



# Supreme Court of the Philippines Philippine Judicial Academy



## ***PHILJA Fax/Electronic Alerts***

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### **Sheriff: Gross neglect of duty**

The 5-year period provided under Section 6, of Rule 30 of the Rules of Court refers to the period within which a party can move for the issuance of a writ – NOT the period within which the sheriff may complete his duty of implementing the writ.

Respondent sheriff is ignorant of the very rules pertaining to his office when he reasoned out during the investigation of his case that the execution of a judgment expires after a period of five years.

For gross neglect of duty, respondent sheriff was dismissed from the service with forfeiture of his retirement benefits and with prejudice to re-employment in the government including GOCC's. **(A.M. No. P-12-3076, November 18, 2014)**

### **Court Stenographer: Convicted of a crime involving moral turpitude**

Under the Administrative Code of 1987, a conviction for a crime involving moral turpitude is a ground for disciplinary action while the Uniform Rules on Administrative Cases in the Civil Service states that conviction for a crime involving moral turpitude is a grave offense and the penalty of dismissal for the first offense must be meted out.

In this regard, the Court ruled in several cases that violation of Batas Pambansa Blg. 22 is a crime involving moral turpitude; and, inasmuch as respondent was convicted for violation of said Batas, she was dismissed from the service with forfeiture of retirement benefits and with prejudice to re-employment in the Government including GOCC's. **(A.M. No. P-11-2917, December 02, 2014)**

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