

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 167

SUSPENDING MR. PLEGONTE B. INES FROM OFFICE AS MUNICIPAL JUDGE
OF SINAIT, ILOCOS SUR.

This is an administrative case against Municipal Judge Plegonte B. Ines of Sinait, Ilocos Sur, for grave abuse of discretion and authority, gross ignorance of law and incompetence. The charges were investigated by the then Presiding Judge of the Court of First Instance of Ilocos Sur.

The investigation shows that respondent in two instances caused the board of election inspectors in Sinait, Ilocos Sur, to allow the casting of votes outside the polling place in the general elections on November 10, 1959. In the first instance, the respondent went to Precinct No. 7 located in barrio Sabangan, Sinait, Ilocos Sur, and volunteered the opinion to the board of election inspectors that, if it would agree, it could legally allow a woman who had just given birth to cast her ballot in her house. Relying on that opinion, three members of the board went to the house of one Antonia Inay with the necessary election paraphernalia and then and there allowed her to accomplish her ballot. In the second instance, which took place in Precinct No. 16 located in barrio Baracbac, Sinait, respondent, while in the polling place to resolve a consulta of the board of election inspectors regarding the inclusion of two voters, was asked by the board whether a woman who had just delivered could be allowed to vote in her house. Respondent answered in the affirmative, and thereupon some members of the board proceeded to the house of Margarita Yadao where the woman was allowed to vote.

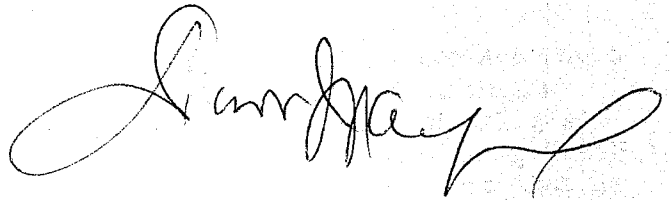
In giving such opinions that caused the irregular casting of votes by Antonia Inay and Margarita Yadao, respondent either was grossly ignorant of, or deliberately overlooked, Section 135 of the Revised Election Code which prohibits the preparation of ballots outside the voting booths. There is, however, no satisfactory proof that he acted maliciously and deliberately to mislead the members of the board of inspectors on the correct interpretation of the election law. It was rather more of a misconception of the law by respondent than a desire to mislead them to favor any particular candidate.

Plegonte B.

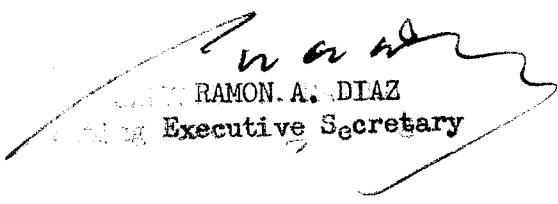
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Wherefore, and upon the recommendation of the investigator and the Secretary of Justice, Mr. Plegonte B. Ines is hereby suspended from office as Municipal Judge of Sinait, Ilocos Sur, for two (2) months without pay effective upon receipt of notice hereof, with a warning that repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this ^{16th} day of December in the year of Our Lord, nineteen hundred and sixty-five.



By the President:



RAMON A. DIAZ
Executive Secretary