Republic of the Philippines
HOUSE OF REPRESENTÀTIVES
House of Representatives Complex
Batasan Hills, Quezon City

Twentieth (20th) Congress

IN THE MATTER OF THE IMPEACHMENT OF
ALL FIFTEEN SUPREME COURT JUSTICES, NAMELY
CHIEF JUSTICE ALEXANDER G. GESMUNDO,
JUSTICE MARVIC M.V.F. LEONEN,
JUSTICE BENJAMIN S. CAGUIOA,
JUSTICE PAUL L. HERNANDO,
JUSTICE AMY C. LAZARO-JAVIER,
JUSTICE HENRI PAUL B. INTING,
JUSTICE RODIL V. ZALAMEDA,
JUSTICE SAMUEL H. GAERLAN,
JUSTICE RICARDO R. ROSARIO,
JUSTICE JHOSEP Y. LOPEZ,
JUSTICE JAPAR B. DIMAAMPAO,
JUSTICE MIDAS P. MARQUEZ,
JUSTICE ANTONIO T. KHO, JR.,
JUSTICE MARIA FILOMENA D. SINGH, AND
JUSTICE RAUL B. VILLANUEVA

PRIVATE CITIZEN [redacted]
AND ON BEHALF OF ALL FILIPINOS,
Complainants.

-versus-

CHIEF JUSTICE ALEXANDER G. GESMUNDO,
JUSTICE MARVIC M.V.F. LEONEN,
JUSTICE BENJAMIN S. CAGUIOA,
JUSTICE PAUL L. HERNANDO,
JUSTICE AMY C. LAZARO-JAVIER,
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JUSTICE MIDAS P. MARQUEZ,
JUSTICE ANTONIO T. KHO, JR.,

JUSTICE MARIA FILOMENA D. SINGH, AND
JUSTICE RAUL B. VILLANUEVA
Respondents.

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VERIFIED IMPEACHMENT COMPLAINT

COMPLAINANTS, on their own and on behalf of the Filipinos, respectfully state:

PREFATORY STATEMENT

*"By ensuring that **no one in government has too much power**, the Constitution helps **protect ordinary Filipinos** every day **against abuse of power** by those in authority." – John Roberts adapted for Filipinos by* [redacted]

"*There is nothing honorable (especially as a position title) about a public official or public body who wilfully abuses the power entrusted to it by the people. Rather than false respect and unnecessary reluctant deference, **severe punishment is due** him/it.*" – [redacted]

Impeaching Abuse of Power

1. **This impeachment case is a classic case of abuse of power.** How ever we slice and dice it, with skin or bare bones, it is bare, naked power. The abuse of power of the *Respondents* is abuse of trust of the Filipino people, abrogation of duties under the 1987 Constitution, and disdain upon the exalted office of the Supreme Court as an institution. This is in another name, in whole or in part, a grave abuse of position, of office, of authority and, quite ironically, of discretion.

    1.1. "*Impeachment is one of the various checks and balances created by the Constitution, a crucial tool for **holding officers accountable for** violations of the law and **abuse of power***" says the US government on impeachment.[1] [emphasis added]

    1.2. Further in the same breath the US government says, "*the power of impeachment is **immune from judicial review**.*"[2] **Thus, the *Respondents* claim of its judicial review over matters of impeachment is plainly abuse of power**.

Undemocratic Judicial Review

[1] Jared P. Cole and Todd Garvey, "*Impeachment and the Constitution*", December 6, 2023.
[2] Ibid.

2. Truthfully, **judicial review is inherently, fundamentally and definitionally undemocratic.** Justices are not elected by the people (ie no "demos") yet were conferred with power (ie "kratos"), albeit by proxy through the appointing power of the democratically elected president.

2.1. **Judicial review is "*politically illegitimate*,** *so far as democratic values are concerned: privileging majority voting among a small number of unelected and unaccountable judges, it disenfranchises ordinary citizens and brushes aside cherished principles of representation and political equality*."[3]

2.2. Under its power of judicial review, the Supreme Court claims it checks all others in the government. **But who checks the Supreme Court?**

This question has been asked too many times. In the Philippines, a Catholic priest asked[4] exactly that question in the wake of the *Decision* on *Duterte vs House of Representatives*.[5] He asked "*because of the* ***widespread dissent*** *spawned by the Supreme Court's* ***controversial*** *decision regarding the impeachment of the vice president, the question assumes added urgency … Aside from the test of coherence of judicial pronouncements with accepted premises of constitutional law, there is, equally fundamental, the requirement that a* ***decision be*** *discursively* ***defensible****. In that lies the value of the present ferment that should not be suppressed by threats of contempt citations.* ***The opinions thus far discussed by framers of the 1987 Constitution, former justices of the Supreme Court, legal academics and political scientists have brought to the forefront this mode of legitimation*** *and have demonstrated the usefulness of public dissent and learned rebuttal*."

In the US, it has recently been asked in an article "*The Supreme Court and Abuse of Power*"[6] This article had one punch rebuke to the *Respondents* when they amended the impeachment procedures making it nearly impossible to impeach officials just like them: "*Nobody is so wise that they should be the judge in their own case*." And another rebuke to their encroachment and overreaching abuse of power: "*It just can't be that the Court is the only institution that somehow is not subject to checks and balances from anybody else. It is not imperial.*"

[3] J. Waldron, "*The Core of the Case Against Judicial Review*", Yale Law Journal, 1115 No. 6 (2006), p 1353.
[4] Fr. Ranhilio Callangan Aquino, Manila Times, August 5, 2025, https://www.manilatimes.net/2025/08/04/opinion/columns/who-checks-the-supreme-court/2161412, accessed on August 19, 2025.
[5] *Decision* on G.R. 278353 and G.R. 278359, July 25, 2025.
[6] M. Waldman, Brennan Center for Justice, December, 4, 2024, https://www.brennancenter.org/our-work/analysis-opinion/supreme-court-and-abuse-power, accessed on August 19, 2025.

Still in the US, the Americans even consider abolishing the Supreme Court altogether.[7] The article alerted "*Respect for judicial independence appears to be eroding … Thirty-eight percent strongly or somewhat agreed with the statement 'When Congress disagrees with the Supreme Court's decisions,* ***Congress should pass legislation saying the Supreme Court can no longer rule on that issue or topic****.*'". That is a very vocal American public and we should take notice. After all, we copy laws from the US so why not copy what the Americans do?

This is the correction that has long been overdue given the ever worsening abuse of our Supreme Court with their so-called judicial activism or judicial creativity that in truth is an ultra-vires and unconstitutional exercise of power. **The Supreme Court is simply meant to interpret, but particularly only when** the dictionary-meaning of words used by Congress is **ambiguous** as to intent of the law. Just on August 18, 2025, the Supreme Court announced on its FB page: "*The Supreme Court has issued amended guidelines on the proper use of he terms 'qualified rape' and 'statutory rape'.*"[8] Without reading the decision on which these guidelines were made, this implies that the legislation is not even clear on words and terms used in the first place, with all that dictionary meaning in the first stance of reading the law. And that is only one of vast many indicating that the Supreme Court has conferred upon themselves too much power now taking advantage of the subservience-to-a-fault of the Filipinos to the institution of the judiciary branch.

The Supreme Court of the US from which the Supreme Court of the Philippines invariably copies even declared the sole power of the Senate to try impeachments: "*The Supreme Court wrote that the Constitution grants 'the sole Power' to try impeachments 'in the Senate and nowhere else' and the word 'try' 'lacks sufficient precision to afford any judicially manageable standard of review of the Senate's actions.' This constitutional grant of sole authority, the Court reasoned, meant that the 'Senate alone shall have the authority to determine whether an individual should be acquitted or convicted.' In addition, because* ***impeachment functions as the 'only check on the Judiciary Branch by the Legislature****', the Court noted the important separation of powers concerns that would be implicated if the 'final reviewing authority with respect to impeachments [was placed] in the hands of the same body that the impeachment process is meant to regulate.'*" [9]

But our Senate who is supposed to check the Supreme Court – even put it in its place, so to speak – **is confused as to its constitutional role**, even

[7] Annenberg Public Policy Center, "*One in Three Americans Say They Might Consider Abolishing or Limiting Supreme Court*", https://www.asc.upenn.edu/news-events/news/one-three-americans-say-they-might-consider-abolishing-or-limiting-supreme-court , October 5, 2021, accessed on August 19, 2025.
[8] G.R. 260708, People v. ABC260708.
[9] Ibid 1.

suffering from an identity crisis as the former Solicitor General Florin Hilbay posted on his FB page as a rebuke. In response to the *Decision* of the *Respondents*, the Senate voted 19-4-1 to archive the impeachment case against the Vice President, Hilbay declared: "*An institution that doesn't understand its powers & (sic) surrenders its prerogatives suffers from an identity crisis. Meekness disguised as wisdom is as dangerous as weakness masquerading as humility*."[10]

But if we could not abolish the Supreme Court, a well-known whistleblower declared that the evil of the Supreme Court (and the rest of government) can only be defeated in three instances: the Philippines engages in a war , an invasion of the Philippines, and a dictatorship.[11] As to said evil he declared: "***The courts are not really after justice*** *...* ***we don't have a justice system*** *but we have a legal system ... and in our country, even if it is not just, not fair and outrightly bad but if it was ruled by a judge then it becomes legal ... that's why you see all these fantastic rulings even by the Supreme Court*[12] *...* ***kaya wala kaming respeto sa mga korte*** *dahil sa sarili naming karanasan at saka sa karanasan sa marami kong kasama sa Bilibid.*"[13]

So we ask again: Who checks the Supreme Court? In principle, it should be the Filipino People. However, to say that people wield the ultimate power in a democracy is by rote a fantasy.

Operationally, by the Constitution, the collective power of the people cannot operate without the political intercession of the voted legislative representatives except in referenda and plebiscites and even that is time-constrained. This rigidity renders the power of the people as all empty democratic principle.

2.3. While the judicial review is said to be a check in a balance of separated powers of the government, it is an **illegitimate and undemocratic check**.

2.4. Worse, our justices of the Supreme Court assert **self-conferred** expanded power of judicial review, even claimed as absolute, unlimited and all-encompassing. **The thought alone is repulsive abuse of power, let alone act it out**.

Constitutional Sepsis

[10] Florin T. Hilbay FB post, August 6, 2025, accessed on Augus 7, 2025.
[11] One News PH, "NBN-ZTE whistleblower Jun Lozada reveals the true cost of exposing corruption | The Long Take", https://www.youtube.com/watch?v=MKR9GTc-smY playhead at 24:20, August 14, 2025, accessed on August 19, 2025.
[12] Ibid playhead 13:50.
[13] Ibid playhead 32:33.

3. Truthfully, what we have is not a constitutional crisis but rather a **constitutional sepsis**: when the physical body (ie the three branches of government) responds to the infection (ie betrayal of public trust) by injuring its own tissues and organs (ie other branches of government and the people). It occurs when the immune system (ie undemocratic system) overreacts (ie encroach, overreach, politicize, self-indulge, etc) that can lead to organ failure (ie checks-and-balance becomes abuses-and-impunity) and death (ie democracy and rule of the people).

   And our **constitutional sepsis** occurred this way, thus far: the Filipino people through the House of Representatives voted to impeach Vice President Sara Duterte whose father's executive power appointed most of the current sitting justices in the Supreme Court who in turn defeated the people's demand for accountability by declaring jurisdiction was not acquired by the Senate whose members in turn are allied to the Vice President and voted to archive the impeachment case.

Legislative Supremacy

4. Quite frankly a wake-up call, with all due respect to the House of Representatives and the Senate like the Filipino they represent, the Congress is trapped by deferential culture to the Supreme Court, even to a fault. **A psychological defect borne out of centuries of subservience to the colonizers**. But in the age of internet and now of artificial intelligence, it has been overdue for Congress to assert its rightful supremacy over the unelected appointees of the president.

   4.1. **Co-equality among the three branches of government in a democracy is a euphemism, a misnomer, even a myth.** In a democracy, all power emanates from the people and all such power is conferred and delegated to the legislative branch except just a little for the executive leader. When the people granted their all omnipotent power (ie election), the judiciary branch is nowhere mentioned.

   4.2. Thus, there is no such thing as judicial supremacy, despite being presumptuously asserted and self-declared by the *Respondents* and their kind since January 23, 1899[14]. In the US where we copied our laws and from England from which the Americans copied theirs, the congress or parliament reigns supreme over all government as it is on them that the people vested their power. It is time for the House of Representatives and the Senate to assert their supremacy over the Supreme Court.

5. Real talk. Let us admit a crucial fact: **we**, in the Philippines, **copy laws and reasonings from the US and a few others but we are original in abuses of power**: such is our Supreme Court encroaching and overreaching in bullying our meek Congress.

[14] when the Philippines became a republic

5.1. In the US, "*at the Constitutional Convention, the proper body to try impeachments posed a difficult question. Several proposals were considered that would have assigned responsibility for trying impeachments to different bodies, including the Supreme Court… One objection to granting the Supreme Court authority to try impeachments was that Justices were to be appointed by the President, casting doubt on their ability to be independent in an impeachment trial of the President or another executive official. Further a crucial legislative check in the Constitution's structure against the judicial branch is impeachment, as judges cannot be removed by other means.* ***To permit the judiciary to have the ultimate say in one of the most significant checks on its power would subvert the purpose of that important constitutional limitatio*****n**…*This framework guards against, in the words* of Alexander Hamilton, '*a series of deliberate usurpations on the authority of the legislature' by the judiciary*."[15]

5.2. That series of deliberate usurpations on the authority of Congress was precisely what were committed by the *Respondents*. With self-conferred expanded judicial review over impeachment, the ***Respondents*** **not only removed the check of Congress against all 15 Justices but also, abusively and bullyingly, reversed the check: the Supreme Court now is checking Congress.** Worse, Congress did not seem to notice at all nor have "balls" to assert itself.

NATURE OF THE ACTION

6. In the history of US impeachments, "*the House has impeached twenty individuals: fifteen federal judges…Of these, eight individuals – all federal judges – were convicted by the Senate*."[16] **History then shows that judges have demonstrably been the most abusive in power.** This is arguably unsurprising given that **it is human nature for unelected public officials to abuse power not conferred by the people**.

   In the history of impeachments in the Philippines, we impeached and convicted one Chief Justice of the Supreme Court on a single article of impeachment: failure to file a complete SALN[17], that in the scale of impeachable sins, is so trivial for the public to even care, let alone pursue. Contrast this against the failure of the *Respondents* to respect the authority of Congress elected by the people. Whereas, omissions in SALN must be extensively and thoroughly investigated to establish culpability, the *Respondents*' encroaching and overreaching the power of Congress need not be investigated, let alone proven in a trial before the Senate constituted as an Impeachment Court, as the culpability

[15] Ibid 1.
[16] Ibid.
[17] Statement of Assets, Liabilities and Net Worth

by the *Decision* itself already made out the impeachable conduct. And this comparison offense is only one of vast many in our *Verified Impeachment Complaint*.

To impeach all fifteen Justices of the Supreme Court all at the same time, especially in their pervasive wilful undisguised abuses of power, is **not a big deal as their unanimous culpability rendered them as being as though only one respondent individual** and more crucially, it is a matter of right by the Filipino people. It is what it is.

7. **We, the *Complainants*, on behalf of the Filipino people** from whom all power emanates in a true democracy**, submits this urgent verified complaint for impeachment against all fifteen incumbent members of the Supreme Court of the Philippines** (hereafter as *Verified Impeachment Complaint* or sometimes the *Document* or *Submission*) as individually named as *Respondents* and enumerated on the first page and herein now repeated, namely:

   CHIEF JUSTICE ALEXANDER G. GESMUNDO,
   JUSTICE MARVIC M.V.F. LEONEN,
   JUSTICE BENJAMIN S. CAGUIOA,
   JUSTICE PAUL L. HERNANDO,
   JUSTICE AMY C. LAZARO-JAVIER,
   JUSTICE HENRI PAUL B. INTING,
   JUSTICE RODIL V. ZALAMEDA,
   JUSTICE SAMUEL H. GAERLAN,
   JUSTICE RICARDO R. ROSARIO,
   JUSTICE JHOSEP Y. LOPEZ,
   JUSTICE JAPAR B. DIMAAMPAO,
   JUSTICE MIDAS P. MARQUEZ,
   JUSTICE ANTONIO T. KHO, JR.,
   JUSTICE MARIA FILOMENA D. SINGH, AND
   JUSTICE RAUL B. VILLANUEVA

   pursuant to Section 2, Article XI (*Accountability of Public Officers*) of the 1987 Constitution, which provides:

   "*SECTION 2. The President, the Vice-President, **the Members of the Supreme Court**, the Members of the Constitutional Commissions, and the Ombudsman may be removed from office, on impeachment for, and conviction of, **culpable violation of the Constitution**, treason, bribery, graft and corruption, **other high crimes, or betrayal of public trust**. All other public officers and employees may be removed from office as provided by law, but not by impeachment.*" [emphasis added]

8. We submit that the ***Respondents*** **be impeached** on the following constitutional grounds, as already highlighted in bold in the preceding paragraph:

8.1. Culpable Violation of the Constitution (see paragraph 35),

8.2. Betrayal of Public Trust (see paragraph 36), and

8.3. Other High Crimes (see paragraph 37).

While there are 15 Justices consisting of the *Respondents*, they are complained herein to be impeached by the House and later tried by the Senate as one collective indivisible body as if this *Verified Impeachment Complaint* is raised against only one individual. The impeachment and conviction proceeding is all or nothing, all of them or no one.

9. We invoke the exclusive power to initiate this case of impeachment of the House of Representatives under Section 3(1) of the article on *Accountability of Public Officers*.

10. We filed this *Verified Impeachment Complaint* before the 20th Congress' Honorable House of Representatives with the appropriate endorsement by at least one of its members whose resolution of endorsement provides compliance to Section 3(2) under the same *Accountability* article.

THE PARTIES

11. We, the *Complainants*, are all Filipino citizens with legal capacities to sue. We ask to send any communication regarding this *Verified Impeachment Complaint* to the following addresses:

11.1. [redacted] of legal age, residence address at [redacted],

12. As Filipino citizens, we, the *Complainants* are authorized to file this *Verified Impeachment Complaint* under Article 3(2) of the *Accountability* article.

13. The *Respondents* are all government appointees, **not elected**, to serve as Justices of the Supreme Court. They can be served with notices and other communication regarding this *Verified Impeachment Complaint* to their official address at Padre Faura Street, Ermita, Manila 1000, Philippines

COMPLIANCE AND EVIDENCE

14. This *Verified Impeachment Complaint* complies with the requirement of sufficiency in form and substance.

14.1. The *Rules of Procedure in Impeachment Proceedings* of the 20th Congress is not available, as of this writing, on the website of the

Congress of the Philippines. In its stead, we adopt that of the 19th Congress as we believe the provision on sufficiency of form and substance will not substantially change or substantially changed.

14.2. As to sufficiency in form, inasmuch as we are not lawyers but simply ordinary citizens, we modelled this *Document*'s form and structure after the four impeachment complaints[18] submitted in the impeachment of the Vice President available on the website of the Congress of the Philippines. These requirements of form include document presentation (eg headings, paragraphing, and other stylistic elements), endorsement by a member of the House of Representatives for submission to the House Secretary General and *initial action*[19] of the House (ie immediate transmittal to the House Speaker, inclusion in the *Order of Business* and endorsement to the Committee on Justice).

14.3. As to sufficiency in substance, we submit as factual evidence to establish the culpability of the *Respondents* committing the Grounds for Impeachment (enumerated under paragraphs 35 to 37) the following:

14.3.1. motions for reconsideration filed against the *Decision* of the *Respondents* available on the Supreme Court website[20]:

(1) the *Motion for Reconsideration* dated August 4, 2025 filed by the House of Representatives,

(2) the *Omnibus Motion with Motion for Reconsideration* dated August 1, 2025 filed by 1Sambayan Coalition, et. al.,

(3) the *Motion for Reconsideration* dated August 1, 2025 submitted by Congressman Percival V. Cendana, et. al., and

(4) the *Omnibus Motion with Motion for Reconsideration in Intervention* dated August 9, 2025 filed by Fr. Antonio Labiao, Jr., et. al..

14.3.2. public declarations of comments and reactions against the *Decision* of the *Respondents*:

(1) Senators during the Hearing on Impeachment Case (paragraphs 24 to 26),

[18] *Impeachment Documents*, https://www.congress.gov.ph/impeachment/, accessed on August 13, 2025.
[19] as defined and enumerated in *Franciso*
[20] Supreme Court, "Petitions against Impeachment of VP Sara Duterte", https://sc.judiciary.gov.ph/g-r-no-278353-278359-sara-z-duterte-in-her-capacity-as-the-vice-president-of-the-philippines-v-house-of-representatives-of-the-philippines-represented-by-ferdinand-martin-g-romualdez-in-his/ accessed and downloaded on August 1-13, 2025.

(2) Bacolod City Bishop Patricio Buzon and Conference of Major Superiors in the Philippines or CMSP (paragraph 32.1),
(3) Former Constitutional Commissioner Atty. Christian Monsod (paragraph 32.2),
(4) Former Chief Justice Antonio Carpio (paragraph 32.3),
(5) Political Scientist Ronald Llamas (paragraph 32.4),
(6) Media Personality Ces Drilon (paragraph 32.5),
(7) Congresswoman Leila De Lima (paragraph 32.6), and
(8) Civic and Business Groups consisting of the Justice Reform Initiative, Integrity Initiative, Makati Business Club, and Management Association of the Philippines (paragraph 32.7)
(9) Secretary Larry Gadon (paragraph 32.8)

14.3.3. All other Supreme Court decisions uncorrected for injustice (hereafter as "*Other Misconduct*")

(1) *Kapangalan Mo, Kaso Mo* – The Ultimate No Due Process (paragraph 33.1)

(2) *Sarado Gobyerno, Sarado Karapatan Mo* – the Evil Ruling in Article 125 (Weekends and Holidays Not Counted In Time Limits) (paragraph 33.2)

(3) *Abala Sa Fiscal Mas Mahalaga Sa Kalayaan Ng Mamamayan* (*The DoJ Fiscal Having No Liability Under Article 125)* – The Ultimate Absurdity (paragraph 33.3)

(4) *Bata Man Ako, May Karapatan Pa Din Ako* (Deprivation of Liberty of Curfew Ordinances) (paragraph 33.4)

(5) *Hindi Ka Halal, Huwag Kang Abuso (The Undemocratic Self-Conferred Contempt Power of the Court)* – the Ultimate Abuse of Power (paragraph 33.5)

14.3.4. comments of the Vice President against the HMR enumerated under paragraph 14.3.1, (hereafter as *VP's Comments to the HMR*).[21]

14.4. Should form and/or substance be found as insufficient, in the interest of justice and spirit of the Constitution, we plead to allow us to make the necessary correction for compliance to the sufficiency requirements.

[21] Comment to House MR to G.R. 278353 and G.R. 278359.

15. As responsible and concerned citizens, we, the *Complainants*, have been following the **news and public declarations** on the impeachment complaints and impeachment proceedings **by parties to the impeachment case** and **members of the general public**.

STATEMENTS OF FACTS

This section recites the objective facts that clearly establish the culpability of the *Respondents* on the *Grounds for Impeachment* enumerated under paragraphs 35 to 37.

The People Lost Faith

16. In the immediate national response to the SC Decision on *Duterte vs. House of Representatives*[22], we observed rising voices of not only **loud and widespread disapproval** but **shockingly defiant dissent**. The Filipino people are inherently respectful of authorities to a fault, which makes the call of litany of leading voices against the abuses of the *Respondents* **so much more egregiously serious beyond constitutional crisis**: **a clear, convincing and incontrovertible political loss of faith and confidence on the sitting appointed justices of the Judiciary** branch of the government.

I dissent.

17. The voices of dissent are very loud and vastly widespread. **Each voice declares: "I dissent"**. They come from all corners of the Filipino society:

    17.1. from the Filipino people **at large**, **through the House of Representatives**, in their Motion for Reconsideration (*HMR*) discussed under paragraphs 20 to 23,

    17.2. from the Filipino people **at large**, **through the Senate**, in their deliberation and voting on whether to archive the impeachment case against the Vice President in a Senate Hearing on August 6, 2025 to respond to the *Decision* of the *Respondents* (hereafter as *SHV*) discussed under paragraphs 24 to 26,

    17.3. from the Filipino people **at law** who are the leading voices among the nationally recognized authorities in matters of law and justice equivalent to, if not higher than, the *Respondents* in their MR (hereafter as *LMR*) discussed under paragraphs 27 to 28,

    17.4. from the Filipino people **at case** who initiated the Duterte impeachment case led by Congressman Percival Cendana et. al. in their MR (hereafter as *CMR*) discussed under paragraph 29,

[22] G.R. 278353 and G.R. 278359 (July 25, 2025)

17.5. from the Filipino people **at church** who initiated the Duterte impeachment case led by Fr. Antonio Labiao, Jr. et. al. in their MR (hereafter as *CLMR*) discussed under paragraphs 30 to 31,

17.6. from the Filipino **individuals** who are private citizen voices:

17.6.1. Bacolod City Bishop Patricio Buzon and Conference of Major Superiors in the Philippines or CMSP (paragraph 32.1),
17.6.2. Former Constitutional Commissioner Atty. Christian Monsod (paragraph 32.2),
17.6.3. Former Chief Justice Antonio Carpio (paragraph 32.3),
17.6.4. Political Scientist Ronald Llamas (paragraph 32.4),
17.6.5. Media Personality Ces Drilon (paragraph 32.5), and
17.6.6. Human Rights Activist Congresswoman Leila De Lima (paragraph 32.6).
17.6.7. Civic and Business Groups consisting of the Justice Reform Initiative, Integrity Initiative, Makati Business Club, and Management Association of the Philippines (paragraph 32.7)
17.6.8. Secretary Larry Gadon (paragraph 32.8)

Enumeration of Misconduct

18. Impeachment is people's demand for accountability for "*misconduct in high places*"[23]. **There is no greater proof than public information – even already in the legal character of judicial notice – as buttress for this impeachment complaint**, especially widely rigorously developed from a cross-section of the Filipino society from lawmakers and ex-justices to priests, political scientist, media and ordinary citizens cross-checking, cross-validating one another's *independent* review, examination, and critique of the *Respondents*' *Decision*.

