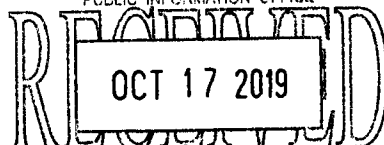


4 P10



BY:
TIME:



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **October 1, 2019** which reads as follows:*

“OCA IPI No. 18-2997-MTJ (Larry J. Javelona, Larry B. Belonio, Francisca B. Belonio, Renante B. Belonio, Recaredo P. Belonio,* et al., represented by Atty. Nenita C. Mahinay v. Judge Evelyn D. Arsenio)

The Court **RESOLVES** to **ADOPT** and **APPROVE** the findings of fact, conclusions of law, and recommendation of the Office of the Court Administrator in its Memorandum¹ dated August 6, 2019. Accordingly, the administrative complaint² against respondent Presiding Judge Evelyn D. Arsenio of the Municipal Trial Court in Cities, Victorias City, Negros Occidental, is hereby **DISMISSED** for raising issues that are judicial in nature and for lack of merit.

Furthermore, it is well-settled that errors, if any, committed by a judge in the exercise of his adjudicative functions cannot be corrected through administrative proceedings, but should instead be assailed through available judicial remedies.³ Resort to and exhaustion of judicial remedies and a final ruling on the matter are prerequisites for the taking of appropriate measures against the judges concerned, whether of criminal, civil or administrative nature.⁴ Absent any showing that complainants Larry J. Javelona, Larry Belonio,

* “Ricarido P. Casiple, Jr.” “Ricaredo P. Casiple” and “Recarido Casiple” in some parts of the rollo.

¹ Id. at 223-226. Signed by Court Administrator Jose Midas P. Marquez.

² Rollo, pp. 2-12.

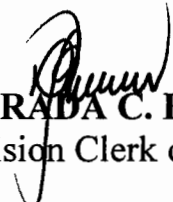
³ See *Re: Verified Complaint of AMA Land, Inc. against Hon. Danton Q. Bueser, Hon. Sesinando E. Villon, and Hon. Ricardo R. Rosario, Associate Justices of the Court of Appeals*, 701 Phil. 462, 468 (2013).

⁴ Id.

Francisca B. Belonio, Renante B. Belonio, Recaredo P. Belonio, *et al.*, represented by Atty. Nenita C. Mahinay, availed of such remedies, the dismissal of their complaint is warranted.

SO ORDERED.” *Zalameda, J., designated as Additional Member per Special Order No. 2712 dated September 27, 2019. Carandang, J., on official leave.*

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court

210-B

Mr. Larry J. Javelona, et al.
Complainants
Represented by: Atty. Nenita C Mahinay
57-A, Cordillera Heights, Cordillera
cor. N. Roxas Sts. Brgy. Lourdes
1100 Quezon City

Office of Administrative Services (x)
Legal Office (x)
Court Management Office (x)
Financial Management Office (x)
Docket & Clearance Division (x)
OCA, Supreme Court

Public Information Office (x)
Library Services (x)
Supreme Court
(For uploading pursuant to A.M. No. 12-
7-1-SC)

Hon. Evelyn D. Arsenio
Respondent Presiding Judge
Municipal Trial Court in Cities
Victorias City, 6119 Negros Occidental

Hon. Jose Midas P. Marquez (x)
Court Administrator
Hon. Raul B. Villanueva (x)
Hon. Jenny Lind R. Aldecoa-Delorino (x)
Hon. Leo Tolentino Madrazo (x)
Deputy Court Administrators
Hon. Lilian Barribal-Co (x)
Hon. Maria Regina A. F. M. Ignacio (x)
Assistant Court Administrators
OCA, Supreme Court

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