the contrary, A.O. No. 7 allows the application of the rules on civil service, which serves to implement the provisions of Executive Order (E.O.) No. 292, or the Administrative Code of 1987. Rule III, Section 1 of A.O. No. 07 explicitly provides the grounds for administrative complaint as follows:

Section 1. Grounds for administrative complaint. —
An administrative complaint may be filed for acts or omissions which are:

- a) contrary to law or regulations;
- b) unreasonable, unfair, oppressive or discriminatory;
- c) inconsistent with the general course of an agency's functions though in accordance with law;
- d) based on a mistake of law or an arbitrary ascertainment of facts;
- e) in the exercise of discretionary powers but for an improper purpose;
- f) otherwise irregular, immoral or devoid of justification;
- g) due to any delay or refusal to comply with the referral or directive of the Ombudsman or any of his deputies against the officer or employee to whom it was addressed; and
- h) such other grounds provided for under E.O. 292 and other applicable laws.

Further Section 10 thereof provides:

⁵³ Per Resolution, dated August 17, 2022 (Notice).

⁵⁴ *Delos Santos v. Commissioner of Internal Revenue*, G.R. No. 222548, June 22, 2022.

⁵⁵ *De Alban v. Commission on Elections*, G.R. No. 243968, March 22, 2022.

⁵⁶ *Pichay, Jr. v. Tutol*, G.R. Nos. 211515 & 236288 (Notice), November 11, 2021.

Section 10. Penalties. — (a) In administrative charges under Executive Order No. 292 or such other executive orders, laws or rules under which the respondent is charged, the penalties provided thereat shall be imposed by the Office of the Ombudsman (b) in administrative proceedings conducted under these Rules, the Office of the Ombudsman may impose the penalty of reprimand, suspension without pay for a minimum period of one (1) month up to a maximum period of one (1) year; demotion, dismissal from the service, or a fine equivalent to his salary for one (1) month up to one (1) year, or from Five Thousand Pesos (P5,000.00) to twice the amount malversed, illegally taken, or lost, or both, at the discretion of the Ombudsman, taking into consideration circumstances that mitigate or aggravate the liability of the officer or employee found guilty of the complaint or charge.

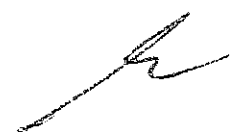
The penalty of dismissal from the service shall carry with it that of cancellation of eligibility, forfeiture of retirement benefits, and the perpetual disqualification for re-employment in the government service, unless otherwise provided in the decision.

This is without prejudice to the exercise of authority of the Ombudsman to exercise his authority under Section 15, paragraph (3) of RA 6770.

Verily, Sections 1 and 10, Rule III of A.O. No. 07 clearly provides that when the administrative charge adjudged by the Office of the Ombudsman is one that is classified within E.O. No. 292, it is the penalty provided thereat that should be applied. Under Sec. 46, Chapter 7 Book V of E.O. No. 292, the offense of misconduct is considered as a ground for disciplinary action. Pursuant to its power to prescribe and amend rules and provisions for carrying into effect the provisions of the Civil Service Law, it promulgated the RRACS, which imposed the corresponding penalty for the administrative offenses enumerated under E.O. No. 292. As such, the RRACS serves as the implementing authority of the administrative offenses enumerated under EO 292. Under the RRACS, the penalty of dismissal shall carry with it cancellation of eligibility, forfeiture of retirement benefits, perpetual disqualification from holding public office and bar from taking civil service examinations.

Hence, considering that the administrative offense charged against Pichay was committed under E.O. No. 292, it is the penalty imposable, with its inherent administrative disabilities, as provided under the RRACS, that should prevail. (Citations omitted, emphasis supplied)

Thus, *Tutol*, a case which is grounded on exactly the same factual antecedents as in the present case, squarely discussed and ruled upon the validity of the accessory penalty imposed upon Pichay, Jr., rendering the present case as moot.



WHEREFORE, the Petition is **DISMISSED for being moot**, in view of the Court’s Resolution in the consolidated cases of G.R. Nos. 211515 and 236288, and as respondent Prospero Arreza Pichay, Jr. no longer ran for election in the 2022 National and Local Elections, the issue of Pichay, Jr.’s eligibility to run for public office has been rendered moot.

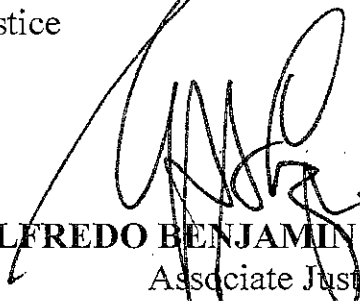
SO ORDERED.


MARIA FILOMENA D. SINGH
Associate Justice

WE CONCUR:


(No part)
ALEXANDER G. GESMUNDO
Chief Justice

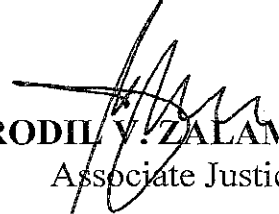
(No part)
MARVIC M.V.F. LEONEN
Senior Associate Justice


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

(On Leave)
RAMON PAUL L. HERNANDO
Associate Justice

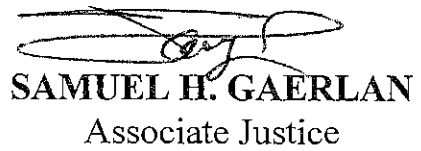

AMY C. LAZARO-JAVIER
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice


RODIL V. ZALAMEDA
Associate Justice



MARIO V. LOPEZ
Associate Justice

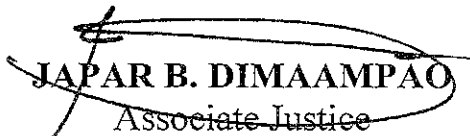


SAMUEL H. GAERLAN
Associate Justice

(On Leave)
RICARDO R. ROSARIO
Associate Justice



JHOSEP Y. LOPEZ
Associate Justice



JAPAR B. DIMAAMPAO
Associate Justice



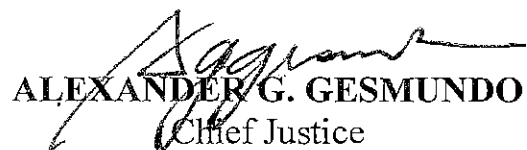
JOSE MIDAS P. MARQUEZ
Associate Justice



ANTONIO T. KHO, JR.
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court.



ALEXANDER G. GESMUNDO
Chief Justice