18.1. **The accounting of facts** and law by the society at large cannot be wrong as against the *Respondents*' versions of fact and law. Being public information – high quality, rigorous to boot with the MR submissions as taking the legal character of judicial notice – the evidence providing the factual basis of the misconduct is indubitably conclusive even beyond reasonable doubt.

18.2. Former Chief Justice Renato Corona was **impeached and convicted on a single fact and a single provision of the Constitution**: "*failed to disclose to the public his statement of assets, liabilities and net worth as required under Section 17, Article XI of the 1987 Constitution*"[24]. Whereas, there are a total of at least[25] **46 instances of misconduct**

[23] Ibid 1 p 4.
[24] Vera Files, "*The Corona Trial: Articles of Impeachment*", https://verafiles.org/articles/articles-of-impeachment, accessed August 16, 2025.
[25] This discrete number can be higher if given more time to exhaust the misconduct from the public evidence.

committed by the Respondents. These are organized into **themes of misconduct**:

(1) Gross Constitutional Encroachment and Overreach (6 Offense Categories, paragraph 19.1 for enumeration)
(2) Gross Misrepresentation of Basic Facts (6 Offenses, paragraph 19.2 for enumeration)
(3) Gross Misreading or Misapplication of the Law on Facts (3 Offenses, paragraph 19.3 for enumeration)
(4) Gross Ignorance of the Law (30 Offenses, paragraph 19.4 for enumeration)
(5) Criminal Offense (7 Offenses, paragraph 19.5 for enumeration)

19. The *Respondents* misconduct are summarized below. The numbering was assigned as and when they appear chronologically on the motions for reconsiderations and public reactions in the order of the public voices enumerated under paragraph 17.

19.1. Gross Constitutional Encroachment and Overreach (GCEO)

GCEO No. 1
The Respondents modified "clear and unambiguous provisions of the Constitution".

GCEO No. 2
The Respondents intruded "into the constitutionally vested powers of the Congress."

GCEO No. 3
The Respondents needlessly burdened "constitutional mechanisms for upholding accountability of public officers".

GCEO No. 4
The Respondents nullified "legitimate actions which have been done in accordance with existing legal framework"

GCEO No. 5
The Respondents found abuse of discretion by the House when facts and law bore none.

GCEO No. 6
The Respondents made themselves "judges of their own accountability".

GCEO No. 7
The Respondents are tyrannical.

This GCEO category is the overarching categorization of the next four categories (ie GMBF, GMTLF, GITL, CO) to emphasize that the catalogue of misconduct boils down to gross constitutional encroaching and overreaching abuses of power by the *Respondents*.

More crucially important, the first four GCEO categories were declarations of the House itself and the sixth GCEO category was declaration of the House Speaker himself.

Note that for each instance of misconduct, there are tags that pertain from which MR each instance of that misconduct was found.

HMR = House MR
SHV = Senate Hearing Voting
LMR = Law (ie 1Sambayan, et. al.) MR
CMR = Cendana MR
CLMR = Church-Led MR
VOP = Voice of the Ordinary People

Multiple tags for each misconduct reveal how easily recognizable that particular misconduct and represent the strength of degree of cross-validation by the different voices of dissent of the finding of the said misconduct. For example, the GMBF No. 1 was cited to be a misconduct by five different voices of dissent from the House (HMR) to the Church group (CLMR).

19.2. Gross Misrepresentation of Basic Facts

GMBF No. 1 (HMR, SHV, LMR, CMR, CLMR)
Wrong Sequence of Events
(paragraphs 23.2.2.1, 26.1.2, 28.1.1, 29.2.1, 31.2.3)

Misrepresentation: *First Three Impeachment Complaints*' (hereafter as *F3ICs*) archived before the *Fourth Impeachment Complaint* (hereafter as *4IC*) initiated an impeachment proceeding.

Truth: reverse (ie after)

GMBF No. 2 (HMR, LMR, VOP)
4IC Without Plenary Vote
(paragraphs 23.2.2.2, 28.1.2, 32.3.1, 32.8.5)

Truth: there was (quite the opposite of *Respondents*' false finding)

GMBF No. 3 (HMR, SHV, CLMR)
February 5, 2025 The Adjournment Sine Die
(paragraphs 23.2.2.3, 26.1.1, 31.2.2)

Truth: June 30, 2025 with three session days left from February 5, 2025

GMBF No. 4 (HMR)
19th Congress Adjournment Precluded Referral of the F3ICs to the Committee on Justice.
(paragraph 23.2.2.4)

Truth: "*filing of the fourth impeachment complaint and the plenary action on it"*

GMBF No. 5 (HMR, CLMR)
Mode 1 Was Not Timely Acted.
(paragraphs 23.2.2.5, 31.2.1)

Truth: "*timely acted upon because they were included in the Order of Business within 10 session days and there were still three session days left as at February 5, 2025*"

GMBF No. 6 (SHV, VOP)
Declaring the House Committed Grave Abuse of Discretion
(paragraphs 26.2.7, 32.4.2)

Truth: The House committed no such thing based on fact and law.

19.3. Gross Misreading or Misapplication of the Law on Facts

GMTLF No. 1 (HMR, LMR, CLMR)
Mode 1 Precedence Over Mode 2
(paragraphs 23.3.2.1, 28.2.1, 31.3.2)

Correct Application: "*neither the Constitution nor any law impose any precedence requirement*"

GMTLF No. 2 (HMR, LMR, CMR, CLMR)
Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty
(paragraphs 23.3.2.2, 28.2.2, 29.3.1, 31.3.3)

Correct Application: The House has discretionary power.

GMTLF No. 3 (HMR)

19th Congress Adjournment Caused the F3ICs Being Unacted, Archival and Deemed Dismissal.
(paragraph 23.3.2.3)

Correct Application: "*… the archival was not predicated on the lapse of time, or on the adjournment of the legislative session. Rather, … it was an act taken in light of specific constitutional obligation: the House*" had already initiated the impeachment proceedings under Mode 2, "*thereby bypassing the need for referral to the Committee on Justice*."

19.4. Gross Ignorance of the Law

GITL No. 1 (HMR, LMR, CLMR, VOP)
Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings.
(paragraphs 23.4.2.1, 28.3.10, 31.4.2, 32.7.1)

Correct Law: what was held in *Francisco*: "*initiation starts with the filing of the complaint*"

GITL No. 2 (HMR, SHV, VOP)
Archival of the F3ICs As Effective Dismissal That Triggered The OYBR
(paragraphs 23.4.2.2, 26.2.9, 32.7.2)

Correct Law: what was still held in *Francisco*: "*initiation starts with the filing of the complaint*."

GITL No. 3 (HMR)
Congressional Adjournment Auto-Terminated Impeachment Proceedings.
(paragraph 23.4.2.3)

Correct Law: The Constitution, while providing specific timelines for impeachment proceedings, does not provide for auto-termination of impeachment proceedings.

GITL No. 4 (HMR, CLMR)
First-to-File and Mode-Based Hierarchy of Impeachment Complaints Invented Into the 1987 Constitution.
(paragraphs 23.4.2.4, 31.3.1)

Correct Law: "*The Constitution does not dictate an order of priority."*

GITL No. 5 (HMR)
Doctrinal Shift 2: One-Year Bar Reckoned from Dismissal or No Longer Viable
(paragraph 23.4.2.5)

Correct Law: One-year bar runs from initiation of the impeachment proceedings as defined and established in the jurisprudence of *Francisco* and *Gutierrez.*

GITL No. 6 (HMR, SHV, LMR, VOP)
New Impeachment Procedural Rules for Mode 2
(paragraphs 23.4.2.6, 26.2.5, 28.3.8, 32.8.1)

Correct Law: *Mode 2* impeachment procedures are "*plainly beyond the contemplation of the Constitution*."

GITL No. 7 (HMR, SHV, LMR, VOP)
New Impeachment Rules Applied Retroactively
(paragraphs 23.4.2.7, 26.2.3, 28.3.6, 32.3.2, 32.4.5)

Correct Law: Any new rule or doctrine is applied prospectively. Else, it violates due process.

GITL No. 8 (HMR, LMR)
Verba Legis Constitutional Construction Not Applied As to Mode 2
(paragraphs 23.4.2.8, 28.3.9)

Correct Law: "*Constitution is clear from its plain words…unequivocally states that filing is the single and sufficient act that transforms the complaint into the Articles of Impeachment to be transmitted to the Senate."*

GITL No. 9 (HMR, SHV, LMR, CLMR, VOP)
Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution
(paragraphs 23.4.2.9, 26.2.2, 28.3.6, 31.4.1, 32.1.1, 32.3.3)

Correct Law: "*Even assuming that there is ambiguity in how the filing process should be carried out, recourse to the framers' intent shows a deliberate decision to leave all other procedural matters within the full discretionary powers of Congress, not the Judiciary."*

GITL No. 10 (HMR, SHV, CLMR)

Due Process Clause Applied in Impeachment When Life, Liberty No Property Was Not at Stake
(paragraph 23.4.2.10, 26.2.11, 31.4.7)

Correct Law: The *Respondents* said so themselves that "*an official facing impeachment does not stand to lose fundamental constitutional rights such as life, liberty or property.*

GITL No. 11 (HMR, CLMR, VOP)
Favored Impeachable Officials Including Themselves Over the People
(paragraphs 23.4.2.11, 31.4.3, 32.7.4, 32.8.2, 32.1.2)

Correct Law: Power of the people is supreme

GITL No. 12 (HMR)
Same Due Process Requirements Between the Two Modes

(paragraph 23.4.2.12)

Correct Law: The framers of the Constitution intended the difference of due process requirements between the two modes by design: "*The presence of further proceedings after the unilateral act of filing a complaint in one mode, contrasted with their express absences in the other mode was no accident".*

GITL No. 13 (HMR, SHV, CMR, CLMR, VOP)
Due Process Right to Be Heard Mandatory for Mode 2
(paragraphs 23.4.2.13, 26.2.12, 29.4.2, 31.4.6, 32.2.2, 32.7.3, 32.8.4)

Correct Law: "*The conclusion is inescapable that the required due process involved in impeachment proceedings initiated via the second mode is only that which the Constitution expressly mentions: the trial itself."*

GITL No. 14 (HMR, VOP)
Mode 2 Impeachment Made More Difficult When Respondents Are Subject to It Too
(paragraphs 23.4.2.14, 32.3.4)

Correct Law: By making harder the rules of accountability for which the *Respondents* are also subject is clearly abuse of power beyond simply calling it as conflict of interest.

GITL No. 15 (HMR, SMV)
Retroactive Application of Due Process Requirement for Mode 2 Renders Past Impeachments Null And Void
(paragraphs 23.4.2.15, 26.2.4)

Correct Law: New due process requirement for Mode 2 must be prospective.

GITL No. 16 (HMR, CLMR, VOP)
Regarding Impeachment Proceeding As Criminal Proceeding
(paragraphs 23.4.2.16, 31.4.8, 32.4.3)

Correct Law: "*Impeachment is not a criminal proceeding; it is not intended to punish. It is intended to hold impeachable officers accountable."*

GITL No. 17 (HMR, VOP)
Relying on ABS-CBN News For Evidence of Finding
(paragraphs 23.4.2.16, 32.8.3)

Correct Law: News is not admissible evidence in any proceeding.

GITL No. 18 (SHV)
No Oral Arguments Held Before Decision
(paragraph 26.2.1)

Correct Law: Senator Sotto declared: "*Now, this is a transcendental case, ang laking constitutional issue wala man lang oral arguments at the very least consultation with some members of Congress."*

GITL No. 19 (SHV)
No Expressing Clearly and Distinctly the Facts and Law of the Decision
(paragraph 26.2.6)

Correct Law: Article VIII Section 14 mandates: "*No decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based*."

GITL No. 20 (SHV, CLMR, VOP)
Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment
(paragraphs 26.2.8, 31.4.11, 32.2.1, 32.4.1, 32.8.7)

Correct Law: The sole and exclusive powers to impeach and convict are specifically and unequivocally reserved for Congress under Article XI, Section 3(3) and (6), respectively.

GITL No. 21 (SHV, CMR)
Doctrine of Operative Fact Ignored
(paragraphs 26.2.10, 29.4.3)

Correct Law: "*Actions already taken under a prior and valid interpretation should be recognized as legally effective.*"

GITL No. 22 (SHV)
Not Taking Judicial Notice
(paragraph 28.3.1)

Correct Law: "*The plenary vote of the House on the Fourth (4th) Complaint is an official act of the legislative … Hence it is mandatory for the Honorable Court to take judicial notice thereof.*"

GITL No. 23 (LMR, CLMR)
Supreme Court Duty to Construe the Impeachment Process
(paragraphs 28.3.5, 31.4.11)

Correct Law: "*Each of the three great branches of government has exclusive cognizance of and is supreme in matters falling within its own constitutionally allocated sphere.*"

GITL No. 24 (LMR, VOP)
Re-writing the Constitution Violated Article XVII (Amendments)
(paragraphs 28.3.8, 32.4.4)

Correct Law: Amending the Constitution is mandated by Article XVII.

GITL No. 25 (CMR)
House Rules on Impeachment Not Different Between 19th Congress in Duterte and 12th Congress in Francisco Yet Writing New Conditions for Mode 2
(paragraph 29.4.1)

Correct Law: The *House Rules on Impeachment* between the 19th and 12th Congress being similar does not warrant introducing new due process requirements.

GITL No. 26 (CLMR)
Mistaken Regard for Anti-Harassment Provision
(paragraph 31.4.4)

Correct Law: The OYBR applied to avoid another harassment to the Vice President when in fact "*the Vice President could not claim that she was harassed by the first three (3) impeachment complaints. These did not reach the Justice Committee."*

GITL No. 27 (CLMR, VOP)
Dismissing Unacted F3ICs Exposes Impeachment to Sham and Frivolous Complaints
(paragraphs 31.4.5, 32.8.6)

Correct Law: Waiting for more complaints or exhausting the time limits under Mode 1 is not prohibited by the Constitution.

GITL No. 28 (CLMR)
The Senate Denied as the Impeachment Court
(paragraph 31.4.9)

Correct Law: The Supreme Court was rejected as the impeachment court when "*in discussing whether to transfer the impeachment process, a political act, under the Honorable Court's jurisdiction, the framers of the 1987 Constitution ended up rejecting the notion*" as "*it would politicize*" the Supreme Court. [26]

GITL No. 29
Defined Corruption as Impeachable Offense
(paragraph 31.4.12)

Correct Law: "*Only the Senate can decide the definition of these offenses and quantum of evidence it will use."*

GITL No. 30
Amending the Impeachment Rules As Conflict of Interest
(paragraph 32.4.6)

[26] Ibid 221 and 292,

Correct Law: "*A government of laws cannot allow any branch to become the judge of its own accountability… When the Court lays down rules for how it or others like it may be impeached, it puts himself in dangerous position of writing conditions that may shield itself from future accountability. That is not how checks and balances work.*"

19.5. Criminal Offenses

Criminal Offense No. 1
Retroactive Application Unjustly Penalized the House.
(paragraph 23.5.2.1)

Criminal Offense No. 2
First-to-File and Mode-Based Hierarchy of Impeachment Complaints Invented Into the 1987 Constitution.
(paragraph 23.5.2.2)

Criminal Offense No. 3
Favored Impeachable Officials Including Themselves Over the People
(paragraph 23.5.2.3)

Criminal Offense No. 4
Doctrine of Operative Fact
(paragraph 23.5.2.4)

Criminal Offense No. 5
Kapangalan Mo, Kaso Mo – The Ultimate No Due Process
(paragraph 23.5.2.5)

Criminal Offense No. 6
Bata Man Ako, May Karapatan Pa Din Ako (Deprivation of Liberty of Curfew Ordinances)
(paragraph 23.5.2.6)

Criminal Offense No. 7
Hindi Ka Halal, Huwag Kang Abuso (The Undemocratic Self-Conferred Contempt Power of the Court) – the Ultimate Abuse of Power
(paragraph 23.5.2.7)

VOICES OF DISSENT

Voices of dissent from the Filipino people through our directly elected representatives, the House of Representatives

The House Speaker's Speech

20. When **the House of Representatives speaks, that is the voice of the Filipino people the *Respondents* hear**. On August 4, 2025, the Honorable House Speaker Martin Romualdez[27] declared in his public speech (hereafter as *House Speaker's Speech*):

"*With full respect to the Constitution, in defense of institutional balance and **in the name of the Filipino people**, the House of Representatives has filed a Motion for Reconsideration before the Supreme Court. This is not act of defiance. It is an act of duty. We do not challenge the authority of the Court. We seek only to preserve the rightful role of the House, **the voice of the People**, in the process of accountability. Let us be clear, the Constitution says, the House of Representatives shall have the exclusive power to initiate all cases of impeachment. That power is not shared, no subject to pre-approval and not conditional.*

*Yet, in GR No. 278353, the Supreme Court ruled otherwise based on the **misreading of facts** and a **retroactive imposition of the new rule**. On February 5, 2025, the House transmitted the Fourth Impeachment Complaint, filed and signed by 215 members to the Senate. Only **after** this transmittal did we archive the earlier three complaints. The **sequence matters**. It proves there was only one valid initiation, not four. Even its own Court's precedent, Francisco vs House, supports this. Only one impeachment complaint can be initiated and that initiation begins with the 1/3 endorsement or a referral. That was exactly what the House did.*

*The Court also said that the Vice President was **denied due process** because she was not furnished a copy or given a chance to respond. **But nowhere in the Constitution is that required before transmittal**. In fact, in all past impeachments, the trial and the **right to be heard take place in the Senate**. **To invent new rules now and apply it retroactively is not just unfair, it is constitutionally suspect**.*

*Let me say this with candor. A government of laws cannot allow any branch to **become the judge of its own accountability**. The Supreme Court is a co-equal branch of government. Its wisdom is deep, its authority is real. But its members, like the President and the Vice President, are also impeachable officers. When the Court lays down rules for how it or others like it may be impeached, it puts himself in **dangerous position of writing conditions that***

[27] Rappler, "*Romualdez to Supreme Court: Inventing new impeachment rules unfair, constitutionally suspect*", https://youtu.be/C7s2UYGbvhM?si=pwINk2xmLFFR7hGh, August 4, 2025, accessed on August 8, 2025.

may shield itself from future accountability. That is not how checks and balances work.

We filed this Motion for Reconsideration, not to provoke, but to protect. Not to assert supremacy, but to restore balances. Because if impeachments can be blocked by ***misunderstood facts or rules made after the fact then accountability is not upheld, it is denied****.*

To dissent is not to defy. To demand accountability is not to destabilize. To insist on constitutional integrity is not to weaken democracy, it is to strengthen it. ***We speak now****, not because it is easy, but because* ***it is necessary****.* ***The House will not bow*** *in silence*." [emphasis added]

The emphasized phrases in the *House Speaker's Speech* reinforce the statements of facts, applicable law, and declarations of justice and rule of law in appropriate parts in this *Submission*.

21. There are two heads of dissent in the House Speaker's declaration that correspond to the two crucially serious constitutional violations of the *Respondents*:

    21.1. when the *Respondents* asserted, through the Supreme Court's expanded judicial review (EJR) power, jurisdiction over and took cognizance of the *Petitions for Certiorari*[28] on one-year bar rule, they encroached upon the power exclusively vested in the House of the Representatives by the 1987 Philippine Constitution with respect to matters of impeachment (hereafter as ***Encroachment***) and

    21.2. when the *Respondents* issued their *Decision* on the said *Petitions* dated July 25, 2025 laden with several culpable violations of the Constitution and fundamental principles of the rule of law (hereafter as ***Overreach***).

22. While the *House Speaker's Speech* refers to the *Motion for Reconsideration* (hereafter as *HMR*)[29] that the House filed against the *Respondents*' *Decision*, which is the second head of *Overreach*, the *HMR* includes the challenge against the first head of *Encroachment* right at the outset. In its press release (hereafter as *House Press Release*),[30] the House also declared "*it is the* ***voice of the Filipino people****. It is where the* ***people's outrage is weighed****, where their concerns become questions of law, and where accountability begins*." [emphasis added]

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[28] *Petition for Certiorari*, G.R. 278353 and G.R. 278359, February 18, 2025.
[29] *Motion for Reconsideration* to G.R. 278353 and G.R. 278359.
[30] HoR Press, "*Statement on the Motion for Reconsideration filed by the House of Representatives Regarding the Supreme Court ruling in G.R. No. 278353 on the Impeachment Complaint against the Vice President*", https://www.congress.gov.ph/media/press-releases/view/?content=9433&title=Statement+on+the+Motion+for+Reconsideration+filed+by+the+House+of+Representatives+Regarding+the+Supreme+Court+ruling+in+G.R.+No.+278353+on+the+Impeachment+Complaint+against+the+Vice+President , August 4, 2025, accessed on August 25, 2025.

The House of Representatives' Motion for Reconsideration

23. The arguments of the *HMR*, consisting of 61 pages of substantive submissions, are analyzed as follows:

23.1. *Gross Constitutional Encroachment and Overreach*, hereafter as *GCEO*.

23.1.1. *Strip to the Bone*

23.1.1.1. *Impeachment Matters Beyond Reach of the Supreme Court*.

In enforcing any constitution of a nation, the first step is to execute on the plainly literal, dictionary-based meanings of its words and phrases. You do not need anybody to understand it provision, let alone a Supreme Court.

The *1987 Philippine Constitution* declares under Article XI Section 3(1): "*The House of Representatives have the exclusive power to initiate all cases of impeachment*."

The word "exclusive" is plainly literal and even resort to dictionary is unnecessary. Only an unintelligent or knowingly wicked person will read other than in the words of the *House Speaker*, "*not shared*".

This point is repeatedly emphasized in the *House Press Release*: "*When serious charges are raised against those who hold the highest offices,* ***it is the House—not the courts****—that is called upon to ask the first question: Is this official still worthy of the public's trust? That is why the Constitution states in clear, commanding, and unmistakable terms: 'The House of Representatives shall have the exclusive power to initiate all cases of impeachment.' (Article XI, Section 3[1])* ***That power is not shared. It is not subject to prior approval. It is not conditional.*** *And yet, in G.R. No. 278353, the Supreme Court has ruled otherwise*."[31] [emphasis added]

The same reading is plain under Section 6 as to the power of the Senate over impeachment proceedings: "*The Senate shall have the sole power to try and decide all cases of impeachment.*" We repeat, only a mentally challenged or

[31] Ibid 30.

knowingly sinister person will read (as it is for "exclusive"), other than in the words of the *House Speaker*, "*not shared*".

23.1.1.2. *Supreme Court's Expanded Judicial Review (EJR) Power Is Not Absolute.*

The *HMR* declared the Supreme Court's *EJR* is "*not absolute, unlimited, nor all-encompassing.*"[32] **The constitutional provision on impeachment is one such limitation**, reserved for Congress, carved out exception to the Supreme Court's *EJR*.

23.1.1.3. *Supreme Court's Arrogant Presumptuous Interpretation.*

As emphasized earlier, in reading and not interpreting just yet, the Constitution (or any legislation for that matter), literal dictionary-meaning operationalizes the law. **Only when words and phrases are ambiguous as to their intent** in the context of the object of the law **does Supreme Court resort to interpretation**, as opposed to simply reading.

But the *Respondents* "interpreted" the "sole" and "exclusive" terms under Section 3 of Article XI in the context of the "expanded" judicial review. And such interpretation was imposed on us all. In doing so, the *Respondents* justified it with declarations of their own kind (ie jurisprudence or past Supreme Cout decisions). It is like saying to us all: *"Legislative and the people, you better listen to us the Supreme Court because that is how we interpret the Constitution and our basis is what our predecessors in the Supreme Court said in the past*."

23.1.2. *GCEOs Enumerated*

As previously stated in the summary enumeration, the GCEOs are overarching categorization of instances of misconduct under the other four categories: GMBF, GMTLF, GITL, and CO.

23.1.2.1. *The Respondents modified "clear and unambiguous provisions of the Constitution*"[33], hereafter as *GCEO No. 1* (House Declaration).

[32] Ibid para. 2.
[33] Ibid.

