



Republic of the Philippines
PROVINCE OF LEYTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Palo, Leyte
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BLUE RIBBON COMMITTEE
COMMITTEE REPORT No. 9 S. 2026
APRIL 10, 2026

SABENIANO BIGNAY

Complainant,

ADMIN CASE No. K-ADM-2023-002

(On Appeal)

-versus-

FOR: Dishonesty, Oppression

Misconduct in Office, etc.

LEAH O. EMPLEO, EMERITA P.

LACNO and JERRY P. EMPLEO

Respondents,

I. PREFATORY STATEMENT

This is a Committee Report submitted by the Blue Ribbon Committee of the Sangguniang Panlalawigan of Leyte pursuant to its authority under the **Revised Internal Rules of Procedure of the Sangguniang Panlalawigan of Leyte**, particularly **Rule XVI (Administrative Disciplinary Proceedings)** and **Rule on Appealed Administrative Cases (Sections 41–55)**, in relation to **Section 67 of Republic Act No. 7160**.

This case stems from a **Notice of Appeal** filed by respondents Leah O. Empleo, Emerita P. Lacno, and Jerry P. Empleo assailing the decision of the Sangguniang Bayan of Kananga, Leyte.

II. NATURE OF THE CASE

The instant case is an **appealed administrative disciplinary case** arising from a complaint for:

- Dishonesty
- Oppression
- Misconduct in Office
- Gross Negligence
- Dereliction of Duty

The Sangguniang Bayan of Kananga, Leyte, through its Ad Hoc Committee, rendered **Final Resolution No. 003 dated 2 January 2025**, later adopted through **SB Resolution No. 23R.25-795**, imposing the penalty of **six (6) months suspension without pay**.

Respondents elevated the case to this Honorable Body via Notice of Appeal.

III. FACTUAL ANTECEDENTS

Based on the Notice of Appeal and records available, the Committee finds:

1. Respondents received the assailed Resolution on **9 January 2025**.
2. Under the law and rules, respondents had **thirty (30) days** within which to appeal.
3. The last day to appeal fell on **8 February 2025 (Saturday)**.
4. Respondents filed their Notice of Appeal on **10 February 2025 (next working day)**.

5. The Notice of Appeal was subsequently received by the Sangguniang Panlalawigan on 4 February 2025.
6. The appeal seeks reversal of the findings of liability and penalty imposed by the Sangguniang Bayan.

IV. SUMMARY OF PLEADINGS AND RECORDS

For the Respondents-Appellants:

- Notice of Appeal;
- Assailed Ad Hoc Final Resolution No. 003;
- SB Resolution adopting the same;
- Arguments on timeliness and legal issues.

For the Complainant-Appellee:

- (To be determined upon transmittal of full records pursuant to Section 44 of the Rules)

V. ISSUES FOR RESOLUTION

1. Whether the Notice of Appeal was filed within the reglementary period;
2. Whether the appeal should be given due course;
3. Whether the Sangguniang Panlalawigan has jurisdiction over the appeal;
4. Whether the case is ripe for decision on the merits;
5. Whether compliance with procedural requirements under Sections 41–47 of the Rules has been met.

VI. COMMITTEE FINDINGS AND DISCUSSION

A. On Timeliness of Appeal (Section 41)

Section 41 provides that the appeal must be filed within **thirty (30) calendar days from notice of decision**.

Applying the rules:

- Receipt: 9 January 2025
- Deadline: 8 February 2025 (Saturday)
- Filing: 10 February 2025

Consistent with procedural rules, when the last day falls on a **non-working day**, filing on the **next working day is valid**.

👉 **The appeal was timely filed.**

B. On Perfection of Appeal and Non-Interruption (Section 41)

The Notice of Appeal was filed directly with the Sangguniang Panlalawigan.

There is **no showing that the appeal was filed out of time**, nor any defect on its face.

👉 **Grounds for dismissal under Section 50 are not present.**

C. On Transmittal of Records (Section 44)

Under Section 44:

The records must be transmitted within thirty (30) days from notice of appeal.

At present:

- The complete records have **not yet been elevated**;
- The Committee is thus **procedurally barred from resolving the case on the merits**.

👉 Elevation of records is **mandatory before adjudication**.

D. On Briefing Stage (Sections 47–48)

The Rules require:

- Filing of **Appellant’s Brief**
- Filing of **Appellee’s Brief**

There is **no showing yet of compliance with briefing requirements**.

👉 The appeal is still in the **pre-adjudicative stage**.

E. On Ripeness for Decision (Section 53)

Section 53 requires:

- Full consideration of the appeal;
- Clear statement of facts and reasons in decision.

Without:

- Complete records;
- Briefs of the parties;

👉 Any ruling would be **premature and violative of due process**.

F. On Grounds for Dismissal (Section 50)

None of the following are present:

- Late filing
- Failure to file notice
- Failure to prosecute
- Defective brief
- Failure to reproduce records

👉 **Dismissal is not warranted**.

VII. CONCLUSION

The Committee finds that:

1. The appeal was **timely and properly filed**;
2. The Sangguniang Panlalawigan has **jurisdiction**;
3. The appeal is **procedurally sufficient**;
4. The case is **not yet ripe for decision on the merits**;
5. Compliance with **Sections 44, 47, and 48** must first be completed.

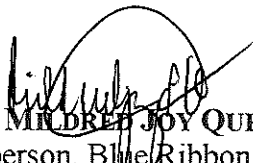
VIII. RECOMMENDATION

WHEREFORE, premises considered, the Blue Ribbon Committee hereby **RECOMMENDS** to:

1. **GIVE DUE COURSE** to the Notice of Appeal;
2. **DIRECT** the Sangguniang Bayan of Kananga, Leyte to **TRANSMIT** the **COMPLETE RECORDS** within a non-extendible period pursuant to Section 44;
3. **REQUIRE** the Appellants to file their **APPELLANT'S BRIEF** pursuant to Section 47;
4. **REQUIRE** the Appellee to file **APPELLEE'S BRIEF** pursuant to Section 48;
5. **DEFER RESOLUTION** of the case on the merits pending full compliance with procedural requirements;
6. **CALENDAR** the case for consideration only after completion of briefing and transmittal of records pursuant to Section 52.

IX. RESPECTFUL SUBMISSION

Submitted to the Sangguniang Panlalawigan of Leyte for appropriate deliberation and final action.


ATTY. MILDRED JOY QUE, CPA
Chairperson, Blue Ribbon Committee
Sangguniang Panlalawigan, Province of Leyte

With our concurrence:

HON. ATTY. RONNAN CHRISTIAN M. REPOSAR
Vice- Chairperson

HON. ATTY. CARLO P. LORETO
Member

HON. ALAN P. ANG
Member

HON. FLAVIANO C. CENTINO, JR.
Member