- First-to-File and Mode-Based Hierarchy of Impeachment Complaints Invented Into the 1987 Constitution (GITL No. 4)

- Verba Legis Constitutional Construction Not Applied As to Mode 2 (GITL No. 8)

- Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution (GITL No. 9)

- Due Process Clause Applied in Impeachment When Life, Liberty No Property Was Not at Stake (GITL No. 10)

- Same Due Process Requirements Between the Two Modes (GITL No. 12)

- Due Process Right to Be Heard Mandatory for Mode 2 (GITL No. 13)

- Supreme Court Duty to Construe the Impeachment Process (GITL No. 23)

23.1.2.2. *The Respondents intruded "into the constitutionally vested powers of the Congress.*"[34], hereafter as *GCEO No. 2* (House Declaration).

- Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment (GITL No. 21)

- Re-writing the Constitution Violated Article XVII (Amendments) (GITL No. 24)

- House Rules on Impeachment Not Different Between 19th Congress in Duterte and 12th Congress in Francisco Yet Writing New Conditions for Mode 2 (GITL No. 25)

- The Senate Denied as the Impeachment Court (GITL No. 28)

[34] Ibid para. 82.

- Defined Corruption as Impeachable Offense (GITL No. 29)

23.1.2.3. *The Respondents needlessly burdened "constitutional mechanisms for upholding accountability of public officers*"[35] , hereafter as *GCEO No. 3* (House Declaration).

- Mode 1 Precedence Over Mode 2 (GMTLF No. 1)
- Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty (GMTLF No. 2)
- 19th Congress Adjournment Caused the F3ICs Being Unacted, Archival and Deemed Dismissal (GMTLF No. 3)
- Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings (GITL No. 1)
- Archival of the F3ICs As Effective Dismissal That Triggered the OYBR (GITL No. 2)
- Congressional Adjournment Auto-Terminated Impeachment Proceedings (GITL No. 3)
- Doctrinal Shift 2: One-Year Bar Reckoned from Dismissal or No Longer Viable (GITL No. 5)
- New Impeachment Procedural Rules for Mode 2 (GITL No. 6)
- Regarding Impeachment Proceeding As Criminal Proceeding (GITL No. 16)
- Dismissing Unacted F3ICs Exposes Impeachment to Sham and Frivolous Complaints (GITL No. 27)

[35] Ibid.

23.1.2.4. *The Respondents nullified "legitimate actions which have been done in accordance with existing legal framework*", hereafter as *GCEO No. 4* (House Declaration).

- New Impeachment Rules Applied Retroactively (GITL No. 7)
- Retroactive Application of Due Process Requirement for Mode 2 Renders Past Impeachments Null And Void (GITL No. 15)
- Doctrine of Operative Fact Ignored (GITL No. 21)

23.1.2.5. *The Respondents found abuse of discretion by the House when facts and law bore none*, hereafter as *GCEO No. 5*.

- Wrong Sequence of Events (GMBF No. 1)
- 4IC Without Plenary Vote (GMBF No. 2)
- February 5, 2025 the Adjournment Sine Die (GMBF No. 3)
- 19th Congress Adjournment Precluded Referral of the F3ICs to the Committee on Justice (GMBF No. 4)
- Mode 1 Was Not Timely Acted (GMBF No. 5)
- Declaring the House Committed Grave Abuse of Discretion (GMBF No. 6)
- Relying on ABS-CBN News for Evidence of Finding (GITL No. 17)
- No Oral Arguments Held Before Decision (GITL No. 18)
- No Expressing Clearly and Distinctly the Facts and Law of the Decision (GITL No. 19)
- Not Taking Judicial Notice (GITL No. 22)

- Mistaken Regard for Anti-Harassment Provision (GITL No. 26)

23.1.2.6. *The Respondents made themselves "judges of their own accountability"*, hereafter as *GCEO No. 6* (House Speaker Declaration).

- Favored Impeachable Officials Including Themselves Over the People (GITL No. 11)
- Mode 2 Impeachment Made More Difficult When Respondents Are Subject to It Too (GITL No. 14)
- Amending the Impeachment Rules As Conflict of Interest (GITL No. 30)

23.1.2.7. *The Respondents committed unjust orders*, hereafter as *GCEO No. 7.*

- Retroactive Application Unjustly Penalized the House. (CO No. 1, see paragraph 23.5.2.1)
- First-to-File and Mode-Based Hierarchy of Impeachment Complaints Invented Into the 1987 Constitution (CO No. 2, see paragraph 23.5.2.2)
- Favored Impeachable Officials Including Themselves Over the People (CO No. 3, see paragraph 23.5.2.3)
- Doctrine of Operative Fact (CO No. 4, see paragraph 23.5.2.4)

23.2. *Gross Misrepresentation, Not Negligence Let Alone Ignorance, of Basic Facts* (hereafter as *GMBF*)

The *HMR* was written in a manner too respectful to a fault that it fails to connect the punch, so to speak. Under its *Ground I*, it submits to correct "*factual misunderstandings presented in the Decision*"[36].

The *House Press Release*, quite frankly, **revealed even more misplaced subservience of the democratically elected House to the**

[36] Ibid para. 9.

politically illegitimate unelected justices: "*We Appeal to Restore Balance, Not to Assert Supremacy This Motion for Reconsideration is not a test of institutional power. It is a plea for constitutional clarity.*

We ask the Honorable Court:
• To correct the factual misreadings;
• To reconsider the creation and retroactive application of new procedural burdens; and
• To restore to the House its rightful role as the starting point of all impeachment.

We do not seek control over other branches. We seek only the space to perform our constitutional duty—freely, faithfully, and fully."[37]

This subservient stance is carried through in the *HMR*. While the *HMR* is couched in noticeably meek and alarmingly subservient language[38], its no-frills direct translation is, quite frankly, *gross misrepresentation of basic facts*, which is dissected as follows:

23.2.1. *Strip to the Bone*

23.2.1.1. *Facts are basic*.

Unlike law, facts in a judicial proceeding were given to the *Respondents* in a silver platter, so to speak, by the parties in the *Petitions* in the form of Petitions and Answers. Particularly for public records, such as the House Journals and Congressional Records, the evidential probity is not only conclusive (by judicial notice or not) but easily available on document read (never mind inspection), especially with an army of assistants for all 15 *Respondents*. Those are a million pairs of eyes, especially if specifically directed by each of the *Respondents* to their respective battalions.

Readily, simple reading, million eyes, directed – individually or collectively – these attributes make the fact being *verified* basic.

23.2.1.2. *The mischief is misrepresentation, not negligence let alone ignorance.*

[37] Ibid 30.
[38] "*contrary to finding*" (paras. 16, 35), "*may have overlooked*" (para. 20), "*escapes the fact*" (para. 31), "*contrary to pronouncement*" (para. 32), "*negated by the records*" (para. 45), "*incorrect to conclude*" (para. 47), "*incorrectly concludes*" (para. 54), "runs counter" (para. 60), "*not accurate*" (para. 64), "*had the unintended effect of* rewriting both the Constitution and the internal rules of the House" (para 128), "would these … null and void?" (para. 160).

In the foregoing context, ignorance is absence of knowledge of facts. But did we not say that these were given to the *Respondents* in Petitions and Answers so that the question was not the absence of knowledge of facts? Rather, the question becomes the absence of verification of facts as the *Respondents* only have to verify them – not even subject them to evidential probe as you do in a court trial – as a matter of basic due diligence of a competent judge.

When the *Respondents* failed to do the check, do it properly or do rely on something else improper, they committed negligence. Yet, this is so much worse than negligence.

In fact verification, a point of fact submitted is either found or not, either exists or not. When the *Respondents* relied on the fact's state of existence as the **opposite of the true state** of such fact, the *Respondents* committed misrepresentation of the said fact.

Whereas, the *House Speaker's Speech* is too kind to call this "*misreading of facts*" or "*misunderstood facts*"; we call spade a spade.

23.2.1.3. *The ignorance is grave*.

By definition, misrepresentation is grave. The misrepresentation of facts by the *Respondents* is even worse in light of their armies of assistants, worst with 15 commanders in control.

23.2.2. *GMBFs Enumerated*

23.2.2.1. *Wrong Sequence of Events*

In their unanimous *Decision*, the *Respondents* relied on the fact that the *First Three Impeachment Complaints*' (hereafter as *F3IC*) archiving and termination triggered the one-year bar rule (hereafter as OYBR)[39], hereafter as *GMBF No. 1*.

The true fact establishing *GMBF No. 1* committed by the *Respondents* is that the F3IC was archived after, not before, the *Fourth Impeachment Complaint* (hereafter as *4IC*) initiated the first and only impeachment proceedings.[40] The outright falsity relied on *GMBF No. 1* is established by House Journal

[39] Ibid. para. 11, 31.
[40] Ibid. para. 12-13, 34, 52, 57.

No. 36 (hereafter as *HJ36*) and Congressional Record Vol. 3, No. 36b (hereafter as *CR36*).

The *House Speaker's Speech* reinforced: "*Only **after** this transmittal did we archive the earlier three complaints. **The sequence matters**."*

The *House Press Release* outlined the facts with emphatic title: "*The Order of Events Matters – And the Record Is Clear*": "*On February 5, 2025, the House of Representatives, acting within the ten-session-day limit provided in the Constitution, transmitted to the Senate the fourth impeachment complaint against the Vice President, duly verified and endorsed by more than one-third of all Members. That transmittal—approved in plenary session upon formal motion by the Majority Leader—elevated the complaint to the status of Articles of Impeachment. Still on the same day and after the transmittal of the Articles of Impeachment signed by 215 Members, the House voted in plenary to archive the three earlier complaints filed in December 2024.*

***This sequence of events is not incidental – it is essential**. It shows:*
• That the fourth complaint alone was elevated for trial;
• That the House acted in full compliance with the Constitution, deliberately, in good faith, and with transparency; and
• That no other complaint remained pending or unacted upon at the time of transmittal.

*The Supreme Court's ruling misunderstood—and effectively **reversed—this clear chronology**. Based on that **factual error**, it struck down a process we executed with utmost fidelity to the Constitution.*"[41] [emphasis added]

In *VP's Comments to the HMR*, it was said in opposition that "*it is misleading to suggest that this Court based its ruling on a misapprehension of this supposed sequence … the One-Year Bar Rule rested not on this incidental sequential detail …*" [42] Such misleading claim is itself the misleading submission. Wafer-thin[43] or not, the 4IC initiated the impeachment proceeding before the F3ICs were dismissed. **In applying the OYBR, sequence is the only crucial question**, not incidental.

[41] Ibid 30.
[42] Ibid 21 para. 5.
[43] Ibid para. 6.

The OYBR question asks: was there an impeachment complaint that initiated an impeachment proceeding? The answer was none. It does not matter whether the F3ICs ever initiated an impeachment proceeding or not from its effective dismissal.

The *VP's Comments to the HMR* argued: "*The foregoing declarations thus squarely answer the issues that the Court enumerated for its resolution in the Decision:*
…
(5) Whether the fourth impeachment complaint is unconstitutional, in that:

a. Whether Congress' inaction on the first three impeachment complaints violated the one-year bar…" [44][underline supplied]

This particular question was wrongly formulated. The underlined 'violated' should have been 'activated' instead as the object of the OYBR violation question is the 4IC so that any 'activation' of the OYBR by the F3ICs renders the 4IC unconstitutional. No wonder the *Decision* is wrong.

23.2.2.2. 4IC Without Plenary Vote

In their unanimous *Decision*, the *Respondents* relied on the fact that the 4IC transmitted to the Senate was without the plenary vote[45], hereafter as *GMBF No. 2*.

The true fact establishing *GMBF No. 2* committed by the *Respondents* is that the 4IC was transmitted with, not without, the plenary vote.[46] The outright falsity relied on *GMBF No. 1* is established also by *HJ36* and *CR36*.

VP's Comments to the HMR argued quite superficially: "*There was no voting to speak of. Voting should be done in the manner provided by the House Rules*" where "ayes" and "nays" should have been asked[47] instead of only inquiring "*if there were objections to these motions*."[48] This nitpick is arguing on form (ie use of ayes and nays) over substance (ie asking if there was any objection). Yet, they just argued on substance over form on the sequence being incidental (see paragraph 23.2.2.1). This

[44] Ibid para. 8.
[45] Ibid 29 para. 14, 16.
[46] Ibid para. 16, 34.
[47] Ibid 21 para. 10.
[48] Ibid para. 11.

early the strategy of the opposition to the *HMR* is to throw the entire kitchen.

23.2.2.3. February 5, 2025 The Adjournment Sine Die

In their unanimous *Decision*, the *Respondents* relied on the fact that February 5, 2025 was the last session day of the 19th Congress being its term "*expiration*"[49], which terminated all unfinished business including the 4IC that was archived[50], hereafter as *GMBF No. 3*.

The true fact establishing *GMBF No. 3* committed by the *Respondents* is that the there were still three session days left[51] before the 19th Congress adjourned on June 30, 2025.[52]

VP's Comments to the HMR argued for HMR "*to contend now that the non-sine die adjournment of Congress on the same date cannot be said to result in archival of the first 3 complains is staggeringly ridiculous.*"[53] [underline supplied]

The *VP's Comments to the HMR* further agued: "*Whether the adjournment of that session was temporal or sine die is immaterial*."[54]

The underlined "archival" should have been "dismissal" instead as the significance of sine die or not pertains to the fact that only the sine adjournment terminates any unfinished business including the archived F3ICs. The *Decision* held the events in this order with respect to the F3ICs: unacted, archived, terminated, effectively dismissed. The sine die fact established that the "terminated" event did not happen yet and so did the "effectively dismissed" until the sine die adjournment three session days later. As we can all see, it is the submission of the *VP's Comments to the HMR* on this point as staggeringly ridiculous. Noticeably, *VP's Comments to the HMR* only strung paragraphs 15 to 20 replete with insulting and dismissive language rather than reason as they missed the whole point altogether: the three session days remaining is another way of saying February 5, 2025 was not the sine die adjournment that terminated the archived F3ICs.

[49] Ibid 29 para 64.
[50] Ibid paras. 23, 38, 66.
[51] June 2, 3, and 9, Ibid 29 para. 46, 64.
[52] Ibid 11, 64, 66.
[53] Ibid 21 para. 16.
[54] Ibid para. 18.

23.2.2.4. 19th Congress Adjournment Precluded Referral of the F3ICs to the Committee on Justice.

In their unanimous *Decision*, the *Respondents* relied on the fact that 19th Congress adjournment precluded the referral of the F3ICs to the Committee on Justice, hereafter as *GMBF No. 4*.

The true fact establishing *GMBF No. 4* committed by the *Respondents* is that "*it is the filing of the fourth impeachment complaint and the plenary action on it*"[55] that precluded the referral of the F3ICs.

23.2.2.5. *Mode 1 Was Not Timely Acted.*

In their unanimous *Decision*, the *Respondents* relied on the fact that the F3ICs were unacted[56], whether by simple omission, neglect or wilfully[57], hereafter as *GMBF No. 5*.

The true fact establishing *GMBF No. 5* committed by the *Respondents* is that the F3ICs were in fact timely acted upon because they were included in the *Order of Business* within 10 session days[58] and there were still three session days left as at February 5, 2025[59] and thus not negligently nor wilfully unacted.[60]

The outright falsity relied on *GMBF No. 5* is established by *HJ36*).[61]

23.3. *Gross Misreading or Misapplication of The Law on Facts* (hereafter as *GMTLF*)

23.3.1. *Strip to the Bone*

23.3.1.1. *An SC Justice, by definition, is the most competent, experienced and even intelligent.*

Supreme says it all and needs no explanation. Appointment to this post, though political, is still a rigorous selection.

[55] Ibid 29 para. 51.
[56] Ibid 1.
[57] Ibid. para. 35.
[58] Ibid 29 paras. 29, 38.
[59] Ibid para. 46.
[60] Ibid para. 47.
[61] Ibid para. 30-31.

To misread is to misjudge. Thus, when an SC Justice misreads the law, he demonstrates incompetence and not being fit for purpose.

23.3.1.2. *There are 15 of this kind Supreme*.

One SC Justice to err is human but 15 of them all together is necessarily evil. The improbability, if not impossibility, reared its ugly head to simply say it is gross.

23.3.1.3. *Misreading and Misapplication Equivalent In Their Effect*

The misreading of the law and misapplication of the law on facts are equivalent in their effect: a wrong decision.

23.3.2. *GMTLFs Enumerated*

23.3.2.1. *Mode 1 Precedence Over Mode 2*

In their unanimous *Decision*, the *Respondents* ruled that *Mode 1* (Section 3.2/.3 normal procedure) of impeachment takes precedence over *Mode 2* (Section 3.4 accelerated procedure)[62], hereafter as *GMTLF No. 1*. This reliance is especially worse in light of GMBF No. 1 (*Mode 1* dismissal precedes *Mode 2* transmittal to Senate)

The true state of the law establishing *GMTLF No. 1* committed by the *Respondents* is that "*neither the Constitution nor any law impose any precedence requirement.*"[63]

"*Otherwise, such a rule of priority or preference would unduly impose a restriction on the prerogatives of the House as the body that initiates all cases of impeachment*."[64]

"*The Constitution does not impose a sequential or even a hierarchical approach in filing of impeachment complaints*."[65]

Thus, *"…the mere filing of the verified complaint or resolution* [by] *at least 1/3 of all the members of the House already constitutes the Articles of Impeachment…*"[66]

[62] Ibid para. 25.
[63] Ibid para. 26, 32.
[64] Ibid para. 27.
[65] Ibid para. 50.
[66] Ibid para. 28.

23.3.2.2. *Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty*

In their unanimous *Decision*, the *Respondents* ruled that the referral of the F3ICs was "*a matter of course because these two actions are mandatory steps and ministerial duties of the House*"[67], hereafter as *GMTLF No. 2*.

The true state of the law establishing *GMTLF No. 2* committed by the *Respondents* is that the *House* has discretionary power to "*set its own chamber into special operation by referring the complaint or [to] otherwise…"*[68] even invoking *Gutierrez v. House of Representatives.*[69]

Further, *"…the House has the discretion not to refer a subsequent impeachment complaint…"*[70] and *"[i]t is still discretionary on the part of the House to refer or not precisely because the House is mindful of the Francisco, Jr. v. House of Representatives ruling as to what constitutes 'initiation'."*[71]

The *Respondents* necessarily deprives its co-equal House of its exclusive power to initiate all cases of impeachment. More crucially, the *Respondents* deprive the Filipino people its inherent power to remove the erring public official, as invoked by the *House* in *Gutierrez*:

"*…depriving the people (recall that impeachment is primarily for the* ***protection of the people*** *as a body politic) or reasonable access to the limited political vent simply* ***prolongs the agony*** *and* ***frustrates the collective rage of an entire citizenry whose trust has been betrayed*** *by an impeachable officer.*"[72]

The *VP's Comments to the HMR* argued the "*Decision itself shows this Honorable Court's unequivocal grasp of the timeline*"[73]. The unequivocal grasp had to **wrongly** rely on the "referral to the proper committee" as ministerial so that "*any action or delay should be considered as denial or discretion and an action in itself.*"

[67] Ibid paras. 39, 44.
[68] Ibid paras. 41-42.
[69] G.R. 193459, February 15, 2011.
[70] Ibid 29 para. 42.
[71] Ibid para. 43.
[72] Ibid.
[73] Ibid 21 para. 7.

23.3.2.3. *19th Congress Adjournment Caused the F3ICs Being Unacted, Archival and Deemed Dismissal.*

In their unanimous *Decision*, the *Respondents* ruled that the 19th Congress adjournment caused the F3ICs being unacted, archived and deemed dismissal[74], hereafter as *GMTLF No. 3*.

The true state of the law establishing *GMTLF No. 3* committed by the *Respondents* is that, based on the *HJ36* and *CR36*, "*the archival was not predicated on the lapse of time, or on the adjournment of the legislative session. Rather, … it was an act taken in light of specific constitutional obligation: the House*" had already initiated the impeachment proceedings under *Mode 2*, "*thereby bypassing the need for referral to the Committee on Justice*."[75]

Quite simply, the archival of the F3ICs "*was more a matter of housekeeping as nothing more could be done. It did not amount to abandonment or dismissal of such cases*."[76]

HJ36 "*reflects a constitutional fulfilment – not abandonment – of the impeachment process…Thus, there was not effective dismissal of the*" F3ICs.[77]

The House further declared: "*by ruling that the first three impeachment complaints were 'unacted upon' with the termination of the 19th Congress …, the Court imposes a legal consequence* ***based on a wrongful factual premise and not supported by the Constitution, the House Rules, or established jurisprudence****. Such interpretation effectively reads into the Constitution a termination mechanism that does not exist, and which runs counter to both textual and structural safeguards of the impeachment process*." [bold-in-place-of-italics emphasis preserved but underline added]

The *House Press Release* summarized the true application of the law on the facts: "*The Supreme Court held that by acting on the February 5 complaint, the House violated the constitutional bar against initiating more than one impeachment proceeding within a year. But that is not what happened.* ***The House initiated only one proceeding: the February 5 complaint that met the one-third threshold.***

[74] Ibid 29 para. 54, 61.
[75] Ibid para. 55.
[76] Ibid para. 57.
[77] Ibid para. 61.

This is fully consistent with jurisprudence. In Francisco v. House of Representatives and Gutierrez v. House of Representatives, the Supreme Court itself defined "initiation" as either:
• Referral to the Committee on Justice, or
• Direct endorsement by one-third of the Members.

***The House followed this principle with care and deliberation**. We transmitted the February 5 complaint to the Senate before acting on the first three, ensuring that only one proceeding was initiated—and that the one-year bar was not violated, but respected.*"[78] [emphasis added]

23.4. *Gross Ignorance of The Law* (hereafter as *GITL*)

23.4.1. *Strip to the Bone*

The *Respondent's* gross ignorance of the law is that kind they apply in administrative cases and need not be stripped to the bone except that the gravity is 15x more serious.

23.4.2. *GITLs Enumerated*

23.4.2.1. *Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings.*

In their unanimous *Decision*, the *Respondents* ruled that the effective dismissal of the F3ICs that activated the OYBR amounted to initiation of the impeachment proceedings[79], hereafter as *GITL No. 1.*

The true state of the law establishing *GITL No. 1* committed by the *Respondents* is that what was held in *Francisco*: "*initiation starts with the filing of the complaint*."[80]

The House declared that the *Respondents* "*have adopted a substantially different meaning of the term "initiate', thereby holding that even impeachment complaints have not been endorsed or acted upon by the House, even if compliant within the periods mandated by the Constitution, may nonetheless be considered 'initiated'*."[81]

[78] Ibid 30.
[79] Ibid para. 58.
[80] Ibid para. 59.
[81] Ibid para. 92.

Thus, the *Respondents* defied *Francisco* as it "***runs counter to the letter and spirit of the Constitution*** *and what 'initiation' plainly means*"[82] and further as reinforced in *Gutierrez*: "*By departing from the procedural and doctrinal framework firmly established in Francisco, and maintained in Gutierrez, this significant shift in interpretation fundamentally changes the prevailing understanding of when an impeachment proceeding is considered 'initiated'.*"[83]

The House further elaborated the judicial definition of "initiation" and its distinction between the two modes.[84]

The *VP's Comments to the HMR* argued that the doctrinal shifts (this effective dismissal implies too an initiation and the *Doctrinal Shift 2: One-Year Bar Reckoned from Dismissal or No Longer Viable* see also paragraph 23.4.2.5) from *Francisco* and *Gutierrez* are permissible as "*stare decisis is not inflexible…the controlling measure of constitutionality of a questioned act remains the Constitution itself, not merely the High Court has said in the past.*"[85]

Basically, the *VP's Comments to the HMR* argued: forget about established precedents and re-write the constitution. The antidote to this absurd submission is in fact right in paragraph 37 that it quoted: "*that a ministerial referral produces the same result as a first-to-file initiation. They both leave the act of initiation to the complainants and ignore the constitutional mandate that the House of Representatives has the exclusive power to initiate all cases of impeachment.*"

23.4.2.2. *Archival of the F3ICs As Effective Dismissal That Triggered The OYBR*

In their unanimous *Decision*, the *Respondents* ruled that the archival of the F3ICs effectively dismissed the F3ICs that triggered the OYBR[86], hereafter as *GITL No. 2*.

The true state of the law establishing *GITL No. 2* committed by the *Respondents* is that **what was <u>still</u> held in *Francisco***: "*initiation starts with the filing of the complaint*."[87]

[82] Ibid para. 59.
[83] Ibid para 93.
[84] Ibid paras. 109-112, 121-122.
[85] Ibid 21 para. 36.
[86] Ibid 29 para. 60.
[87] Ibid para. 59.

Thus, the *Respondents* defied *Francisco* as "*to interpret the archival as effective dismissal or termination of an impeachment, and resultantly the triggering of the 1-year bar rule, is* ***to ignore both the substance of the House's action and the clear constitutional context****"*[88].

The House further declared: "*by equating archival with dismissal, the Court imposes a legal consequence* ***based on a wrongful factual premise and not supported by the Constitution, the House Rules, or established jurisprudence****. Such interpretation effectively reads into the Constitution a termination mechanism that does not exist, and which runs counter to both textual and structural safeguards of the impeachment process*." [bold-in-place-of-italics emphasis preserved but underline added]

The House further declared the ***Respondents*** **defied established jurisprudence**: "*Indeed, there is nothing in Francisco and Gutierrez that would show that the mere act of archiving the impeachment complaint would trigger the 1-year bar rule*."[89]

23.4.2.3. *Congressional Adjournment Auto-Terminated Impeachment Proceedings.*

In their unanimous *Decision*, the *Respondents* ruled that the congressional adjournment auto-terminated impeachment proceedings[90], hereafter as *GITL No. 3*.

The true state of the law establishing *GITL No. 3* committed by the *Respondents* is that **the Constitution**, while providing specific timelines for impeachment proceedings, **does not provide for auto-termination of impeachment proceedings**."[91]

23.4.2.4. *First-to-File and Mode-Based Hierarchy of Impeachment Complaints Invented Into the 1987 Constitution.*

In their unanimous *Decision*, the *Respondents* ruled effectively "*first-to-file*" or "*mode-based hierarchy*" in filing impeachment complaints (ie "*that one complaint should be held in abeyance or dismissed simply because another was*

[88] Ibid para. 60.
[89] Ibid para. 88.
[90] Ibid para. 62.
[91] Ibid.

filed earlier") capable of initiating impeachment proceedings[92], hereafter as *GITL No. 4*.

The true state of the law establishing *GITL No. 4* committed by the *Respondents* is that established under *Francisco* and *Gutierrez*: "*The Constitution does not dictate an order of priority.*"[93] Initiation occurs as "*for the first mode, the operative act is the referral to the proper committee while the second mode, it is the filing of the verified complaint by at least 1/3 of all the members of the House*." [94]

Thus, these are ***Respondents*' abuse-of- power inventions into the Constitution**.

The House declared: "***The Constitution does not dictate*** *an order of priority, whether based on the mode of filing or the time of filing, for an impeachment complaint*."[95]

Simply stated, there is no precedence among impeachment complaints within a particular mode (ie *Mode 1* or *2*) or intra-mode and between modes or inter-mode.

The House further ratiocinated: "*Such an interpretation would also unfairly prioritize speed and timing over substantive and would* ***unjustly restrict the legitimate channels provided by the Constitution for impeachment***."[96]

The House concluded: "***The Constitution does not mandate any order of preference*** *between or among complaints*."[97]

23.4.2.5. *Doctrinal Shift 2: One-Year Bar Reckoned from Dismissal or No Longer Viable*

In their unanimous *Decision*, the *Respondents* ruled that the one-year bar runs from the date of dismissal or no longer viable[98], hereafter as *GITL No. 5*.

The true state of the law establishing *GITL No. 5* committed by the *Respondents* is that the one-year bar runs from initiation of

[92] Ibid para. 71.
[93] Ibid paras. 69-73.
[94] Ibid para 70.
[95] Ibid para. 69.
[96] Ibid para, 71.
[97] Ibid para. 73.
[98] Ibid paras.74, 90.

the impeachment proceedings as defined and established in the jurisprudence of *Francisco* and *Gutierrez.*[99]

The House declared: "*it thus makes no sense to trigger the 1-year bar rule using actions that do not even 'begin' a proceeding. To identify actions or points in time other than the initiation of the impeachment complaint is* ***arbitrary and contrary to the letter and spirit of*** *Article XI, Section 3(5)*"[100] of **the Constitution**.

23.4.2.6. *New Impeachment Procedural Rules for Mode 2*

In their unanimous *Decision*, the *Respondents* ruled that impeachment proceedings under *Mode 2* required additional procedures meant to observe due process rights for the impeached public official,[101] hereafter as *GITL No. 6*.

The true state of the law establishing *GITL No. 6* committed by the *Respondents* is that these additional Mode 2 impeachment procedures are "***plainly beyond the contemplation of the Constitution***."[102]

The House further declared: "*To read into the Constitution a requirement for collective deliberation would improperly add a procedural step that the framers deliberately omitted and would undermine the constitutional intent of providing unimpeded avenue for impeachment when a critical mass of legislators independently supports it*."[103]

As is now a running theme**, even the jurisprudence** in *Francisco* and *Gutierrez* **does not provide anything else**: "*Even in Francisco, the Court made no mention of a requirement for a collegial deliberation or a separate vote by the House as a prerequisite to the initiation of the impeachment under the second mode*."[104]

More crucially, the House asserted its independence: "*These are* ***inherently political*** *determinations entrusted to the wisdom of duly elected representatives acting on behalf of the* ***sovereign Filipino people****, from which the* ***Judiciary is deliberately excluded****. In the same vein, it would constitute an*

[99] Ibid paras. 75-89.
[100] Ibid para. 82.
[101] Ibid para.96.
[102] Ibid para. 97.
[103] Ibid para. 99.
[104] Ibid para. 102.

unacceptable intrusion … encroaching upon *the internal processes of a co-equal branch*"[105].

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Gutierrez reinforced the **abuse of intrusion**: "*It is not for this Court to tell a co-equal branch of government how to promulgate when the Constitution itself has not prescribed a specific method of promulgation. The Court is in no position to dictate a mode of promulgation beyond the dictates of the Constitution*."[106]

The *House Press Release* further illuminated: "*The Supreme Court further ruled that the Vice President was denied due process because she was not furnished a copy of the complaint and was not given an opportunity to respond.* ***But these are not constitutional requirements. Nowhere in Article XI does the 1987 Constitution require*** *the House to solicit an answer from the respondent or conduct another plenary vote after the one-third endorsement is secured. In fact, every impeachment case brought under the 1987 Constitution followed the same path.* ***To declare that process flawed now is to rewrite the past****—and destabilize the future. Due process is paramount—but the* ***Constitution safeguards it through the Senate trial, not by limiting the House's exclusive power to initiate.*** *If these rules had existed earlier, we would have followed them. But to invent them after the fact, and strike down a valid impeachment for not satisfying them, is not only unfair—it is constitutionally suspect*." [emphasis added]

The *VP's Comments to the HMR* argued the *Francisco*'s "*own reasoning reveals no categorical pronouncement as to what constitutes initiation under the second mode*,"[107] even saying "*Francisco left the question unresolved, and Gutierrez declined to answer it*"[108] so that the *Respondents* "*had the opportunity to finally address the gap*."[109]

Notice that earlier the *VP's Comments to the HMR* argued "*the controlling measure of constitutionality of a questioned act remains the Constitution itself, not merely the High Court has said in the past"*[110] when it argued against judicial precedents and yet arguing here for them when it invoked *Francisco* and

[105] Ibid para. 120.
[106] Ibid para. 123.
[107] Ibid 21 para. 78.
[108] Ibid para. 80.
[109] Ibid para. 82.
[110] Ibid para. 36.

Gutierrez. The flip-flopping inconsistencies are so revealing of lack of both intelligence and integrity.

Also, more egregiously shocking is when *VP's Comments to the HMR* argued *Francisco* "*made no distinction whether this* [impeachment proceeding in the speech of Fr. Bernas] *was for the first or second mode of initiation.*"[111] First of all, *Francisco* is all about *Mode 1* as the issue was the initiation was delayed by the House rule **from referral** to the Committee on Justice **to their vote or the House's veto** calling it the deemed initiation point. Second of all, the quoted text has explicit mentions of the hallmarks of *Mode 1*: "*filing of the complaint and its referral to the Committee on Justice*", "*deemed initiated when the Justice Committee*", etc. Either the authors (and presumably there are 16 supposedly premium lawyers) did not read *Francisco*, or did not read it or read it but chose to twist it in a misrepresentation.

23.4.2.7. *New Impeachment Rules Applied Retroactively*

In their unanimous *Decision*, the *Respondents* ruled that as a dismissal also initiates an impeachment proceeding and the one-year bar runs from the date of dismissal or no longer viable[112] applied retroactively, hereafter as *GITL No. 7*. The *House Speaker's Speech* calls this "*retroactive imposition of a new rule.*"

The true state of the law establishing *GITL No. 7* committed by the *Respondents* is that any new rule or doctrine is applied prospectively.[113] Else, it violates due process.

The *House Speaker' Speech* reinforced: "***To invent new rules now and apply it retroactively is not just unfair, it is constitutionally suspect***." Suspect is too kind; rather it is constitutionally criminal.

The *VP's Comments to the HMR* argued prospective application of new legal doctrine "*does not insulate the guilty parties from the consequences of its* (sic) *actions*."[114] It invoked *Benzonan* but misread the second part of "*the new doctrine should be applied prospectively and should not apply to parties who had relied on the old doctrine and acted on*

[111] Ibid para 83.
[112] Ibid 29 paras.74, 90.
[113] Ibid para. 91.
[114] Ibid 21 para. 69.

good faith thereof"[115]. The "*should not apply*" concludes just the opposite of the *VP's Comments to the HMR* assertion: that the new doctrine should not apply to the parties who had relied in good faith on the old doctrine – which is precisely the case and point of the House!

23.4.2.8. *Verba Legis Constitutional Construction Not Applied as to Mode 2*

In their unanimous *Decision*, the *Respondents* ruled without applying in enforcing the Constitution *verba legis*, hereafter as *GITL No. 8*.

The true state of the law establishing *GITL No. 8* committed by the *Respondents* is that basic constitutional construction is reading the text in context having regard for the **fundamental principles** on which it was based.[116]

The House asserted: "*Article XI, Section 3(4) of the **Constitution is clear from its plain words**...unequivocally states that filing is the single and sufficient act that transforms the complaint into the Articles of Impeachment to be transmitted to the Senate.*"[117]

23.4.2.9. *Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*

In their unanimous *Decision*, the *Respondents* ruled without due regard to the intention of the authors of the Constitution hereafter as *GITL No. 9*.

The true state of the law establishing *GITL No. 9* committed by the *Respondents* is that basic constitutional construction is reading the text in context having regard for also the **intent of the authors of the Constitution**.[118]

The House alerted for the distinction between two modes: "*this distinction reveals a conscious choice by the Constitutional framers to create a less encumbered mechanism in cases where a significant minority of the House already supports the*

[115] Ibid para 72.
[116] Ibid 29 para. 107.
[117] Ibid para. 108.
[118] Ibid para. 113.

impeachment"[119] including a lower voting threshold and its constitutional rationale.[120]

Truthfully, as to any ambiguity on impeachment process, the House pointedly rebuked the Respondents: "*Even assuming that there is ambiguity in how the filing process should be carried out, recourse to the framers' intent shows* ***a deliberate decision to leave*** *all other procedural matters* ***within the full discretionary powers of Congress, not the Judiciary***"[121].

The House further rebuked the *Respondents*: "*instead of upholding constitutional boundaries and extending due deference to the House, the ruling of this Honorable Court has had the unintended effect of* ***rewriting both the Constitution*** *and the internal rules of the House, and* ***subverting the intent of the framers of the Constitution***."[122]

Relative to the due process clause, the House taught the *Respondents*: "*in any interpretation of Article XI [Accountability of Public Officers], even when read with the Bill of Rights, the provisions of the former must always be construed* ***in favor****, not only of* ***accountability****, but the* ***ease of access by the public to the constitutional methods*** *for the same. This was the* ***explicit intent of the framers****, as evidence by the following excerpts from the Records of the Constitutional Commission: …*"[123]

The House further admonished the *Respondents*: "*this Honorable Court cannot require these stringent due process requirements … when even the first mode, something more procedurally* ***regulated by the Constitution, has always been intended to be liberally applied*** *…"*[124]

Even the Wikipedia entry on "*Impeachment*" across nations confirms: "National legislations differ regarding both the consequences and definition of impeachment, but the intent is nearly always to **expeditiously** vacate the office" quoting an authoritative source[125].

The *VP's Comments to the HMR* argued the Constitution's "*proper interpretation depends more on how it was understood by the people adopting it than in the framer's understanding*

[119] Ibid.
[120] Ibid paras. 114-118.
[121] Ibid para. 124.
[122] Ibid para. 128.
[123] Ibid para. 139
[124] Ibid para. 155.
[125] Roger Davidson, "*Impeachment*", World Book Encyclopedia. Vol. I 10 (2005 ed). Chicago p 92.

thereof"[126] saying some framers "*give us no light as to the views of the large majority who did not talk*" and of the citizens at large.[127] This kind of reasoning is a classic example of the drunk abusive power of the Supreme Court with their twisted, absurd, and "make it up as you go" reasoning. So, basically, the persuasive authority of the records of deliberations (eg committee reports, hearing transcripts or in this case the debates in the constitutional convention) is now superseded by the subjective view of the readers, whoever they are. But here, the *Respondents* being the readers, have now yet again forced their unjust view on us all.

The *VP's Comments to the HMR* further argued "*impeachment is never meant to be instituted easily*."[128] We already know that this is contrary to the expressed declaration of the framers of the Constitution led by the voice of Constitutional Commissioner Christian Monsod and, of course, what the world meant in impeachment.[129]

23.4.2.10. *Due Process Clause Applied in Impeachment When Life, Liberty No Property Was Not at Stake*

In their unanimous *Decision*, the *Respondents* ruled that the due process clause of the Constitution was not observed in Mode 2 hereafter as *GITL No. 10*[130].

The true state of the law establishing *GITL No. 10* committed by the *Respondents* is that the constitutional due process requirement does not apply to impeachment because the *Respondents* said so themselves that "*an official facing impeachment does not stand to lose fundamental constitutional rights such as life, liberty or property. This alone signals that due process required in impeachment proceedings does not strictly adhere to the standards, scope, and even jurisprudential history of the due process clause…*" [131]

Further, the House educated the *Respondents* to the difference: "*Whereas the Bill of Rights* [Article III] *protects citizens from the abuse of government power, Article XI* [Accountability of Public Officers] *allows citizens … to hold accountable those who have performed such abuse*."[132]

[126] Ibid 21 para 86.
[127] Ibid.
[128] Ibid para. 95.
[129] Ibid 125 as authoritative source of the Wikipedia entry on "*Impeachment*".
[130] Ibid 29 para. 136.
[131] Ibid para. 136.
[132] Ibid para. 138.

The House further schooled the Respondents: "*Even were it to be conceded that public office and the powers and privileges attached to it fall under life, liberty, or property, the impeached official does not stand to lose anything at the level of the House*" but rather at the level of the Senate where conviction is meted out.[133]

23.4.2.11. *Favored Impeachable Officials Including Themselves Over the People*

In their unanimous *Decision*, the *Respondents* ruled that the due process clause must protect the impeached official under *Mode 2* hereafter as *GITL No. 11*[134].

The true state of the law establishing *GITL No. 11* committed by the *Respondents* is that **the power of the people is supreme**.

The House corrected the *Respondents*: "*Inasmuch as this Honorable Court endeavors to protect the rights of public officials* [who, we the Complainants, invoke what the House Speaker reminded the *Respondents* that they too are impeachable officials], *it* ***must tip the balance in favor of the public*** *... who likewise* ***have the right to transparency and accountability***."[135]

23.4.2.12. *Same Due Process Requirements Between the Two Modes*

In their unanimous *Decision*, the *Respondents* ruled that the due process clause must protect the impeached official with further proceedings under *Mode 2* as it does in *Mode 1* hereafter as *GITL No. 12*[136].

The true state of the law establishing *GITL No. 12* committed by the *Respondents* is that the framers of the Constitution **intended the difference of due process requirements between the two modes by design**: "*The presence of further proceedings after the unilateral act of filing a complaint in one mode, contrasted with their express absences in the other mode was no accident*."[137]

[133] Ibid para. 153.
[134] Ibid para. 136.
[135] Ibid para. 140.
[136] Ibid paras. 136, 141, 145-146.
[137] Ibid para.146.

The House had to educate the *Respondents* at length on the difference of due process requirements between the two modes.[138]

The House declared the *Respondents*' gross incompetence or deliberate ignorance: "*The Court's declarations therefore, involving the alleged violation of Vice President Duterte's right to due process, and the new rules laid down in the Decision regarding the House's own rules for impeachment proceedings,* ***rules not found in the Constitution itself, are unfounded, and incompatible with the framework the Constitution*** *creates under Article XI, Section 3*."[139]

The *House Speaker's Speech* reinforced: "*The Court also said that the Vice President was* ***denied due process*** *because she was not furnished a copy or given a chance to respond.* ***But nowhere in the Constitution is that required before transmittal***."

The *VPs Comments to the MRs* argued that "*both the first and second mode of initiating impeachment proceedings would require participation of a respondent in some form to allow a meaningful deliberation*."[140]

The respondent participation in *Mode 1* takes place at the Committee on Justice who scrutinizes the complaint as against the respondent. In *Mode* 2, there is no such scrutiny as the **House itself as a body**, more than only a subset of them in the form of a committee, **is already the author of the impeachment complaint**.

The *VPs Comments to the MRs* argued that the House's "*own Rules on Procedure in Impeachment Proceedings … reveals that even the second mode of impeachment requires a subsequent referral to the Committee on Justice*."[141] Even with this referral, the actions of the CoJ between the two modes are different. In *Mode 1*, the CoJ has to rule on sufficiency of substance and form and conduct a hearing with the respondent. Whereas, in *Mode 2*, nothing of that sort does ever happen, by design.

23.4.2.13. *Due Process Right to Be Heard Mandatory for Mode 2*

[138] Ibid paras. 142-150.
[139] Ibid para 151.
[140] Ibid 21 para. 87.
[141] Ibid para. 93.

In their unanimous *Decision*, the *Respondents* ruled that the due process clause must protect the impeached official with further proceedings under *Mode 2* as it is mandatory, hereafter as *GITL No. 13*[142].

The true state of the law establishing *GITL No. 13* committed by the *Respondents* is that "*the conclusion is inescapable that the required due process involved in impeachment proceedings initiated via the* ***second mode is only that which the Constitution expressly mentions: the trial itself***."[143]

The *House Speaker's Speech* declared: "*In fact, in all past impeachments, the trial and the* ***right to be heard take place in the Senate***."

The House declared the *Respondents*' gross incompetence or deliberate ignorance: "*The Court's declarations ... are unfounded, and incompatible with the framework of the Constitution ...*"[144]

The House pointed to the absurdity of the *Respondents*' *Decision*: "*If this Honorable Court refused to read into the first mode of impeachment any technical-remedial rules beyond holding a hearing, much more should it restrain itself from imposing any of the stringent rules contained in the assailed Decision on the second mode of impeachment were the* ***Constitution expressly requires only the filing of the complaint***."[145]

23.4.2.14. *Mode 2 Impeachment Made More Difficult When Respondents Are Subject to It Too*

In their unanimous *Decision*, the *Respondents* ruled that the due process clause must protect the impeached official with further proceedings under *Mode 2* to make it much harder to impeach, hereafter as *GITL No. 14*[146].

The true state of the law establishing *GITL No. 14* committed by the *Respondents* is that by making harder the rules of accountability for which the *Respondents* are also subject is

[142] Ibid 29 paras. 136, 141, 145-146.
[143] Ibid para. 149.
[144] Ibid 97.
[145] Ibid para. 157.
[146] Ibid paras. 136, 141, 145-146.

clearly abuse of power beyond simply calling it as conflict of interest.

The *House Press Release* emphasized: "***The Judiciary Cannot Dictate the Terms of Its Own Impeachment*** *... In this case, the* ***Court has crossed into the legislative domain****, crafting procedures that the Constitution reserves for the House of Representatives* ***alone****.*"[147] [emphasis added]

23.4.2.15. *Retroactive Application of Due Process Requirement for Mode 2 Renders Past Impeachments Null and Void*

In their unanimous *Decision*, the *Respondents* ruled that the due process clause must protect the impeached official with further proceedings under *Mode 2* and retroactively applied it to *Duterte*, hereafter as *GITL No. 15*[148].

The true state of the law establishing *GITL No. 15* committed by the *Respondents* is that retroactive applications render past impeachment decisions on *Mode 2* impeachment complaint procedure also null and void. New due process requirement for *Mode 2* must be prospective.

The House called the *Respondents* conveniently forgetting that: "*...the trial validly began even without President Estrada being heard before the House…*"[149] and "*similarly, the impeachment trial of former Chief Justice Renato C. Corona was likewise conducted sans an opportunity for him to be heard before the House… "*[150]

The House pointedly rebuked the *Respondents*: "*These previous instances of impeachment show that the impeachment done under Article XI, Section 3(4)* [ie *Mode 2*] *has always been understood to lead immediately to trial and not to require hearing out the impeachable officer before the House…Otherwise, would these two impeachment trials be deemed as null and void having violated due process?*"[151]

23.4.2.16. *Regarding Impeachment Proceeding as Criminal Proceeding*

[147] Ibid 30.
[148] Ibid 79.
[149] Ibid para. 158.
[150] Ibid para. 159.
[151] Ibid para. 160.

In their unanimous *Decision*, the *Respondents* regarded the impeachment process as a criminal proceeding, hereafter as *GITL No. 16*.

The true state of the law establishing *GITL No. 16* committed by the *Respondents* is that "*impeachment is not a criminal proceeding; it is not intended to punish. It is intended to hold impeachable officers accountable*."[152]

23.4.2.17. *Relying on ABS-CBN News for Evidence of Finding*

In their unanimous *Decision*, the *Respondents* relied on inadmissible evidence (ie sourced from ABS-CBN News) for their finding that the 4IC transmitted to the Senate was without the plenary vote[153], hereafter as *GITL No. 17*.

The true state of the law establishing *GITL No. 17* committed by the *Respondents* is that **news is not admissible evidence at all**.

VP's Comments to the HMR argued the HMR "*overlooks the broader and more substantive legal foundation ...*"[154]. "*A fleeting reference to a news report of ...*"[155] **Not only does this admit to the fault of relying on news as evidential basis** but it also dismisses its significance with it being "*neither the sole nor decisive basis of its ruling*."[156] The *Decision* ruled lack of due process for *Mode 2* impeachment complaint because of lack of plenary vote. Certainly that is not the only basis as there were many. But **holding them individually makes this lack of plenary vote a decisive basis** for the lack of *Mode 2* compliance ruling.

23.5. *Criminal Offense* (hereafter as *CO*)

23.5.1. *Applicable Crime*

The Revised Penal Code punishes an unjust order by a judge under Article 204 and 205:

"*Art. 204. Knowingly rendering unjust judgment. – Any judge who shall* ***knowingly render an unjust judgment*** *in any case*

[152] Ibid para. 154.
[153] Ibid. para. 16.
[154] Ibid 21 para. 12.
[155] Ibid para. 14.
[156] Ibid para. 13.

submitted to him for decision, shall be punished by prision mayor and perpetual absolute disqualification."

"*Art. 205. Judgment rendered through negligence. – Any judge who, by reason of* ***inexcusable negligence or ignorance*** *shall render a* ***manifestly unjust judgment*** *in any case submitted to him for decision shall be punished by arresto mayor and temporary special disqualification.*"

While the above crimes, as worded in the law, appear intended for judges as opposed to justices, **the term "judge" necessarily includes "justices". Otherwise, the *Respondents* and others of their kind would be above this law**.

23.5.2. *COs Enumerated*

23.5.2.1. *Retroactive Application Unjustly Penalized the House.*

In their unanimous *Decision*, the *Respondents* ruled that the new rules on impeachment retroactively applied thereby unjustly penalizing the House dismissing its impeachment case before the Senate and rendering the House as committing grave abuse of discretion,[157] hereafter as *CO No. 1*.

The true state of the law establishing *CO No. 1* committed by the *Respondents* is that any new rule or doctrine is applied prospectively.[158]

With the retroactive application, "*it would be* ***unjust*** *to hold the respondent House liable for grave abuse under a new doctrine that only came to be after the assailed acts had already been committed*."[159]

That the **House explicitly pleading "unjust" rendered** *Respondents* guilty of the crime of violating Article 204 of the Revised Penal Code. **We submit that the *Respondents* committed Article 204 rather than 205 as based on facts they knowingly rendered an unjust order**.

23.5.2.2. *First-to-File and Mode-Based Hierarchy of Impeachment Complaints Invented Into the 1987 Constitution.*

[157] Ibid 29 para. 95
[158] Ibid para. 91.
[159] Ibid 85.

This particular commission of unjust order is hereafter as *CO No. 2*, which is the second count for the commission of this crime.

Under *GITL No. 4*, the House declared: "***The Constitution does not dictate*** *an order of priority, whether based on the mode of filing or the time of filing, for an impeachment complaint*."[160] "*Such an interpretation would also unfairly prioritize speed and timing over substantive and would* ***unjustly restrict the legitimate channels provided by the Constitution for impeachment***."[161]

That the **House yet again explicitly pleading "unjust" rendered** *Respondents* guilty of the crime of violating Article 204 of the Revised Penal Code. **We submit that the *Respondents* committed Article 204 rather than 205 as based on facts they knowingly rendered an unjust order**.

23.5.2.3. *Favored Impeachable Officials Including Themselves Over the People*

This particular commission of unjust order is hereafter as *CO No. 3*, which is the third count for the commission of this crime.

More crucially, the *Voice of the People at Church* (see paragraph 31.4.3) declared the **unjust order** with the *Respondents'* dismissal of the petition of the third impeachment complaint against the Vice President.

There is glaring absurdity when the *Respondents* "*declared the House had no discretion to refer the complaints to the Justice Committee*."[162] "*Why would justice be subserved by considering the complaints dismissed? Again, impeachment is primarily for the state's protection. And, if the House were guilty of unjustified delay or inaction, it was so at the expense of the people's right to seek accountability. Punishing the proponents of the first three (3) impeachment complaints, then, ran counter to the very purpose of impeachment. To declare the complaints to be dismissed was not only unconstitutional but* ***unjust*** *and unfair to the movant-intervenors, who file a legitimate complaint*."[163]

[160] Ibid para. 69.
[161] Ibid para, 71.
[162] Ibid 260.
[163] Ibid para. 109.

For this specific count, we submit that the *Respondents* committed Article 204 rather than 205 as based on facts they knowingly rendered an unjust order.

23.5.2.4. *Doctrine of Operative Fact*

This particular commission of unjust order is hereafter as *CO No. 4*, which is the fourth count for the commission of this crime.

The *People's Voices at Church* (see paragraph 31.4.10) rebuked the *Respondents:* "*To obliterate the effects of the initiation before Duterte is outright unfair and **unjust** to the House and the proponents of the first three (3) impeachment complaints*."[164]

For this specific count, we submit that the *Respondents* committed Article 204 rather than 205 as based on facts they knowingly rendered an unjust order.

23.5.3. *Kapangalan Mo, Kaso Mo* – The Ultimate No Due Process

This particular commission of unjust order is hereafter as *CO No. 5*, which is the fifth count for the commission of this crime (see paragraph 33.1).

For this specific count, we submit that the *Respondents* committed Article 204 rather than 205 as based on facts they knowingly rendered an unjust order.

23.5.4. *Bata Man Ako, May Karapatan Pa Din Ako* (Deprivation of Liberty of Curfew Ordinances)

This particular commission of unjust order is hereafter as *CO No. 6*, which is the sixth count for the commission of this crime (see paragraph 33.4).

For this specific count, we submit that the *Respondents* committed Article 204 rather than 205 as based on facts they knowingly rendered an unjust order.

23.5.5. *Hindi Ka Halal, Huwag Kang Abuso (The Undemocratic Self-Conferred Contempt Power of the Court)* – the Ultimate Abuse of Power

[164] Ibid para. 216.

This particular commission of unjust order is hereafter as *CO No. 7*, which is the seventh count for the commission of this crime (see paragraph 33.5).

For this specific count, we submit that the *Respondents* committed Article 204 rather than 205 as based on facts they knowingly rendered an unjust order.

Voices of dissent from the Filipino people through our directly elected representatives, the Senate

Select Senators' Representations

24. The *Decision* of the *Respondents* wreaked havoc on the Senate. The senators seem to profess reluctant respect but defiant to that *Decision*. The *Respondents* unnecessarily caused confusion and disorientation in the senate.

25. Quite at the outset, Senator Hontiveros declared: "*The Supreme Court Decision was based on **critical factual errors** ... and this has since been **pointed out by** no less than retired Senior Associate **Justice Antonio Carpio** … In Firestone Ceramics Inc. vs. Court of Appeals, the Court conceded that it is not infallible. Should any error of judgment be perceived, sabi nila, it does not blindly adhere to such error. In this jurisdiction, rectification of an error more than anything else is of paramount importance. In the 2010 letter that I mentioned earlier, the UP Law professors said that **the position of the Supreme Court as the final arbiter of all controversies requires competence and integrity, completely above any and all reproach**. A breach of these values, the professors said, **does violence** to the primordial of the Supreme Court as **the ultimate dispenser of justice**. And the UP Law Dean who led that letter to the Supreme Court, walang iba po kung hindi ang nagdesisyon na nagsulat ng ating pinag-uusapan. I believe this Decision is of the highest public interest whose consequences will echo to time and history. Maraming taon mula ngayon, pag-aaralan at hihimayin ito ng lahat. Mula sa mga estudyante, mga journalists, mga political analysts, mga academic at higit sa lahat ng ating mga kababayan. One day and this day will come, history will judge all of us*." [emphasis added]

Senator Pangilinan also declared: "*...It is our view, and this is **shared** precisely **by** former Supreme Court **Chief Justice Panganiban**, **former Chief Justice Puno**, former Constitutional Commissioner and **Justice Azcuna**, they have seen or they have read their Decision and they too have said that the **Supreme Court have erred on a matter of facts**. And if the Supreme Court erred on a matter of facts, **how can you be right with the law if you are wrong with the facts**. And if you are not right with the law, why will the Impeachment Court and the Senate for that matter decide on the matter today...*" [emphasis added]

26. The arguments of the select senators representing the *Voices of Dissent From the People at Large through the Senate* (ie *SHV* or *Voices at Large Through the Senate*) are presented as **reinforcements of the submissions under the *HMR*** of the *Voices of Dissent From the People at Large through the House* (hereafter as *People's Voices at Large Through the House*) as follows:

26.1. *Gross Misrepresentation, Not Negligence Let Alone Ignorance, of Basic Facts* (*GMBF*)

26.1.1. *February 5, 2025 The Adjournment Sine Die*

The *People's Voices at Large through the Senate* reinforced the *Respondents'* culpability under *GMBF No. 3* (*February 5, 2025 The Adjournment Sine Die).*

On referring to the effective dismissal of the F3ICs when the House was said to terminate on February 5, 2025, Senator Sotto rebuked the *Respondents* with a correction of factual basis of the *Decision*: "*but they have, excuse me, erroneously believed that the said adjournment is the same adjournment with the sine die adjournment that ends a Congress. It is not. February 5, 2025 did not terminate the 19th Congress as stated in the Decision. The sine die adjournment of the 19th Congress was on June 13, 2025 wherein the last session day was last June 11 …for the information of the public, there is a world of difference between adjournment versus adjournment sine die … **anything filed continues, it does not, it is never archived**, perhaps the lawyers of the Ponentes did not realize that or they were not familiar with the Rules of Congress…*"[165] [emphasis added]

"*…**'mistake in one, mistake in all'**. In that manner, they wouldn't have decided based on their unfamiliarity with the legislative process. E may mali agad e. **Pati ba legislative rules natin gusto nila palitan?***" [emphasis added]

"Nag adjourn daw ang 19th Congress, kaya na-archive lahat! Now, e kinopy lang e kopya mali pa. [E sab inga ni Senator Marcoleta], **hilaw yung complaint. E hilaw din ang desisyon!**" [emphasis added]

26.1.2. *Wrong Sequence of Events*

[165] ABS-CBN News, "*Senate Vote on VP Sara Duterte Impeachment Trial | an ABS-CBN News Special Live Coverage*", https://www.youtube.com/watch?v=DDDV5QoTa9g, playhead at 1:21:43, accessed on August 14, 2025.

The *People's Voices at Large through the Senate* reinforced the *Respondents'* culpability under *GMBF No. 1* (*Wrong Sequence of Events)*.

Senator Sotto further corrected the *Respondents*: "*In addition to this factual error* [ie adjournment sine die], *it can be seen in the website of the House of Representatives that the three impeachment complaints were referred to the Committee on Rules and where consigned to the archives on February 6, not February 5 as claimed in page 78 of the Decision. Nag-housekeeping lang ang House kaya inarchive. Hindi to end of congress. This archiving were not the result of the ending of the 19th Congress but because of the fact that the fourth complaint were already filed and transmitted to the Senate. E dito pa lang, e pilit na pilit na patunayan na barred ang fourth complaint.* ***Kapag ayaw may dahilan. Kapag gusto may paraan***." [emphasis added]

26.2. *Gross Ignorance of The Law* (*GITL*)

26.2.1. *No Oral Arguments Held Before Decision*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled without ever holding a hearing for oral arguments from the House, hereafter as *GITL No. 18*.

The true state of the law establishing *GITL No. 18* committed by the *Respondents* is that Senator Sotto declared: "*Now, this is a* ***transcendental case, ang laking constitutional issue wala man lang oral arguments at the very least consultation with some members of Congress***." [emphasis added]

The *House Press Release* emphasized: "*But there is a critical difference between correcting a constitutional abuse and interrupting a constitutional process before it concludes. The House had not overstepped. It followed precedent, respected the rules, and upheld the Constitution. Yet even as factual issues emerged before the Court—on a matter of transcendental importance—****the House was not given the opportunity to clarify them in oral arguments.*** *This, despite the Supreme Court's history of granting such hearings in far less significant cases. And the complaint was nullified. The irony is not lost on us: the Court faulted the House for lack of*

due process, ***even as it ruled without fully extending due process to the House***.”[166] [emphasis added]

26.2.2. *Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*

The *People’s Voices at Large through the Senate* reinforced the *Respondents’* culpability under *GITL No. 9* (*Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution).*

Senator Sotto rebuked the *Respondents*: “*If it is wrong, the complaint done by the House of Representatives was wrong,* ***we cannot correct a wrong with another wrong****. The Supreme Court essentially amended the Constitution by removing the third mode of filing the impeachment complaint. This third and speedy mode was enshrined there for a reason.* ***In times that there is an urgent need to impeach a person*** *who is powerful and may use his position to evade the law, the third mode which is the* ***fastest*** *way was provided in the Constitution.* ***Why don’t you ask the authors of this provision of the Constitution****. The constitutional delegates Monsod, Azcuna...*” [emphasis added]

Senator Hontiveros likewise rebuked the *Respondents*: “*At dahil nandito rin po sa gallery ang isa sa mga Constitutional Commissioners na si Christian Monsod, e di lalo po akong confident na magtake exception sa sinabi kanina na* ***dapat mahirap ang proseso ng impeachment. Kontra po dun ang pananaw ng Constitutional Commission****. Kung mababasa po natin ang records ng deliberations ng Commission particular sa panig ni Commissioner Regalado*.” [emphasis added]

Senator Aquino joined in the rebuke of the *Respondents*: “*Posisyon ko rin po na nagsimula na ang impeachment proceedings. Nag robe na po, nagsimula na, merong summons na binigay, may response na po si Vice President Sara … Article XI Section 3 of our Constitution, Accountability of Officers, ‘in case the verified complaint or resolution of impeachment is filed by at least one-third of all Members of the House, the same shall constitute the Articles of Impeachment and trial by the Senate shall forthwith proceed.” Wala na pong dagdag dito. Dito po sa gallery kasama po natin ang dalawang* ***framers of our Constitution****, nandito po si*

[166] 30

Professor Ed Garcia at si former Chairperson Christian Monsod, kanina po nagbubulungan kami, sabi ko 'nung ginawa nyo to bakit parang ganon kasimple, simpeng simple lang, ito lang, at sabi nga po nila na doon daw one-half, two-thirds, binaba sa one-half sa deliberation nag end-up sa one-third at ang ***desisyon ay dahil sa kabilisan, dahil mahalaga daw na mabilis*** *pag may one-third members of the House ang pipirma,* ***mabilis na pupunta po sa Senado****. At ito po ay tinatanong ko po sa kanila,* ***at dahil sila po ang nagbuo ng ating Konsitusyon*** *... in the same sense, the framers of our Constitution mas alam nila, ma alam po nila ang ating Konstitusyon, walang labis at walang dagdag ... May mga dinagdag na mga procedure ... wala po yang mga bagay dyan dito po sa ating Konsitusyon*." [emphasis added]

26.2.3. *New Impeachment Rules Applied Retroactively*

The *People's Voices at Large through the Senate* reinforced the *Respondents'* culpability under *GITL No. 7* (*New Impeachment Rules Applied Retroactively).*

Senator Sotto rebuked the *Respondents*: "*If the Supreme Court is now changing the meaning of initiating then at the very least please apply it prospectively. However, they are* ***applying this new ruling retroactively, which is a violation of the doctrine of operative fact****."* [emphasis added]

Senator Hontiveros likewise rebuked the *Respondents*: "*Dagdag pa po. Sa isang Desisyon nitong 2020 lamang, Madreo vs. Bayron, sabi ng korte na kung may pagbabago sa doktrina at interpretasyon ng batas* ***dapat prospective ang aplikasyon nito****."* [emphasis added]

Senator Pangilinan joined in the rebuke of the *Respondents*: "*... Justice Azcuna ...payagan na magkaroon ng operative facts doctrine para kung ano man ang pinagpasya ng Korte Suprema sa kasong ito* ***should apply prospectively****."* [emphasis added]

26.2.4. *Retroactive Application of Due Process Requirement for Mode 2 Renders Past Impeachments Null And Void*

The *People's Voices at Large through the Senate* reinforced the *Respondents'* culpability under *GITL No. 15* (*Retroactive Application of Due Process Requirement for Mode 2 Renders Past Impeachments Null And Void).*

Senator Sotto rebuked the *Respondents*: "*Kung ganito ang kanilang kagustuhan ano at susundin natin basta basta* ***apektado din dito ang nakaraang impeachment proceedings****. In the words of the retired Supreme Court Senior* ***Justice Antonio Carpio****, I quote 'the same Supreme Court decision* ***practically voided*** *the impeachment proceedings against former president Joseph Estrada and former Chief Justice Renato Corona.* ***Pag gusto talaga may paraan, pag ayaw may dahilan.***" [emphasis added]

26.2.5. *New Impeachment Procedural Rules For Mode 2*

The *People's Voices at Large through the Senate* reinforced the *Respondents'* culpability under *GITL No. 6* (*New Impeachment Procedural Rules For Mode 2).*

Senator Sotto rebuked the *Respondents*: "*Pero wag naman sana pate sa mga ganitong bagay that will ultimately affect future impeachment and legislative rules and proceedings.* ***Sa atin yon e***." [emphasis added]

Senator Hontiveros likewise rebuked the *Respondents*: "*Mistulang nadagdagan ang requirements sa proseso ng impeachment ng* ***hindi naman nakasaad sa ating Saligang Batas****. These new limitations are not found in our fundamental law. Wala yan sa Konstitusyon at* ***kontra yan sa accountability****. One disturbing example, sabi ng Desisyon, kailangan daw na isumite na ang bawat ebidensya laban sa opisyales pag file pa lang ng complaint sa House. Dapat ba na naka-attach na ang bawat ang bank slip, public record, o testimonya ng witness na ihaharap kahit wala pa silang proteksyon ng Senate Impeachment Court. Ang tanong tuloy ng marami, realistic ba yan, paano kung ay impeachment ay laban sa mataas na opisyal na* ***kayang kaya na magtago ng ebidensya o manakot ng mga potential witness****. Bakit* ***humaba yata ang checklist*** *ng proteksyon para lang sa impeachable* ***officials samantalang ang taumbayan na nagtatanong na naniningil ng pananagutan. Sila pa ang pinahirapan. Sila pa ang nadagdagan ng requirements***." [emphasis added]

26.2.6. *No Expressing Clearly and Distinctly the Facts and Law of the Decision*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled without expressing clearly and distinctly the facts and law, hereafter as *GITL No. 19*.

The true state of the law establishing *GITL No. 19* committed by the *Respondents* is that Article VIII Section 14 mandates: "*No decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based*."

The *Respondents*' *Decision* was **incoherent with vast errors of fact and law**.

Senator Sotto attacked the *Respondents*' *Decision*: "*Well not only myself but several lawyers mentioned this to me … **naguluhan sila sa pagkakasulat ng desisyon e. It is incoherent and some parts are off-topic**, sabi nila. Para pag pinagtagpi tagpi. Basahin nyong mabuti. Ang gagaling ng mga abogado dito. Basahin nyo. It even quoted the entire Article XI of the Constitution not only once but twice. It seems there were two ponentes. Parang dalawa authors nito a*." The *Respondents' Decision* "***contains clear and blatant errors***." [emphasis added]

26.2.7. *Declaring the House Committed Grave Abuse of Discretion*

This GMBF is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled that the House filed the 4IC with grave abuse of discretion, hereafter as *GMBF No. 6*.

The true s establishing *GMBF No. 6* committed by the *Respondents* is that the House committed no such thing based on fact and law.

Senator Soto declared: "*Justice Leonen himself said, I quote 'the Supreme Court is not perfect, citizens and academic have the right to call attention to the fallibility of the courts.' Tama po yon. There is no perfect institution. **Even Supreme Court pwedeng mag commit ng grave abuse of discretion or culpable violation of the Constitution**. A case decided unanimously does not mean it is infallible. For all we know, it is a **unanimous mistake**. That again can be corrected by*

setting aside reversing prior pronouncements." [emphasis added]

Senator Pangilinan rebuked the *Respondents*: "*The Supreme Court ruled that we have no jurisdiction. Yet, the decision is* ***flawed in terms of facts, on procedure, the one-year bar, and on due process*** *... Sabi ko nga the findings of grave abuse of discretion thereby removing or taking away from us the jurisdiction on the basis of facts that are flawed,* ***where then is the grave abuse?***" [emphasis added]

26.2.8. *Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled imposing additional requirements on *Mode 2* impeachment procedures and the Senate did not acquire jurisdiction, hereafter as *GITL No. 20*.

The true state of the law establishing *GITL No. 20* is that the sole and exclusive powers to impeach and convict are specifically and unequivocally reserved for Congress under Article XI, Section 3(3) and (6), respectively.

Senator Pangilinan declared: "*The matter has removed from the impeachment court jurisdiction,* ***should we now*** *at least* ***assert the power and prerogative under the Constitution of the Senate Impeachment Court in terms of the exclusive jurisdiction*** *no. 1* ***and the sole power to try and decide****...Tatlong probisyon ng Saligang Batas, tatlong kapangyarihan ng tatlong sangay ng governmental entities. Yung kapangyarihan ng judicial review ng Korte Suprema. Yung sole power ng House of Representative to initiate impeachment proceedings. At ang sole power ng Senate bilang impeachment court para litisin o pagpasyahan ang isang impeachment case. Narito tayo ngayon nagdedebate dahil yung judicial review power ng Supreme Court ay pinawalang bisa ang sole power ng House of Representatives para ito ay mag-initiate ng impeachment proceeding at pinawalang bisa din ang kapangyarihan ng Senado bilang having the sole power to try and decide impeachment cases. Dahil dito san tayo tutuloy? Meron na din mga ruling ang Korte Suprema kung paano natin, iharmonize o ihahambing ang mga nagtatalong probisyon ng Saligang Batas. Sinabi ng Korte*

Suprema sa kaso ng Civil Liberties Union vs. the Executive Secretary, pati na rin sa Francisco vs. HoR, 'the Constitution is to be interpreted as a whole and one section is not to be allowed to defeat another'. In this case, judicial review should not be defeated, the sole power of the House to initiate should not be defeated, and the sole power of the Senate to try and decide cases, all mandates, all duties, all constitutional powers do not belong to us but was given to us, not by any whim but by the Constitution, all of whom here sworn to uphold and defend … mabigyan ang House of Representatives na maituloy ang kanyang kapangyarihan na to initiate and at the same time mabigyan ang kapangyarihan ng Senado to try and decide the case … "*The Supreme Court, binaggit nya na nawalan tayo [Senado] ng hurisdiksyon ang Senate Impeachment Court, pero* ***ang ibig sabihin non ay pinawalang bisa, ginawang void ab initio ang mga kilos at pasya ng Impeachment Court. The convening of the Impeachment Court was voided. The majority decision to remand the complaint to the HoR was voided. The summons by the Impeachment Court were all voided****, which brings us to the question:* ***who now is deciding the impeachment case****, now that all decisions of the Impeachment Court have been voided. It is a tricky question. But if I were to be an Impeachment Court judge, I would argue that we have to in the MR intervene and uphold our, the Impeachment Court's exclusive power to try and decide the case. Why, it is our constitutional duty to do so. It is the order of the Constitution. We are not defying the judicial review powers,* ***we are upholding the sole power of the Senate to try and decide impeachment cases****.*" [emphasis added]

Senator Hontiveros directly distinguished respect and silence or blindness in the face of abuses of the *Respondents*: "*Tama po. We should exercise extraordinary prudence on this matter of transcendental importance… I continue to respect the Supreme Court. Hindi po magbabayo iyan but* ***hindi naman po ibig sabihin ng respeto ay pananahimik lalo na kapag inisip natin kung gaano kalaki ang nakataya dito. Magkaiba rin yong rumerespeto at yung bulag. Kaya naman I will not be choosing silence nor will I be turning a blind eye in the face of clear and unmistakable injustice.*** *I am encouraged by the words of brave professors of the UP College of Law who in 2010 issued a sharp critique of a Supreme Court Decision, Vinuya v. Executive Secretary, which said 'the* ***Court cannot regain its credibility and maintain its moral authority without ensuring that its own conduct whether collectively or***

through its members is beyond reproach*'. So, in the context of the SC Decision, Duterte vs. House of Representatives, I believe we should shed light on some concerns, which former justices and constitutional framers themselves … have underscored.*" [emphasis added]

Senator Aquino asserted independence of the Senate in chastising the *Respondents*: "*Marami po sa mga puntong nabanggit na ng kapwa nating Senador ay sumsang-ayon po tayo at tama na pag-usapan na po* ***ang independence ng Senado kung gaano kahalaga ang papel na ginagampanan natin sa ating bansa, sa checks and balances ng ating gobyerno*** … in our history, nagkaroon po ng mga panahaon na ang Senado ay **nag-assert ng kanyang independence** bilang isang co-equal branch of government. Nangyari po yan many times … *Kaya palagay ko yung rule ng Senado ay napakahalaga pagdating sa pagpapanatili ng checks and balances … Marami tayong tungkulin …* ***meron din pong tungkulin pagdating sa pananagutan o accountability at yun po yung sole power to try and decide all cases of impeachment****. Ang posisyon ko at nabanggit din ito ng iba nating mga kasama ay mahalagang* ***i-assert natin ang ating independence****. Mahalaga po ay itong papel na ginagampanan natin sa ating Konstitusyon ay pahalagahan po natin.* ***Mahalaga po na manatili ang independence*** *ng ating Senado bilang isang co-equal branch of government*." [emphasis added]

The *VP's Comments to the HMR* argued "*The Constitution did not intend that Congress will be supreme in impeachment cases … in Gutierrez, … the Constitution did not intend to leave the matter of impeachment to the sole discretion of Congress*" that instead the said exclusive power of Congress over matters of impeachment is subject to the expanded power of judicial review by the Supreme Court.[167]

Imagine over 300 elected representatives of the Filipino people being subject to review by only 15 unelected justices just because the latter said so in their drunk abuse-of-power reading of the Constitution! Just like their predecessors in *Gutierrez*, the ***Respondents*** **perpetuate their presumptuous self-conferred power over the democratically supreme Congress**.

[167] Ibid 21 para. 90.

No amount of the House and Senate kindly reminding an abusive-of-power Supreme Court who reads beyond the plain dictionary-meaning of "sole" and "exclusive" power of Congress over matters of impeachment **will ever make the abusive-of-powe *Respondents* self-correct**. **Kind reminding is too deferential a regard to a drunk in power. Instead, abuse-of-power drunkard must be punished with removal from public office and then some**.

26.2.9. *4IC Without Plenary Vote*

The *People's Voices at Law through the Senate* reinforced the *Respondents'* culpability under *GITL No. 2* (*4IC Without Plenary Vote).*

Senator Hontiveros rebuked the mistake of the *Respondents*: "*For example, the Decision said that the February 5 impeachment complaint transmitted to the Senate without a plenary vote in the House. A simple check of the records, specifically House Journal No. 36 shows this is false. Walang haka-haka. Those official records are plain for anyone to see. Sabi tuloy ni retired* ***Justice Reynato S. Puno*** *na syang Chairman ng Philippine Constitution Association "the Supreme Court was faced with a* ***famine of facts necessary to make a decision invulnerable to constitutional assaults***." [emphasis added]

26.2.10. *Doctrine of Operative Fact Ignored*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled that the 4IC was barred by the OYBR but should the *Respondents* would not still apply the *Doctrine of Operative Fact* then this sub-head becomes a gross ignorance of the law too, hereafter as *GITL No. 21*.

The true state of the law establishing *GITL No. 21* committed by the *Respondents* is that when Senator Risa chastised the *Respondents*: "***Actions already taken under a prior and valid interpretation should be recognized as legally effective.*** *Yan naman ay galing kay retired* ***Justice Adolf Azcuna****. The House of Representatives was operating under the regime of the legal doctrines in Franciso and Gutierrez, which held that the initiation of impeachment proceedings begins from referral. Kung unconstitutional pala na sundin ang legal doctrines, in*

the words of Justice Azcuna, that is legally unfair. Paano nga naman unconstitutional kung sinunod lang nila ang patakaran ng mismong Korte Suprema." [emphasis added]

26.2.11. *Due Process Clause Applied in Impeachment When Life, Liberty No Property Was Not at Stake*

The *People's Voices at Large through the Senate* reinforced the *Respondents'* culpability under *GITL No. 10* (*Life, Liberty No Property Was Not at Stake).*

Senator Hontiveros declared: "*Ayon sa Korte Suprema 'an official facing impeachment does not stand to lose fundamental constitutional rights such as life, liberty or property.* ***Hindi buhay, kalayaan o pag-aari ang inihahabla sa impeachment***." [emphasis added]

26.2.12. *Due Process Right to Be Heard Mandatory for Mode 2*

The *People's Voices at Large through the Senate* reinforced the *Respondents'* culpability under *GITL No. 13* (*Due Process Right to Be Heard Mandatory for Mode 2).*

Senator Hontiveros corrected the *Respondents*: "*Kung ang usapan naman ay due process.* ***Hindi ba't ang mismong impeachment trial na nga ang mismong venue para doon****: maririnig ang dalawang panig, may ebidensya, mag mag dedepensa, that is due process. So what are we afraid of*?" [emphasis added]

Voices of dissent from the Filipino people at law who are the leading voices among the nationally recognized authorities (eg 1Sambayan) in matters of law and justice equivalent to, if not higher than, the Supreme Court Justices

The Legal Experts' Motion for Reconsideration (hereafter as LMR)

27. While we understand that the language and tone of the LMR may be respectful, we note they are phrased as also deferentially meek despite the egregiousness of the blatant abuses of the *Respondents*.[168]

28. The arguments of the *Motion for Reconsideration* of the *Voices of Dissent From the People at Law* (*LMR* or hereafter as *People's Voices at Law*)[169], consisting of 45 pages of substantive submissions, are presented as **reinforcements of the submissions under the *HMR*** as follows:

[168] eg "the reliance ... is misplaced" (para. 24)
[169] Omnibus Motion, 1Sambayan Et. Al, August 1, 2025.

28.1. *Gross Misrepresentation, Not Negligence Let Alone Ignorance, of Basic Facts* (*GMBF*)

28.1.1. *Wrong Sequence of Events*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GMBF No. 1* (*Wrong Sequence of Events*). They declared the *Respondents*' *Decision* "***contains factual errors*** *regarding the sequence of events*"[170] emphasizing "*it is vital that the records clearly reflect that the plenary approval of the Fourth (4th) Complaint preceded the archiving of the first (three) complaints*."[171] [emphasis added]

28.1.2. *4IC Without Plenary Vote*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GMBF No. 2* (*4IC Without Plenary Vote*). They declared the *Respondents* as a collective body **unanimously "*erred in its appreciation of evidence submitted by the parties***"[172] repeating exactly the same narration of facts as those made under *HMR*[173]. [emphasis added]

The *People's Voices at Law* declared the gross misrepresentation of the *Respondents*: "*Clearly, the House, acting as a full body, gave its plenary approval when it passed the motion for immediate endorsement of the Fourth (4th) Complaint to the Senate*"[174] "***contrary to findings***"[175] of the *Respondents*. [emphasis added]

28.2. *Gross Misreading or Misapplication of The Law On Facts* (*GMTLF*)

28.2.1. *Mode 1 precedence over Mode 2*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GMTLF No. 1* (*Mode 1 Precedence Over Mode 2*) as the *Respondents* "*in ruling that the House is duty bound (sic) to prioritize previously filed complaints despite lacking referral to the House Committee on Justice, and to refer cases to the said Committee … effectively* ***divested the***

[170] Ibid 29 para. 42.
[171] Ibid para. 43.
[172] Ibid 169 para. 6.
[173] Ibid paras. 7-13.
[174] Ibid para. 14.
[175] Ibid para. 15.

House's exclusive power and discretion to initiate all cases of impeachment."[176] [emphasis added]

28.2.2. *Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GMTLF No. 2* (*Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty*) as the *Respondents* "*in ruling that the House is duty bound (sic) to prioritize previously filed complaints despite lacking referral to the House Committee on Justice … that the same is merely a ministerial act,* ***effectively divested the House's exclusive power and discretion to initiate all cases of impeachment****."*[177] [emphasis added]

The *People's Voices at Law* further declared: "*By abandoning the foregoing ruling* [ie the House has discretion in initiating impeachment proceeding], *the Honorable Court has, in effect****, mandated that every complaint filed be automatically referred*** *to the House of Committee on Justice…*"[178] [emphasis added]

28.3. *Gross Ignorance of The Law* (*GITL*)

28.3.1. *Not Taking Judicial Notice*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* relied on the fact that the 4IC transmitted to the Senate was without the plenary vote[179] when they could have easily taken judicial notice of the contrary fact under *HJ36* and *CR36*, hereafter as *GITL No. 22*.

The true fact establishing *GITL No. 22* committed by the *Respondents* is that the 4IC was transmitted <u>with</u>, not without, the plenary vote if only they had taken judicial notice of *HJ36* and *CR36*:[180] "*The plenary vote of the House on the Fourth (4th) Complaint is an official act of the legislative … **Hence it***

[176] Ibid para. 51.
[177] Ibid.
[178] Ibid para. 55.
[179] Ibid 29 para. 14, 16.
[180] Ibid 172 para. 17-32.

***is mandatory for the Honorable Court to take judicial notice thereof**."*[181] [emphasis added]

28.3.2. *Relying on ABS-CBN News For Evidence of Finding*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GITL No.14* (*Relying on ABS-CBN News For Evidence of Finding*). They declared the *Respondents* reliance "*on unverified news reports and media articles is misplaced and **contrary to law and public policy***,"[182] even quoting no less than the Supreme Court declaring "*surely, petitioners cannot expect the Court to act on unverified reports foisted on it*."[183] [emphasis added]

28.3.3. *Disregarded Explicit Evidence Submissions of Petitioners*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* relied on the fact that the 4IC transmitted to the Senate was without the plenary vote[184] disregarding the explicit evidence submissions of petitioners: "*Petitioners Torreon, et. al, admitted that the Fourth (4IC) Complaint had been given plenary approval*"[185], hereafter as *GITL No. 22*.

The true fact establishing *GITL No. 22* committed by the *Respondents* is that the truth established belying *GMBF No. 2* where Petitioners Torreon added: "*the findings and conclusions of the Honorable Court's Decision **not being supported by evidence***."[186] [emphasis added]

28.3.4. *New Impeachment Procedural Rules For Mode 2*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GITL No. 6* (*New Impeachment Procedural Rules For Mode 2*). They declared the *Respondents* "*new requirements run **counter to the intention of the framers** of the 1987 Constitution to liberalize impeachment*"[187] and they did so introduce "*through judicial interpretation contrary to Article XI Section 3(8) which states that 'the Congress shall*

[181] Ibid para. 22.
[182] Ibid para. 24.
[183] Ibid para. 25.
[184] Ibid 29 para. 14, 16.
[185] Ibid 172 paras. 26-27.
[186] Ibid para. 28.
[187] Ibid paras. 29-35.

promulgate its rules on impeachment to effectively carry out this section."[188] [emphasis added]

The *People's Voices at Law* emphasized: "*Under well-established, thoroughly discussed, Doctrine of Separation of Powers, the Honorable Court* ***cannot arrogate unto itself powers beyond hose granted by the Constitution****. In this case, it may* ***not overstep its authority by adding requirements*** *to one of the modes of initiating impeachment proceedings, as such action lies outside its constitutional mandate*."[189] [emphasis added]

The *People's Voices at Law* rebuked the *Respondents*: "*the Honorable Court has* neither justification nor authority to substitute its own wisdom for that of the people *who are to ratify any amendment to the Constitution, being duty-bound to interpret and construe the law*."[190] "*By introducing new requirements, the Honorable Court has impaired and* ***unduly restricted the exclusive power of the House*** *to initiate cases of impeachment*."[191] [emphasis added]

28.3.5. *Supreme Court Duty to Construe the Impeachment Process*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled that "*it has duty to construe the* [impeachment] *process mandated by the Constitution*", hereafter as *GITL No. 23*.

The true state of the law establishing *GITL No. 23* committed by the *Respondents* is that declaring that duty "*without the necessary qualification that it will only do so in case of grave abuse on the part of the Congress in the discharge of its function transgresses the Doctrine of Separation of Powers,*"[192] "*which ordains that each of the three great branches of government has exclusive cognizance of and is supreme in matters falling within its own constitutionally allocated sphere*."[193]

[188] Ibid paras. 36-xx.
[189] Ibid para. 91.
[190] Ibid para. 92.
[191] Ibid para. 93.
[192] Ibid para. 58.
[193] Ibid para. 62.

The *Respondents* clearly overreached when they disregarded the Constitution itself providing for the means and bases for its resolution.[194]

28.3.6. *New Impeachment Rules Applied Retroactively*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GITL No. 7* (*New Impeachment Rules Applied Retroactively)* emphasizing "*the retroactive application of the new impeachment requirements violates due process*"[195] as it "***struck down acts of the House and of the Senate*** *which were, in all respects, valid at the time they were undertaken, and has thereby* ***prevented the continuation of impeachment proceedings*** *that were constitutionally compliant when initiated*."[196] [emphasis added]

The *People's Voices at Law* chastised the *Respondents*: "*Even more critical is that the Decision* ***invalidated the actions of the House*** *despite their compliance with the Constitution and before these new requirements were ever known*."[197] [emphasis added]

The *People's Voices at Law* reiterated: "*Assuming for the sake of argument, that these newly imposed requirements are indeed sanctioned by the Constitution,* ***fairness and due process dictate that they should be applied only prospectively***."[198] [underline emphasis preserved]

"*When the Honorable Court overturned the ruling in Francisco, Jr. and Gutierrez on the definition and interpretation of initiation of impeachment complaints, it* ***infringed upon the House's right to due process****. The House relied in good faith upon established precedents*."[199] [emphasis added]

"*To compel adherence to rules that were not in effect at the time of initiation is not only patently unreasonable but also* ***constitutes a flagrant encroachment upon the exclusive power and discretion of the House to initiate all impeachment proceedings***."[200] [emphasis added]

[194] Ibid para. 59.
[195] Ibid paras. 78-86.
[196] Ibid para. 86.
[197] Ibid para. 93.
[198] Ibid para. 99.
[199] Ibid para. 100.
[200] Ibid para. 128.

28.3.7. *Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GITL No. 9* (*Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution)* emphasizing the *Respondents* have "***effectively amended*** *Article XI, Section 3(4) of the Constitution*"[201] when "***it is the clear inte****nt of the 1987 Constitution that an impeachment complaint filed by at least one-third (1/3) of the Members of the House shall already constitute the Articles of Impeachment, and that no further act or requirement is necessary to give it effect*."[202] "***The framers*** *of the 1987 Constitution* ***intended*** *the provisions on impeachment proceedings to be read* ***liberally****, to ensure that the political process of holding public officers accountable will not be undermined by judicial rigidity*."[203] [emphasis added]

28.3.8. *Re-writing the Constitution Violated Article XVII (Amendments)*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled that as a dismissal also initiates an impeachment proceeding and the one-year bar runs from the date of dismissal or no longer viable[204] applying retroactively effectively amended the Constitution, hereafter as *GITL No. 24.*

The true state of the law establishing *GITL No. 24* committed by the *Respondents* is that **amending the Constitution is mandated by Article XVII**.[205]

28.3.9. *Verba Legis Constitutional Construction Not Applied As to Mode 2*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GITL No. 8* (*Verba Legis Constitutional Construction Not Applied As to Mode 2)* emphasizing "*the Honorable Court applied the rule on statutory construction that every word utilized is intentional, thus, courts must* ***rely***

[201] Ibid para. 87.
[202] Ibid para. 88.
[203] Ibid para. 121.
[204] Ibid paras.74, 90.
[205] Ibid paras. 89-90.

on the words found *in the statute and may* ***not speculate as to the probable intent*** *of the legislature*."[206] [emphasis added]

28.3.10. *Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings.*

The *People's Voices at Law* reinforced the *Respondents'* culpability under *GITL No. 1* (*Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings)* emphasizing that "*to accept this new approach would be to presume that this Honorable Court redefined what the term 'initiated' means, thereby departing from the well-established doctrine applied in Francisco, Jr. and Gutierrez* ***without providing any discussion, justification, or basis for abandoning such prevailing doctrine***."[207] "*There is* ***no gap*** *in the provisions of Article XI, Section 3(5) of the Constitution necessitating the resort to constitutional construction when the Honorable Court in Francisco, Jr. and Gutierrez* ***clearly defined the term*** *'initiate'*".[208] [emphasis added]

Voices of dissent from Congressman Cendana, et. al.

The Duterte Impeachment Complainant's Motion for Reconsideration (hereafter as CMR)

29. The arguments of the *Motion for Reconsideration* of the *Voices of Dissent From Complainant Cendana* (*CMR*)[209], consisting of 15 pages of substantive submissions, are presented as reinforcements of the submissions under the *HMR* as follows:

29.1. *Gross Constitutional Overreach* (*GCO)*.

29.1.1. *The Respondents intruded "into the constitutionally vested powers of the Congress.*" (*GCO No. 2)*.

The *People's Voices at Case* reinforced the *Respondents'* culpability under *GCO No. 2* (*Intrusion to Congress' Power)* that the alleged impeachment process violations of the **internal rules fall under the exclusive domain of the legislative** branch of government"[210] and that "*the Honorable*

[206] Ibid para. 112.
[207] Ibid para. 141.
[208] Ibid para. 142.
[209] *Motion for Reconsideration Ad Cautelam*, Congressman Percival V. Cendana, et. al., August 1, 2025.
[210] Ibid para. 5.

Court did ***not have jurisdiction to rule on*** *Petitioner Duterte's litany of misplaced allegations*."[211] [emphasis added]

29.2. *Gross Misrepresentation, Not Negligence Let Alone Ignorance, of Basic Facts* (*GMBF*)

29.2.1. *Wrong Sequence of Events*

The *People's Voices at Case* reinforced the *Respondents'* culpability under *GMBF No. 1* (*Wrong Sequence of Events*). They declared the *Respondents*' *Decision* "*is premised on inaccurate facts*"[212] emphasizing "*it was* ***only after*** *the endorsement of the Fourth Impeachment Complaint to the Senate that the first three impeachment complaints ('December Complaints') were archived*."[213] [emphasis added]

29.3. *Gross Misreading or Misapplication of The Law On Facts* (*GMTLF*)

29.3.1. *Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty*

The *People's Voices at Case* reinforced the *Respondents'* culpability under *GMTLF No. 2* (*House Only Has Ministerial Duty*).

With respect to *Mode 2* procedure, the *People's Voices at Case* declared: the "*plenary action is well within the powers of the House as the exclusive initiator of all impeachment cases*."[214]

29.4. *Gross Ignorance of The Law* (hereafter as *GITL*)

29.4.1. *House Rules on Impeachment Not Different Between 19th Congress in Duterte and 12th Congress in Francisco Yet Writing New Conditions for Mode 2*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled additional due process procedures for *Mode 2*[215] despite the *House Rules on Impeachment* being substantially unchanged, hereafter as *GITL No. 25*.

[211] Ibid para. 6.
[212] Ibid paras. 9-11.
[213] Ibid para. 10.
[214] Ibid para. 37.
[215] Ibid para. 24-28.

The true state of the law establishing *GITL No. 25* committed by the *Respondents* is that the *House Rules on Impeachment* between the 19th and 12th Congress are similar[216] so that the additional due process procedures for *Mode 2* are "***the very definition[s] of judicial legislation and judicial overreach, which must neither be confused nor conflated with judicial review***."[217] [emphasis added]

29.4.2. *Due Process Right to Be Heard Mandatory for Mode 2*

The *People's Voices at Case* reinforced the *Respondents'* culpability under *GITL No. 13* (*Right to Be Heard Mandatory for Mode 2*).

The *People's Voices at Case* schooled the *Respondents*: "*It must not be lost that impeachment* ***proceedings*** *are different from impeachment* ***cases****. The former is the function of the House alone, while the latter is where the public official subject of the impeachment may be heard through hearings conducted by the Senate*."[218] [emphasis added]

29.4.3. *Doctrine of Operative Fact Ignored*

The *People's Voices at Law through the Senate* reinforced the *Respondents'* culpability under *GITL No. 21* (*Doctrine of Operative Fact Ignored)*.

The *People's Voices at Law through the Senate* declared*:* "*the House, in acting upon its duties in good faith, validly relied on the Constitution, prevailing jurisprudence, and its own rules*."[219]

Voices of dissent from Fr. Antonio Labiao, Jr. , et. al.

The Duterte Impeachment Complainant Church-Led's Motion for Reconsideration (hereafter as CLMR)

30. Similarly, we understand that the language and tone of the CLMR may be respectful, we note they are phrased as also deferentially meek despite the egregiousness of the blatant abuses of the *Respondents*.[220]

[216] Ibid para. 24.
[217] Ibid para. 29.
[218] Ibid para. 41.
[219] Ibid para. 44.
[220] eg "*appear to depart*" (para. 65), "*far from satisfactory*" (para. 139),

31. The arguments of the *Motion for Reconsideration* of the *Voices of Dissent From Fr. Labiao, Jr. et. al.* (*CLMR*)[221], consisting of 78 pages of substantive submissions, are presented as reinforcements of the submissions under the *HMR* as follows:

    31.1. *Gross Constitutional Encroachment and Overreach* (*GCEO)*.

        31.1.1. *The Respondents are tyrannical,* hereafter as *GCO No. 7*.

        This GCEO is submitted as an additional overreach.

        The *People's Voices at Church* effectively declared the Respondents as tyrannical: "***Without accountability, power would know no bounds. And power – unfettered – is tyranny**." Authority, once granted, could be **twisted into a shield for impunity**. And those meant to be servants of the law and the public could become their masters*."[222] [emphasis added]

        More succinctly and crucially, The *People's Voices at Church* told off the *Respondents*: "*that **no one, regardless of rank or position, is above the law***."[223] . They further declared accountability is the price of power and that the impeachment is "*the means by which the **people refuse to turn a blind eye to the betrayal of public trust, the abuse of power, and the peril of remaining silent in the face of corruption***."[224] [emphasis added]

        31.1.2. *The Respondents modified "clear and unambiguous provisions of the Constitution*" (*GCEO No. 1)*.

        The *People's Voices at Church* rebuked the *Respondents*: "*in matters as consequential as impeachment, **any doubt** in the interpretation of its rules and procedures must be **resolved in favor of instilling the highest standards of public service***."[225] [emphasis added]

        The *People's Voices at Church* further castigated the *Respondents*: "*Accordingly, the Honorable Court's power of judicial review must remain firmly anchored in the express standards set forth by the **Constitution***."[226] [emphasis added]

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[221] *Motion for Reconsideration-In-Intervention*, Fr. Antonio Labiao, Jr., et. al., August 9, 2025.
[222] Ibid para. 52.
[223] Ibid para. 55.
[224] Ibid para. 62.
[225] Ibid para. 63.
[226] Ibid para. 70.

31.1.3. *The Respondents intruded "into the constitutionally vested powers of the Congress.*" (*GCEO No. 2)*.

The People's *Voices at Church* rebuked the *Respondents*: "*Beyond those clear constitutional boundaries, it is **not the judiciary's role to intrude upon the prerogatives of co-equal branches**. And the authority to initiate and decide impeachment proceedings **rests with the House of Representatives and the Senate**, respectively*."[227] [emphasis added]

The People's *Voices at Church* sternly warned: "*To exceed these limits is not only to risk **judicial overreach**, but to disturb the delicate balance of powers that defines our democratic system*."[228] [emphasis added]

31.1.4. *The Respondents needlessly burdened "constitutional mechanisms for upholding accountability of public officers*"[229] , hereafter as *GCEO No. 3*.

The People's *Voices at Church* rebuked the *Respondents*: "*The power of judicial review does **not extend to a determination of the propriety of the conduct of impeachment proceedings**, as this would be tantamount to **judicial interference with a political question**. It is **not within the Honorable Court's authority to pass judgment on the wisdom of the acts of Congress**, so long as it is within the sphere of its constitutional prerogatives."*[230] [emphasis added]

31.2. *Gross Misrepresentation, Not Negligence Let Alone Ignorance, of Basic Facts* (*GMBF*)

31.2.1. *Mode 1 Was Timely Acted*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GMBF No. 5* (*Mode 1 Was Timely Acted*) declaring: "*The House of Representatives was not guilty of inaction on the first three impeachment complaints*"[231] and declared "*the Honorable Court committed factual and legal errors*."[232]

[227] Ibid.
[228] Ibid para. 71.
[229] Ibid.
[230] Ibid para. 74.
[231] Ibid para. 77-98.
[232] Ibid para. 79.

Specifically, the *People's Voices at Church* even called out the *Respondents*: "*And this Honorable Court perfectly understood the preceding and even declared that the House complied with this constitutional requirement."*[233]

They further declared: "*Even after February 5, 2025, the House could still not be guilty of inaction as the Constitution gave the House three (3) session days more to refer the complaints to the Committee on Justice."*[234]

31.2.2. February 5, 2025 The Adjournment Sine Die

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GMBF No. 3* (*February 5, 2025 The Adjournment Sine Die*) declaring: "*Although the House adjourned on February 5, 2025, it did not do so sine die…, the House of the 19th Congress would resume session on June 2, 2025."*[235]

31.2.3. *Wrong Sequence of Events*

The *People's Voices at Church* reinforced the Respondents' culpability under *GMBF No. 1* (*Wrong Sequence of Events*). declaring "*the House clearly initiated the impeachment proceeding before the first three (3) impeachment complaints*"[236] but the *Respondents* "*still concluded that the archiving – which eventually led to their effectively dismissal – barred the initiation based on the 4th complaint.*"[237]
[underlined emphasis replacing italics]

31.3. *Gross Misreading or Misapplication of The Law on Facts* (hereafter as *GMTLF*)

31.3.1. *19th Congress Adjournment Caused the F3ICs Being Unacted, Archival and Deemed Dismissal.*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 4* (*19th Congress Adjournment Caused the F3ICs Being Unacted, Archival and Deemed Dismissal*) declaring: "***Neither the 19th Congress's end nor the House's archiving effectively dismissed these complaints***.

[233] Ibid para. 89.
[234] Ibid para. 90.
[235] Ibid para. 91.
[236] Ibid para. 147.
[237] Ibid.

The one-year bar, NOT the House, put a constitutional end to these complaints."[238] [emphasis added]

31.3.2. *Mode 1 Precedence Over Mode 2*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GMTLF No. 1* (*Mode 1 Precedence Over Mode 2*) as they disagreed with the *Respondents* introducing "*another rule: the first mode, if already existing, takes priority*" to justify the wrong sequence of events.[239]

The *People's Voices at Church* reproached the *Respondents*: "*Nothing in the Constitution indicates that the House has a duty to prioritize one mode of initiating an impeachment proceeding. If the* ***Constitution does not distinguish*** *which of the modes has priority, neither should the Honorable Court*"[240] emphasizing "*no constitutional basis supports the Honorable Court's premise.*"[241] [emphasis added]

The *People's Voices at Church* scolded the *Respondents*: "*To impose a priority rule on the House leads to* ***legal and practical absurdities***."[242] [emphasis added]

The *People's Voices at Church* called out the further absurdity of the *Respondents*: "*The House has discretion to promulgate its own rules and decide … Yet, on a matter where the Constitution gives it the exclusive power to decide on how to impeach a powerful public official, the* ***House suddenly loses discretion****? This is difficult to fathom.*"[243] [emphasis added]

The *People's Voices at Church* even compared the House exercised discretion in passing the law detaining a suspected terrorist for 24 hours[244] but in "*such a mundane task as to decide which mode to take in initiating an impeachment proceeding, the House suddenly loses its discretion? This again is* ***difficult to comprehend***."[245] [emphasis added]

31.3.3. *Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty*

[238] Ibid para. 98.
[239] Ibid para. 147.
[240] Ibid para. 149.
[241] Ibid para. 151.
[242] Ibid para. 156.
[243] Ibid para. 159.
[244] Ibid para. 160.
[245] Ibid para. 162.

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GMTLF No. 2* (*Referral to Committee on Justice a Matter of Course as House Only Has Ministerial Duty*) emphasizing: "*In Gutierrez, the Honorable Court was clear on the House's* ***discretionary*** *power to initiate: the House had the exclusive power to decide whether to initiate an impeachment proceeding*."[246] "*With the power to initiate impeachment proceedings comes the power to refuse to wield it*."[247] [emphasis added]

The *People's Voices at Church* scolded the *Respondents*: "*To initiate the proceeding through the 4th impeachment complaint, instead of the first three, was the House's* ***sole prerogative***"[248] [emphasis added]

31.4. *Gross Ignorance of The Law* (hereafter as *GITL*)

31.4.1. *Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 9* (*Disregard of Constitution Framers' Intention*). They emphasized: "*Christian Monsod underscored the* ***necessity of adopting a liberal interpretation*** *of the impeachment process*."[249] [emphasis added]

Though couched respectfully, the *People's Voices at Church* castigated the *Respondents*: "*The requisites for the impeachment process, as laid down by the Honorable Court in Duterte, appear to* ***depart from the intent of the framers*** *of the Constitution, which envisioned a* ***more accessible and responsive mechanism for accountability****, as made evident in* ***the deliberations of the Constitutional Commission***."[250] [emphasis added]

31.4.2. *Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings.*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 1* (*Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings*) emphasizing that "*in holding that*

[246] Ibid para. 153.
[247] Ibid para. 154.
[248] Ibid para. 155.
[249] Ibid para. 64.
[250] Ibid para. 65.

the House's inaction be considered as the initial action on the first three (3) impeachment complaints, this Honorable Court applied a ***legal fiction****,"*[251] *"****with no constitutional basis****"*[252] *"nor can this Honorable Court use a juristic fiction to deem the House's purported inaction as initiation."*[253] [emphasis added]

The *People's Voices at Church* alerted: "*use of this fiction is already* ***dangerous as it lacks clear parameters****. Worse, its use may even appear to cover* ***judicial legislation****; whether the legislation was intentional or otherwise*."[254] [emphasis added]

The *Respondents* "*used* ***a legal fiction to defeat the very spirit and intent*** *of Article XI on impeachment*."[255] [emphasis added]

31.4.3. *Favored Impeachable Officials Including Themselves Over the People*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 11* (*Favored Impeachable Officials Including Themselves Over the People*) emphasizing that "*the purpose of impeachment was unequivocal: it was primarily* ***intended to protect the state****, not to prosecute the public official*."[256] [emphasis added]

The *People's Voices at Church* chided the *Respondents:* "in interpreting the provisions under Article XI, the Honorable Court should have placed premium on the **need to protect the state**."[257] [emphasis added]

The *People's Voices at Church* called out that the people were punished instead: "*since the proponents of the first three (3) impeachment complaints did not commit any mistake or wrong, the Honorable Court* ***should not have punished them by declaring the complaints to be dismissed***."[258] "*Why would the proponents share the blame in the House's violation of the Constitution? Instead, the Honorable Court could have compelled the House to refer the first three (3) complaints to the Justice Committee*."[259] [emphasis added]

[251] Ibid para. 99.
[252] Ibid para. 100.
[253] Ibid para. 102.
[254] Ibid para. 103.
[255] Ibid para.104.
[256] Ibid para. 105.
[257] Ibid para. 106.
[258] Ibid para. 107.
[259] Ibid para. 108.

There is glaring absurdity when the *Respondents* "*declared the House had no discretion to refer the complaints to the Justice Committee*."[260] "*Why would justice be subserved by considering the complaints dismissed? Again, impeachment is primarily for the state's protection. And, if the House were guilty of unjustified delay or inaction, it was so* ***at the expense of the people's right to seek accountability****. Punishing the proponents of the first three (3) impeachment complaints, then,* ***ran counter to the very purpose*** *of impeachment. To declare the complaints to be dismissed was not only* ***unconstitutional but unjust and unfair*** *to the movant-intervenors, who file a legitimate complaint*."[261] [emphasis added]

The *Respondents*' use of legal fiction changed impeachment's nature: from a tool that primarily protects the state to one that **first protects the public official**. This shift had no factual justification.

31.4.4. *Mistaken Regard for Anti-Harassment Provision*[262]

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled not only that the F3ICs were deemed dismissed but the 4IC was barred by the OYBR, hereafter as *GITL No. 26*.

The true state of the law establishing *GITL No. 26* committed by the *Respondents* is that it meant that the OYBR **applied to avoid another harassment** to the Vice President.

The *People's Voices at Church* called out the obvious absurdity: "*the Vice President could not claim that she was harassed by the first three (3) impeachment complaints. These did not reach the Justice Committee. She was not required to answer them.* ***Why would the Anti-Harassment Provision*** **[ie OYBR]** ***be violated without the complaints' harassing the Vice President?***"[263] The F3ICs "*never disrupted the Vice President's service to the country. And, on February 5, 2025, they went to archives without exacting a single thing from the Vice President*."[264] "How exactly was she harassed? How did

[260] Ibid.
[261] Ibid para. 109.
[262] refers to the one-year bar rule
[263] Ibid 221 para. 110.
[264] Ibid para. 111.

these complaints threaten her tenure? Why did her tenure need actual protection?"[265] [emphasis added]

31.4.5. *Dismissing Unacted F3ICs Exposes Impeachment to Sham and Frivolous Complaints*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled the so-called unacted F3ICs were deemed dismissed so that even sham or frivolous complaints can trigger the OYBR, hereafter as *GITL No. 27*.

The true state of the law establishing *GITL No. 27* committed by the *Respondents* is that it meant that impeachment process is exposed now to sham and frivolous complaints, whether compliant in form and/or substance or not.[266]

The *People's Voices at Church* pointed to the absurdities of the *Respondents* with the latter holding "*that neither the Secretary General, the Speaker, nor the House had discretion in including an impeachment complaint in the Order of Business and in referring it to the Justice Committee*," which means "***none also has discretion to dismiss a sham complaint***,"[267] "*which may already initiate the impeachment proceeding because of the immediate referral*."[268] "*And, when filed, the Secretary General and the Speaker must immediately act on it. Otherwise, it shall be deemed dismissed and still trigger the one-year ban*"[269]. [emphasis added]

Waiting for more complaints or exhausting the time limits[270] – under *Mode 1* despite not being prohibited by the Constitution – "*the first filed complaint shall be considered dismissed for being unacted upon*."[271]

The *VP's Comments to the HMR* argued that the House committed "*grave abuse of discretion in deliberately withholding complaints constitutive of inaction or delay*."[272] Previously, *VP's Comments to the HMR* argued that the "inclusion in the Order of Business and referral to proper

[265] Ibid para. 112.
[266] Ibid paras. 139-142.
[267] Ibid para. 136.
[268] Ibid para. 137.
[269] Ibid para. 142.
[270] Ibid para. 140.
[271] Ibid 228.
[272] Ibid 21 para. 35.

committee are mandatory steps and ministerial duties" [273] and now calling the delay of these actions as grave abuse of discretion. **We can see that the authors of *VP's Comments to the HMR* cannot make up their minds**.

31.4.6. *Due Process Right to Be Heard Mandatory for Mode 2*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 13* (*Due Process Right to Be Heard Mandatory for Mode 2*) emphasizing that "*the due process clause finds no application in the initiation phase of an impeachment proceeding."*[274]

The *People's Voices at Church* disagreed with the *Respondents* holding that "*the procedural process guidelines in Ang Tibay applied to impeachment proceedings as if implying that the House acts as an administrative agency in impeachment proceedings*"[275] "*as the House exercises neither a quasi-judicial nor judicial function*"[276] *because "when the House initiates an impeachment complaint, the House does not issue a decision; it does not make any finding of guilt. What it does is merely charge an impeachable officer*."[277] Rather, "*when the House exercises its exclusive power to initiate an impeachment proceeding, it exercises a* ***sui generis power****. Neither does the House exercise its rule-making power*."[278] The administrative treatment "***effectively makes impeachment more difficult and cumbersome to do***."[279] [emphasis added]

31.4.7. *Due Process Clause Applied in Impeachment When Life, Liberty No Property Was Not at Stake*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 10* (*Due Process Clause Applied in Impeachment When Life, Liberty No Property Was Not at Stake*) emphasizing that "*a property office is not a property right because a public office is a public trust*"[280] and so "*the Vice President has no vested right to her position*."[281]

[273] Ibid para. 7.
[274] Ibid 221 paras. 164-165.
[275] Ibid para. 165-166
[276] Ibid para. 167.
[277] Ibid para. 170.
[278] Ibid para. 178.
[279] Ibid para. 180.
[280] Ibid para. 181.
[281] Ibid paras. 181-201.

The *People's Voices at Church* admonished the *Respondents:* "*Since not one of the elements of the due process clause is extant, this Honorable Court* ***erred when it declared that the House violated that constitutional protection***."[282] [emphasis added]

31.4.8. *Regarding Impeachment Proceeding As Criminal Proceeding*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 16* (*Regarding Impeachment Proceeding As Criminal Proceeding*) emphasizing "*an impeachment proceeding is political in* ***nature*** *and does not partake the nature of a criminal proceeding*"[283] as "*impeachment is not designed to punish the public official*."[284] "*The framers intended for the impeachment proceeding to be* ***distinct from a criminal proceeding***."[285] [emphasis added]

The *People's Voices at Church* reiterated that the Supreme Court declared so itself that: "*the framers of the 1987 Constitution had intentionally separated impeachment as a separate and distinct proceeding because of its* ***political nature***"[286], "*the right against* ***double jeopardy****, which is similar to the right of due process, is* ***not applicable to impeachment*** *as the latter is not criminal in nature*"[287], "*the framers conceived of impeachment as sui generis*"[288], and "*impeachment is* ***intended to protect and to preserve the State****, not as a means to effect punishment*"[289]. [emphasis added]

The *People's Voices at Church* concluded: "*to treat impeachment as criminal in nature would be incorrect and a* ***grave misunderstanding of the spirit and intent*** *of the 1987 Constitution. The impeachment process remains to be* ***political in nature****, not a criminal one.*"[290] [emphasis added]

31.4.9. *The Senate Denied as the Impeachment Court*

This GITL is submitted as an additional misconduct.

[282] Ibid para. 201.
[283] Ibid para. 202.
[284] Ibid para. 203.
[285] Ibid para. 205.
[286] Ibid para. 207.
[287] Ibid para. 208.
[288] Ibid para. 209.
[289] Ibid para. 210.
[290] Ibid para. 211.

In their unanimous *Decision*, the *Respondents* ruled with the Senate not acquiring jurisdiction over the impeachment case of the Vice President, hereafter as *GITL No. 28*.

The true state of the law establishing *GITL No. 28* committed by the *Respondents* is that it the **Supreme Court was rejected as the impeachment court** educating "*in discussing whether to transfer the impeachment process, a **political act**, under the Honorable Court's jurisdiction, the framers of the 1987 Constitution **ended up rejecting the notion***"[291] as "*it would **politicize***" the Supreme Court.[292] [emphasis added]

31.4.10. *Doctrine of Operative Fact Ignored*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No.19* (*Doctrine of Operative Fact Ignored*) emphasizing "*the House could not comply with impeachment rules that did not exist before Duterte"*[293] as *"it was **impossible for the House to comply** with them before Duterte. The House simply followed the prevailing rules on impeachment in Francisco, Gutierrez, among others."*[294] [emphasis added]

The *People's Voices at Church* rebuked the *Respondents:* "*To obliterate the effects of the initiation before Duterte is outright unfair and **unjust** to the House and the proponents of the first three (3) impeachment complaints*."[295] [emphasis added]

The *House Speaker's Speech* reinforced: "*Because if impeachments can be blocked by misunderstood facts or **rules made after the fact then accountability is not upheld, it is denied***." [emphasis added]

31.4.11. *Congress Denied Exclusive Discretionary Power to Impeach and Convict in Impeachment*

The *People's Voices at Church* reinforced the *Respondents'* culpability under *GITL No. 23* (*Congress Denied Exclusive Discretionary Power to Impeach and Convict in Impeachment).*

[291] Ibid 221.
[292] Ibid para. 204.
[293] Ibid para. 212.
[294] Ibid para. 213.
[295] Ibid para. 216.

The *People's Voices at Church* declared: "*a quantum of evidence that the House (before it files the Articles of Impeachment) and the Senate (before it convicts or acquits the public official) shall use a standard*"[296] where the Supreme Court "*appears to be the final arbiter on this matter*"[297]. "*This is **already a judicial overreach**. It runs counter to the basic principle of the separation of powers."*[298] [emphasis added]

The *House Speaker's Speech* reinforced: "*Let us be clear, the Constitution says, the House of Representatives shall have the exclusive power to initiate all cases of impeachment. That power is **not shared, no subject to pre-approval and not conditional***." [emphasis added]

The *House Press Release* reiterated the point of these all: "*This is about whether the Filipino people still have a meaningful way to call the powerful to account. Because if impeachments can be blocked by misunderstood facts or rules invented after the fact, then **accountability is** not upheld—it is **denied***."[299] [emphasis added]

31.4.12. *Defined Corruption as Impeachable Offense*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* eve ruled on the definition of corruption as an impeachable offense, hereafter as *GITL No. 29*.

The true state of the law establishing *GITL No. 29* is that "*in Francisco, this Honorable Court clearly **delineated the political from the justiciable**. Answering whether the complaint constitutes valid impeachable offenses **oversteps constitutional boundaries***."[300] [emphasis added]

The *People's Voices at Church* rebuked the *Respondents: "there is no constitutional standard by which this Honorable Court can use **to dictate that the Senate must abide by its definition of an impeachable offense or the quantum of evidence the Senate ought to follow**."*[301] *"This is **not a gap** in*

[296] Ibid para. 217.
[297] Ibid para. 219.
[298] Ibid para. 220.
[299] Ibid 3030
[300] Ibid para. 223.
[301] Ibid para. 225.

the Constitution. It is a feature. A feature indicates that ***only the Senate can decide*** *the definition of these offenses and quantum of evidence it will use."*[302] [emphasis added]

The *People's Voices at Church* warned the *Respondents* they "*would be* ***eroding the public's faith in constitutional accountability if itself, composed of impeachable officers, goes beyond its expanded jurisdiction*** *and defines the very offense they are not supposed to commit and requires the quantum of evidence to be used to convict or acquit*."[303] [emphasis added]

Voices of dissent from Filipino people individually

32. From the voices of the People at individually (VOP):

32.1. From Church Leaders

32.1.1. *Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 9* (*Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*).

Bishop Buzon rebuked the *Respondents*: "*With what's happening with the Senate and Supreme Court these days, one can't help but feel frustrated with the present government, and cynical about the future of this nation … The* ***highest court****, meant to be the people's last resort for justice, is* ***lost in non-committal legalism and fails to uphold the people's right to hold their leaders accountable****."* [304] [emphasis added]

32.1.2. *Favored Impeachable Officials Including Themselves Over the People*

A group of *Filipino Individual Voices* reinforced the *Respondents'* culpability under *GITL No. 11* (*Favored Impeachable Officials Including Themselves Over the People*).

[302] Ibid para. 228.
[303] Ibid para. 228.
[304] Rappler, "*Bacolod bishop goes no-holds-barred in sermon, slams SC, Senate on Sara impeachment, August 12*, 2025, https://www.rappler.com/philippines/visayas/bacolod-bishop-patricio-buzon-sermon-sc-senate-sara-duterte-impeachment-case/ accessed August 12, 2025.

Conference of Major Superiors in the Philippines (CMSP) declared the ultimate impeachable conduct of the *Respondents, "supreme betrayal of public trust"*: "*By shielding the Vice President from a legitimate process of accountability, the Supreme Court has deepened the growing perception that the **law** no longer serves the poor and the powerless, but **protects only those with influence, pedigree, and proximity to power**. The timing, the rationale, and the implication of this decision reek of **complicity** and cowardice … At a time when the public is crying out for truth and accountability, the **Supreme Court chose silence over scrutiny**, technicalities over transparency, and **impunity over integrity**. It has failed in its solemn duty to be the last bastion of justice*." [305]

32.2. From an Author of the 1987 Constitution

32.2.1. *Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 20* (*Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment*).

Atty. Christian Monsod, one of the framers of the 1987 Constitution no less, issued an existential warning to public officials, but clearly directing his message to the *Respondents*: "*Don't under-estimate the people!"*[306].

Indeed, do not at all, but may we add, ever. As even us just one Filipino citizen can initiate a verified impeachment complaint against all 15 Justices of the Supreme Court to hold them to account to even a single abuse of power, position, and authority – which however you slice and dice it – is a betrayal of public trust.

Constitutional author Monsod declared: "***the Supreme Court overreached its powers!***"[307]

[305] The Tablet, "*Filipino Religious condemn 'betrayal' as Supreme Court blocks impeachment*", https://www.thetablet.co.uk/news/filipino-religious-condemn-betrayal-as-supreme-court-blocks-impeachment/, August 6, 2025, accessed August 25, 2025.
[306] ANZ News, "*WATCH: Ex-Justice Carpio, Constitution framer Monsod disagree with SC ruling on VP impeachment | ANC*' with new requirements| ANC" on playhead 1:08:17 https://www.youtube.com/watch?v=QpKmve8oLEY, July 31, 2025, accessed on August 6, 2025.
[307] GMA Integrated News, "*Retired Supreme Court Sr. Assoc. Justice Carpio - Hindi nalabag ang one-year... | Balitanghali*" on playhead 1:33 https://www.youtube.com/watch?v=U2EfDaJRgh0, July 31, 2025, accessed on August 6, 2025.

Further, Constitutional expert Monsod educates: "*There was a proposal that the Supreme Court should be the [impeachment] court…that was voted down because* ***the impeachment is a political act*** *and it might even politicized the Supreme Court* ***because the respondent may be one member of the Supreme Court*** *so* ***the role of the Supreme Court*** *was reduced to* ***strictly constitutional issues****, now that the decision they have rendered may have overreached the power given to them under Section 1 of Article VIII …*"[308] [emphasis added]

With all rationalisations and ratiocinations of the *Respondents* on the Supreme Court's extended power of judicial review from *Francisco*[309] to *Gutierrez*[310] to *Duterte*, **they forced themselves in an arrogant encroachment of power *solely and exclusively* given explicitly and unequivocally by the Constitution to Congress**. To this, the House of Representatives, through their firm collective defiance to such encroachment, declared **they "will not bow in silence"**[311].

In their detailed and extensive examination of the Constitutional provision on the Supreme Court's expanded power of judicial review, did they even call on the authors and framers of the 1987 Constitution to aid in determining the reach and extent of what they themselves called "expanded" power of judicial review? **What we noted are references only to jurisprudence, which are essentially what their historical kind said in the past**.

That Supreme Courts declaring that they have indeed the power of judicial review on questions of impeachment in *Francisco*, *Gutierrez* and *Duterte* **because that is how they interpret the Constitution is like saying we better all follow and listen to them just because they said so as the ultimate interpreter of the Constitution**.

But what is there to interpret in a clear and unequivocal "sole" and "exclusive" explicit declaration in the Constitution?

This sole and exclusive power is clearly given to Congress as carved out exception from the judicial review power of the Supreme Court.

[308] Ibid, playhead at 00:07:47.
[309] *Francisco vs. House of Representatives*, G.R. No. 160261, November 10, 2003.
[310] *Gutierrez vs. House of Representatives*, G.R. No. 193459, February 15, 2011
[311] Ibid 26.

That the Supreme Courts supported their justification of jurisdiction on impeachment questions **with their own jurisprudence is like saying we all better follow and listen to them just because that was what they said in the past**.

32.2.2. *Due Process Right to Be Heard Mandatory for Mode 2*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 13* (*Due Process Right to Be Heard Mandatory for Mode 2*).

Constitutional author Monsod still declared: "*... the only hearing that is in the Constitution is the one that is in the Senate and the [Supreme] Court said it was a hearing and therefore the Vice President should have been informed and be allowed to express her due,* ***that is wrong, that is not contemplated in the Constitution, the due process is observed in the Senate*** *...* "[312] [emphasis added]

The *Respondents* cannot argue with *any* author of the 1987 Constitution, lest they forget their only function: **to decipher the intent of the law only in case of ambiguity**.

32.3. From an ex-colleague of the SC Justices

32.3.1. *4IC Without Plenary Vote*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GMBF No. 2* (*4IC Without Plenary Vote*).

Justice Antonio Carpio, a well-known former Justice of Supreme Court, had a more damning verdict: the *Respondents* made "*a* ***very basic error***." [emphasis added]

Justice Carpio declared: "*... Isang Bayan, which I chair, is* ***opposing, disagreeing with the position of the Supreme Court*** *..."*[313] *"so* ***the finding of the Supreme Court*** *in their decision that there was no Plenary approval of the Fourth Complaint* ***is totally wrong*** *because that is* ***not what the records of the House show****..."*[314] *"... when the House adjourned, the Fourth Complaint was already approved by the Plenary and it already reached the Senate so obviously the one-year bar rule cannot*

[312] Ibid, playhead at 00:09:20.
[313] Ibid, playhead at 00:00:02.
[314] Ibid, playhead at 00:00:37.

apply to the Fourth Complaint so the Fourth Complaint was filed on time ***so it was a very basic error*** *there."*[315] [emphasis added]

To describe as simply "*basic error*" **the unanimous mistake of fact by 13 legally presumed competent justices** readable from the documented records of the House is unduly deferential euphemism to "**malicious deliberate misrepresentation of facts**".

Since time immemorial, Supreme Courts punish gross ignorance of *the law* invariably with dismissal from service, which is the equivalent of impeachment.

An oft-quoted jurisprudence declares:

"*When the inefficiency springs from a* ***failure to recognize*** *such a* ***basic*** *and elemental* ***rule****, a law or a principle* ***in the discharge of*** *his* ***functions****, a judge is either* ***too incompetent*** *and* ***undeserving*** *of the position and the* ***prestigious*** *title he holds* ***or*** *he is* ***too vicious*** *that the* ***oversight*** *or omission was deliberately done in* ***bad faith*** *and in* ***grave abuse of*** *judicial* ***authority****.* ***In both cases, the judge's dismissal will be in order****."*[316] [emphasis added]

But gross ignorance of *the facts* is so much worse than that of *the law*. The relevant facts are always directly brought to the attention of the judge; whereas, the relevant law, the judge has to research (if not know the law by heart) as a matter of due diligence in making a decision.

We submit that the *Respondents*, in the case of *Duterte*, as publicly declared by Justice Carpio and argued by the House (see paragraph 23), are "***too vicious*** *that the* ***oversight*** *or omission was deliberately done in* ***bad faith*** *and in* ***grave abuse of*** *judicial* ***authority****."*

But failing that submission at any rate, the *Respondents* are "***too incompetent*** *and* ***undeserving*** *of the position[s] and the* ***prestigious*** *title[s] [they] hold".*

Either way, for all their prestige and stature, the "basic error" committed by the *Respondents* is too basic to forget, let alone forgive. Thus, the *Respondents* must be dismissed from service.

[315] Ibid, playhead at 00:02:00.
[316] *Usama vs. Judge Tomarong*, A.M. No. RTJ-21-017 (March 8, 2023)

To appreciate the highness of their so-called heavenly positions of the SC Justices, one commenter on FB[317] narrated that Justice Leonen once said to them in his speech of the Supreme Court being fair game to public criticism prefaced his false humility but unavoidably obvious haughtiness: "***Do not call us SC Justices gods!***" To this we say, enough said.

32.3.2. *New Impeachment Rules Applied Retroactively*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 7* (*New Impeachment Rules Applied Retroactively*).

Justice Carpio declared: "*... nobody in the world knew that there has to be a hearing at the Plenary level, it is a new requirement and* ***the Supreme Court imposed this new requirement retroactively*** *...*"[318] "*... there is a rule that when you overrule a doctrine, and the doctrine is there in Francisco ruling, when you* ***overturn a doctrine*** *you have to* ***apply it prospectively*** *because there is a violation of due process if you make it retroactive ...*"[319] [emphasis added]

Based on Justice Carpio's corrections, we submit now that the *Respondents* committed gross ignorance of the law, which *Usama* speaks of as either "*too incompetent*" or "*too vicious*". You cannot have all 13 being "*too incompetent*" at the same time. Thus, **we submit that the *Respondents* are "*too vicious*", especially that as Justice Leonen self-reminded us that we regard them as gods. You cannot have infallible gods**.

32.3.3. *Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 9* (*Disregard of Declared Intention of the Framers of the Constitution in Rewriting the Constitution*).

Justice Carpio further declared: "*... the intent of this provision [to have the Hearing in Senate and not at the House] is to* ***liberalize the impeachment process*** *...but now through this ruling the Supreme Court make it difficult, it is against the*

[317] We cannot locate the FB post comment anymore.
[318] Ibid 306, playhead at 00:03:24
[319] Ibid, playhead at 00:04:00.

intention of the framers of the Constitution…"[320] [emphasis added]

32.3.4. *Relying on ABS-CBN News For Evidence of Finding*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 14* (*Relying on ABS-CBN News For Evidence of Finding*). Justice Carpio still further declared, while visibly smiling at the hilarity and touching his head in disbelief at the gross misconduct of the *Respondents*: "*… the Decision [of the Supreme Court] says there was no approval [of the Fourth Complaint]* ***citing a news report when*** *the [Supreme] Court* ***could have easily asked the House*** *…"*[321] [emphasis added]

32.4. From a renowned political analyst

32.4.1. *Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 20* (*Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment*).

Ronald Llamas[322], a nationally known political commentator, declared: "*Ito ay si Ayn Rand, sabi nya '****when the law no longer protects you from the corrupt but protects the corrupt from you, you know your nation is doomed****.' Ingat tayo baka don tayo pumunta dito sa desisyon ng Supreme Court to dismiss the impeachment case*." [emphasis added]

32.4.2. *Declaring the House Committed Grave Abuse of Discretion*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GMBF No. 6* (*Declaring the House Committed Grave Abuse of Discretion*).

Llamas questioned the *Respondents*: "*Una, ano ba ang basehan nila to dismiss? Factual ba ang kanilang basis? Ito yung sinasabi ni former Supreme Court Justice Carpio ba parang* ***mali ang pinagbatayan ng kanilang desisyon***." [emphasis added]

[320] Ibid, playhead at 00:07:14
[321] Ibid, playhead at 00:13:21
[322] DZMM Teleradyo, "*SC ruling on VP Duterte impeachment case slammed | Kwatro Alas (02 August 2025)*", https://www.youtube.com/watch?v=0lMeAH8Hq4E , accessed on August 16, 2025.

After rebuking the *Respondents*' abuse in amending the Constitution: "***Hindi pa kayo nakontento sa pag amend, dinerail nyo pa! Ibig sabihin winawasak nyo pa, tinatapakan nyo pa!***" [emphasis added]

32.4.3. *No Oral Arguments Held Before Decision*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 16* (*No Oral Arguments Held Before Decision*).

Llamas further questioned the *Respondents*: "*Sabi naman ni former* ***Chief Justice Panganiban****, anyare bat* ***ambilis****? Na receive yung sagot ng House dun sa napakatinding banat na order ng Supreme Court, nareceive nila nang July 19, isinulat yung mahigit na 97 pages, dinistribute sa mga fellow justices, pinag-usapan at dinesosyunan habang ang buong lingo ay walang pasok. Sabi ni Chief Justice Panganiban 'bat ambilis man lang?* ***Wala man lang pinatawag****, no para maglabas ng ibang mga argumento no para sa isang landmark case. Sabi nya para napaka kuwan naman ito,* ***napaka suspicious***." [emphasis added]

32.4.4. *Re-writing the Constitution Violated Article XVII (Amendments)*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 24* (*Re-writing the Constitution Violated Article XVII*).

Llamas rebuked the *Respondents*: "*Sabi naman ni former Supreme Court* ***Justice Azcuna****, una* ***bakit nyo inaamend ang Konstitusyon?*** *Hindi naman trabaho yan ng Supreme Court. Ang trabaho ng Supreme Court ay* ***to interpret*** *the Constitution.*" [emphasis added]

32.4.5. *New Impeachment Rules Applied Retroactively*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 7* (*New Impeachment Rules Applied Retroactively*).

Llamas ridiculed the *Respondents*: "*Ipresume na natin na gusto nyong baguhin ang batas at ang Konstitusyon,* ***dapat yan ay prospective****, dapat yan ay sa susunod. Bakit ginagawa nyong sa kasalukuyan? Bat ginagawa nyong retroactive.* ***E basic naman***

yan sa batas. *Kahit mga abogadong de kampanilya katulad ni Topacio naunawaan yan.* ***Kahit kami na mga drop-out ay nauunawaan yan***.” [emphasis added]

32.4.6. *Amending the Impeachment Rules As Conflict of Interest*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled with additional impeachment procedural requirements that made themselves as judges making rules of their own accountability, hereafter as *GITL No. 30*.

The true state of the law establishing *GITL No. 30* committed by the *Respondents* is that, as the House Speaker declared: “*Let me say this with candor. A government of laws* ***cannot*** *allow any branch to* ***become the judge of its own accountability****… When the Court lays down rules for how it or others like it may be impeached, it puts himself in* ***dangerous position of writing conditions that may shield itself from future accountability. That is not how checks and balances work****.”* [emphasis added]

Llamas chastised and shamed the *Respondents*: “*So tapos sa pag amend nyo,* ***ginawa nyong almost impossible****, almost, na mag file ng impeachment kahit kanino!* ***Lalo na sa mga corrupt. Ano ba yan? E kayo impeachable din kayo eh. Di ba kwan yan ‘grave abuse of discretion’? Di ba yan ay conflict of interest?*** *…* ***Ano yan, chilling effect? Para walang mag criticize sa Supreme Court? Na ang linaw linaw naman na binago ang mga rules sa impeachment habang sila ay impeachable persons themselves!*** *So medyo ayusin naman natin dahil baka pumunta tayo sa don sa sinasabi ni Ayn Rand na ‘our nation is doomed!’*” [emphasis added]

32.5. From a celebrated media personality

32.5.1. *No Oral Arguments Held Before Decision*

A *Filipino Individual Voice* reinforced the *Respondents’* culpability under *GITL No. 16* (*No Oral Arguments Held Before Decision*).

When former Supreme Court Justice Adolf Azcuna declared “***the Supreme Court did not give the House of Representatives a chance to file an answer or even a comment*** *thereby*

violating *the principle of* ***due process*** *in rendering a decision, which virtually is an ex-parte decision*" [323], well-known media personality Ces Drilon called out the hypocrisy of the ***Respondents***: "***Ironically****, they cite due process as their main argument for deciding in favor of VP Sara*." [324] [emphasis added]

32.6. From celebrated human rights activist

32.6.1. *Decision is Fraud Violating Article VIII Section 7(3) on Integrity.*

This GITL is submitted as an additional misconduct.

In their unanimous *Decision*, the *Respondents* ruled fraudulent reasonings with their vast errors of fact and law, hereafter as *GITL No. 31*.

The true state of the law establishing *GITL No. 30* committed by the *Respondents* is that they violated Section 7(3) of Article VIII of the 1987 Constitution: "*A Member of the Judiciary must be a person of proven* ***competence, integrity and probity*** *and independence."* [emphasis added]

Celebrated human rights activist Congresswoman Leila de Lima fearlessly called out the ***Respondents***' fraud: "*Harap* ***harapan na tayong niloloko, kakaibang korte ito****, sana sa palengke na lang finile ang impeachment case. At least doon,* ***may nagtitinda ng totoo***."[325] [emphasis added]

32.7. From civic and business groups

32.7.1. *Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings.*

A group of *Filipino Individual Voices* reinforced the *Respondents'* culpability under *GITL No. 1* (*Doctrinal Shift 1: Effective Dismissal of the F3ICs That Activated the OYBR Amounts to Initiation of the Impeachment Proceedings*). We shall call them the "*Voices of Dissent from the People at*

[323] One News PH: The Big Story, *"Azcuna: House's last-minute referral of impeachment may appear as bad faith | The Big Story"*, https://www.youtube.com/watch?v=ORd5LId7oqQ playhead at 05:08, accessed on August 16, 2025.
[324] Ibid playhead at 5:26.
[325] ANZ 24 News, "*Marcoleta hits De Lima over statement 'sana sa palengke na lang finile ang impeachment'*", https://www.youtube.com/watch?v=glm_0qy6q9w playhead at 0:43, accessed on August 16, 2025.

Business." **Their dissent was voiced in document sent to the Complainants. The document was reportedly submitted directly to the *Respondents***.

Civic and Business Groups consisting of the Justice Reform Initiative, Integrity Initiative, Makati Business Club, and Management Association of the Philippines declared:

"*We join a nation hopeful that the Supreme Court shall steadfastly resume its role in defending the Constitution that the Filipino people have ratified at a pivotal time in our history.*

With much respect to the Court, ***we add to the voices of our nation's luminaries*** *and set forth our observations on why the decision in Duterte v. HOR merits reconsideration.*"

"'***Deemed Initiated' is not in the Constitution.*** *The Court treated the first three complaints as "deemed dismissed" triggering the one-year bar for the initiation of the next impeachment. The Court, in effect,* ***treated the first three complaints (counted as one) as "deemed initiated" as well****. For how can there be a succeeding impeachment initiation to bar if the first has not even been initiated?* ***This deeming effect rests on no Constitutional text because whenever the charter desires that legal effect, it states so expressly, such as*** *on: who are 'deemed natural-born citizens' (Article IV, Section 2); who are 'deemed to have renounced citizenship' (Article IV, Section 4); 'deemed re-enacted' budget (Article VI, Section 25[7]); 'deemed certified' special election bill (Article VII, Section 10); 'deemed submitted for decision' (Article VIII, Section 15(2]; Article IX, Section 7); 'deemed lifted' freeze order (Article XVIII, Section 26[3]).* ***If the framers of the Constitution intended that inaction by the House shall make an impeachment 'deemed initiated', it would have been so indicated like the rest of the provisions above stated***." [emphasis added]

32.7.2. *Archival of the F3ICs As Effective Dismissal That Triggered The OYBR*

Voices of Dissent from the People at Business reinforced the *Respondents'* culpability under *GITL No. 2* (*Archival of the F3ICs As Effective Dismissal That Triggered The OYBR*).

Voices of Dissent from the People at Business declared: "*One-Year Bar not triggered. The Court in its decision said that*

complaints not properly endorsed by a member of the House within a reasonable period, even if dismissed, does not trigger the one-year bar. Yet in the same breath, the Court ***deems inaction by the House as a dismissal that triggers the one-year bar****. This, we submit, stands in tension with the Court's own reasoning:* ***in both cases, the House did not act and yet there are different legal effects****.*" [emphasis added]

32.7.3. *Due Process Right to Be Heard Mandatory for Mode 2*

Voices of Dissent from the People at Business reinforced the *Respondents'* culpability under *GITL No. 13* (*Due Process Right to Be Heard Mandatory for Mode 2*).

Voices of Dissent from the People at Business declared: "*Venue for Due Process is Specific. Impeachment is neither a criminal nor an administrative proceeding. It is a* ***sui generis*** *process for which the Constitution provides* ***specific venues*** *for due process: in the Committee on Justice for the first mode of impeachment (by verified complaint endorsed by a member of the House); or* ***at the Senate Trial for the second mode*** *(Impeachment by direct resolution transmitted to the Senate).*

The Senate by stopping the impeachment initiated through the second mode, and the Court by its decision in this case as it stands, ***unfortunately prevented due process from happening****.*" [emphasis added]

32.7.4. *Favored Impeachable Officials Including Themselves Over the People*

Voices of Dissent from the People at Business reinforced the *Respondents'* culpability under *GITL No. 11* (*Favored Impeachable Officials Including Themselves Over the People*).

Voices of Dissent from the People at Business declared: "*Impeachment is to Protect the People. The very title of Article XI, 'Accountability of Public Officers', makes clear that the impeachment process exists* ***to serve the public****. It is* ***not to shield a government official*** *from the rigors of defending himself or herself, but to safeguard the* ***people's right to demand accountability*** *from those who wield authority supposedly on their behalf.*

The decision of the Court as it stands sends a ***dangerous signal*** *throughout the bureaucracy that* ***abuse of power and***

> ***corruption carry no consequence**. If we fail to hold the highest officials of the land accountable, **how can we expect accountability from those below them**?*
>
> ***Without accountability, the government loses trust.** If uncorrected, this will **institutionalize the flaws in our rule of law**. The impact is not only political, it's **also economic**. When investor confidence retracts, when costs of doing business rise, when the supply chain struggles, invariably, it's the consumers, **the people, who will pay the price**. Everyone needlessly suffers - as our history as a nation repeatedly taught us.*
>
> *We beg the Court to guard against the erosion of the constitutional design that can **set aside the people's sovereign will**. Our fidelity must always be to the principle that no one stands above the Constitution, and no government official is supreme over the Filipino people they are sworn to faithfully serve.*" [emphasis added]

32.8. From a government secretary

32.8.1. *New Impeachment Procedural Rules for Mode 2*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 6* (*New Impeachment Procedural Rules for Mode 2*).

In *Comment* to the *Indirect Contempt Show-Cause Order* of te *Respondent*[326]*s*, Secretary Larry Gadon declared: "*The Supreme Court even went to the extent of o**verreaching its powers by encroaching** on the **exclusive power of the Congress** to initiate and conduct trial on impeachment cases against impeachable officials by **adding more requisites and conditions not provided for in the Constitution***."[327] [emphasis added]

Secretary Gadon further rebuked the *Respondents* when they*"**… also added several requirements on impeachment proceedings which are NOT PROVIDED IN THE CONSTITUTION.**"* [328] [emphasis added]

32.8.2. *Favored Impeachable Officials Including Themselves Over the People*

[326] Comment to A.M. GR No. E-01747, https://sc.judiciary.gov.ph/wp-content/uploads/2025/08/E-01747-Comment.pdf, August 19, 2025.
[327] Ibid para. 4a.
[328] Ibid para. 5.

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 11* (*Favored Impeachable Officials Including Themselves Over the People*).

Secretary Gadon exposed the bias of the Respondents: "*Even retired Supreme court justices, framers of the Constitution and a lot of legal luminaries , law professors and academe are; all in unison denounced the Supreme Court ruling on the impeachment of Sara Duterete. This action f the Supreme Court is* ***a crystal clear, shameless manifestation of its undue subservient favor and bias towards favoring Sara Duterete***"[329] [emphasis added]

Secretary Gadon alerted to the lengths the *Respondents* had to take: "*In short, all sorts of* ***PALUSOT and lies and twisting of the meaning of the Constitution were employed by the highest court of the land*** *just to save Sara Duterte from the impeachment trial.*"[330] [bold emphasis added]

Secretary Gadon ultimately declared the sum of it all that the *Respondents* have no integrity to speak of: "*The* ***general public is already aware of the biases of the Supreme Court*** *and there is* ***no action needed to be done*** *by the Respondent* [ie Secretary Gadon] *herein* ***that would damage , ruin or cast doubts on the integrity of the Court***."[331] [emphasis added]

32.8.3. *Relying on ABS-CBN News for Evidence of Finding*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 17* (*Relying on ABS-CBN News for Evidence of Finding*).

Secretary Gadon rebuked the *Respondents*: "*The Supreme Court in its overreaching desire to save Sara Duterte from the impeachment case* ***even went to the extent of LYING*** *IN THE DECISION. Supreme Court, to justify lying that there was* ***no due process in the impeachment*** *of Sara Duterte, quoted in its decision that* ***ABS CBN reported that there was no voting*** *conducted in the plenary of the House of Representatives when the impeachment case was endorsed by the House of Representatives.* ***It turned out that the Supreme Court is LYING. NAGSINUNGALING ANG SUPREME COURT****. ABS*

[329] Ibid 327.
[330] Ibid 328.
[331] Ibid 326 para 6.

CBN DENIED THE NEWS REPORT AND INSTEAD CLARIFIED THAT THE NETWORK EVEN REPORTED THAT 206 CONGRESSMEN VOTED TO IMPEACH SARA DUTERTE. HOW IN THE WORLD COULD THE SUPREME COURT FABRICATE LIES JUST TO PROTECT AND GIVE UNDUE FAVOR TO SARA DOTERTE? Thus herein respondent can not be blamed for calling the Supreme Court ***tuta ng mga Duterte*** *for he was just expressing his emotions and frustrations on the* ***unjust*** *and unreasonable* ***acts of the Supreme Court*** *of* ***cuddling*** *Sara Dutere.*"[332] [bold emphasis added]

32.8.4. *Due Process Right to Be Heard Mandatory for Mode 2*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 13* (*Due Process Right to Be Heard Mandatory for Mode 2*).

Secretary Gadon exposed the *Respondents*: *"Despite the numerous hearings at the House of Representatives where Sara Duterte appeared where she cannot explain how the 612 Million pesos confidential funds were misappropriated , despite the names of recipients found to be fake names like Mary Grace Piatos, despite the testimony of the Armed Forces of the Philippines that the funds spent for the Youth Seminar they conducted are all funds of the AFP and that the claims of Sara Duterte that her office spent for it to the tune of 15 Million pesos are all fraud and lies, STILL THE SUPREME COURT MAINTAINS THAT SARA DUTERTE WAS DENIED DUE PROCESS, all this occurred on a national coverage of media , TV, radio and print media but* ***still in a mind boggling stance , the SUPREME COURT DECLARES THAT SARA WAS DENIED DUE PROCESS***.[333] [bold emphasis added]

32.8.5. 4IC Without Plenary Vote

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GMBF No. 2* (*4IC Without Plenary Vote*).

Secretary Gadon further shamed the *Respondents*: "***The Supreme Court aside from inventing and fabricating lies in me decision saying that there was no voting in the plenary*** *as allegedly reported by which the network BELIED and CLARIFIED that the network even report that 206 Congressmen*

[332] Ibid 328 para 4b.
[333] Ibid.

voted in favor of impeachment of Sarsa Duterte, …"[334] [emphasis added]

32.8.6. *Dismissing Unacted F3ICs Exposes Impeachment to Sham and Frivolous Complaints*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 27* (*Dismissing Unacted F3ICs Exposes Impeachment to Sham and Frivolous Complaints*).

Secretary Gadon chastised the *Respondents*: "*The meaning of ONE complaint per year was **also defined with absurdity** for the Constitution provides that only ONE impeachment PROCEEDING is allowed in one year, and does not say that the filing of multiple complaints **even nuisance complaints are to be counted as proceedings that would bar impeachment**.*" [emphasis added]

32.8.7. *Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment*

A *Filipino Individual Voice* reinforced the *Respondents'* culpability under *GITL No. 20* (*Congress Denied of Exclusive Discretionary Power to Impeach and Convict in Impeachment*).

Secretary Gadon sternly ranted against the abuse of the *Respondents*: "*All the **absurdity and unlawful conditions of the SC Decision** on Impeachment of Sara Duterte were **objected to and criticized** by retired Chief Justice of the SC Renato Puno, retired Senior Associate Justice Antonio Carpio, retired Associate Justice Adolf Azcuna who was one of the framers of the 1987 Constitution saying that the Supreme Court got it all wrong, several Deans of Law Schools, legal luminaries and law professors **all declare that the Supreme Court overreached its power** beyond the limits of the principle of separation of powers among the 3 major branches of the government.*"[335] [emphasis added]

Other Misconduct

33. Apart from the misconduct of the *Respondents* from the *Duterte Decision*, the *Respondents* committed the following **additional further egregious misconduct lived through by Filipino people every single day**, among others:

[334] Ibid para. 6.
[335] Ibid.

33.1. *Kapangalan Mo, Kaso Mo* – The Ultimate No Due Process

This CO is submitted as an additional misconduct, hereafter as CO No. 5.

Under G.R. No. 278043, the Supreme Court was asked to declare that an institutionalized procedure in all court offices across the country is unconstitutional and violates fundamental due process and human rights The inhumane procedure, which we call ***Kapangalan Mo Kaso Mo***, pertains to the situation when an innocent public enquiring about his criminal record check finds that the search of the court office yields a hit of pending criminal cases against an accused whose first and last names only – but not the middle name, among other identifiers – are identical to that of the enquiring innocent public. **Without due process and in violation of constitutional, legal and human rights, the innocent public is deprived of his liberty** (ie immediately detained or continued detention, if posting bail on an unrelated crime) just because the court office said that said crimes of the accused namesake are his to answer. **For the avoidance of doubt, this is not a case of mistaken identity but rather gross abuse of naked power.**

In the said G.R. 278043, the Supreme Court, with its current members as the *Respondents*, dismissed the petition on a two trivial technical grounds: (1) no forum shopping verification when it was the fault of the docket office not guiding the non-lawyer petition who filed the petition himself and (2) the physical copy of the verified declaration of electronic filing was not given despite the electronic copy was submitted. While the *Respondents*, not in En Banc, dismissed the Petition on these very minor technical errors, they still conveniently declared anyway that the petition was without merit without "*clearly and distinctly the facts and the law on which it is based*", violating Article VIII Section 14 of the 1987 Constitution.

In this particular case, the Petitioner was imprisoned just because the court office records are defective – absence of middle name and other identifiers such as age, birthdate, etc and even photographs of the accused namesake. He was unjustly prosecuted and even his evidence of official record of departures and arrivals (he is a dual citizen and resident of the United Kingdom) from the Bureau of Immigration declaring the physical impossibility of him being the same person of the accused who allegedly committed the two attempted murders some 13 years ago. He had to post bail, hire a lawyer and his life was turned upside down including losing his job and reputation and all because of this inhumane procedure institutionalized in the judiciary system and **recently affirmed**

by the *Respondents* as there is nothing wrong with it. E, sila kaya ikulong tingnan natin kung walang mali!

Crucially, the *Respondents* were aware that the Petitioner submitted in the Petition that the institutionalized and normalized inhumane procedure described above **constitutes crimes against humanity** for being systematic (ie institutionalized) and widespread (ie across all court offices in the country) attack against the civilian population in the Philippines breaching the following articles of the Rome Statute of the International Criminal Court (ICC):

- Article 7 (1) (e) **Imprisonment and Other Severe Deprivation of Liberty**
- Article 7 (1) (f) **Torture**,
- Article 7 (1) (h) **Persecution**
- Article 7 (1) (k) **Other Inhumane Acts.**

The inhumanity, unconstitutionality and illegality of the *Kapangalan Mo Kaso Mo* also applies even there is one-letter difference in the fist and last names, never mind for now the established difference in middle names and other identifiers such as the use of "Jr.". It also applies in other criminal record checks by the police and the NBI.

The above is immortalized on Google Search Forever on the advocacy platform abusonggobyerno.org in the post:

SIBAKIN! KAPANGALAN MO, KASO MO. - Abuso Ng Gobyerno
https://abusonggobyerno.org/sibakin-kapangalan-mo-kaso-mo/

The post contains also the public links to the recent cases of Marlon Ervas Enguerra who reported this to Raffy Tulfo in Action and of Juan Dela Cruz who was the Petitioner above in GR No. 278043.

Galit si Raffy Tulfo
https://www.facebook.com/share/r/19QBichg9N/?mibextid=wwXIfr

Pagkakakulong ni Juan
https://www.facebook.com/share/19aB73HZCo/?mibextid=wwXIfr

Desisyon Ng Korte Suprema Sa Reklamo Ni Juan
https://www.facebook.com/share/16YJAJ1Fbo/?mibextid=wwXIfr

More alarmingly, there is a recent case of *Kapangalan Mo Kaso Mo* elevated to the Supreme Court involving an 81-year old man arrested and imprisoned for six months until the habeas corpus intervention by human

rights group. This is the case of Lolo Prudencio whose story was eternalized in a post also in abusonggobyerno.org:

Lolo Prudencio: Kapangalan Mo, NPA Ka! - Abuso Ng Gobyerno

https://abusonggobyerno.org/kapangalan-mo-npa-ka-sabi-ng-hayop-demonyo-satanas-sa-gobyerno/

We are still waiting for the *Respondents*' decision on this appeal to the *Respondents* by the police who arrested Lolo Prudencio and imprisoned him and who only did so to collect the bounty (some P8 million) placed on the head of the accused NPA namesake of the old man.

Specifically, we are waiting for the *Respondents* to contradict themselves in the submitted appeal of the police relative to G.R. 278043 above.

We submit this *Kapangalan Mo Kaso Mo* institutionalized inhumane procedure in the judiciary, as confirmed "nothing wrong" by the *Respondents*, as another additional grounds for impeachment as this is an egregious culpable violation of the constitutional rights of Filipinos and betrayal of public trust.

33.2. *Sarado Gobyerno, Sarado Karapatan Mo* – the Evil Ruling in Article 125 (Weekends and Holidays Not Counted In Time Limits)

This may not be submitted as a CO (as the *Respondents* did not rule on it), it is **still an additional misconduct because the *Respondents* could have corrected it themselves motu proprio**, hereafter as Quasi-CO No. 1.

Soria and Bista challenged their arbitrary detention under Article 125. The Supreme Court, which the *Respondents* represent, ruled in 2005 that weekends and holidays do not count in the time limits under Article 125.

The case is immortalized here:

G.R. NOS. 153524-25 - RODOLFO SORIA AND EDIMAR BISTA, PETITIONERS, VS. HON. ANIANO DESIERTO IN HIS CAPACITY AS HEAD OF THE OFFICE OF THE OMBUDSMAN, HON. ORLANDO C. CASIMIRO IN HIS CAPACITY AS DEPUTY OMBUDSMAN FOR MILITARY, P/INS. JEFFREY T. GOROSPE, SPO2 ROLANDO G. REGACHO, SPO1 ALFREDO B. ALVIAR, JR., PO3 JAIME D. LAZARO, PO2 FLORANTE B. CARDENAS, PO1 JOSEPH A. BENAZA, SPO1 FRANKLIN D. CABAYA AND SPO4

PEDRO PAREL, RESPONDENTS. D E C I S I O N - Supreme Court E-Library

https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/43168

And it has been blogged further in abusonggobyerno.org:

Part1 of 4
https://www.facebook.com/share/v/14DofKXm66W/

Part 2 of 4
https://www.facebook.com/share/v/14KmhPhxVxp/

Part 3 of 4
https://www.facebook.com/share/v/1Aub8qCkp4/

Part 4 of 4
https://www.facebook.com/share/r/1Fx5yNxEuB/

The essence of this **evil ruling** of the Supreme Court is that the **administrative burden of the DoJ fiscal is more important to avoid than the deprivation of liberty of the people**.

The simplicity of this case highlights the plain evil of the Supreme Court justices. This is the **second instance** of crimes against humanity against the Supreme Court in the Philippines.

We submit this *Sarado Gobyerno, Sarado Karapatan Mo* institutionalized inhumane procedure in the government as declared OK by the judiciary to which the *Respondents* below **as another additional grounds for impeachment as this is an egregious culpable violation of the constitutional rights of Filipinos and betrayal of public trust**.

While the *Respondents* may not be the justices who decided the case of Soria and Bista, **they have the requisite knowledge that this is a prevailing practice in the judicial system**. That knowledge imposed the constitutional duty to correct this egregious harm and oppression against the Filipino public. But they don't!

33.3. *Abala Sa Fiscal Mas Mahalaga Sa Kalayaan Ng Mamamayan* (*The DoJ Fiscal Having No Liability Under Article 125)*

As in Quasi-CO No. 1, this may not be submitted as a CO but is still an additional misconduct, hereafter as Quasi-CO No. 2.

In *Sayo vs Chief of Police*, the Supreme Court declared that the delay of the **DoJ fiscal in filing the *Information* in breach of Article 125 attracts no criminal liability**. Sayo is a 1948 case. Insofar as it conflicts with recent law and regulations, such as DC15 of 2024, it is superseded.

In 1948, based in Sayo, Article 125 delivery differed inside and outside of Manila: "*[W]hile a person arrested **outside of the City of Manila** has to be **delivered** by the arresting person or peace officer to the competent **judge** within six hours after his arrest, and the latter shall have to investigate the charge and issue a warrant of release or commitment of the prisoner within the period of twenty four hours or at most three days prescribed in said article 31 of the Provisional Law…[a]nd **in the City of Manila** it does consist in delivering physically the body of the prisoner to the city **fiscal**.*" [emphasis added]

But the quote is incomplete. Let us backtrack and forward a bit more in *Sayo*:

(1) "*The city **fiscal** … will be recreant to his duty if he does not do his best to make the investigation and file the corresponding information in time … to **effect the delivery** of the prisoner to the city courts within the period of six hours prescribed by law, and thus **prevent** his being **released** by the officer making the arrest.*"

(2) "*The investigation which the city fiscal has to make before filing the corresponding information in cases of persons arrested without a warrant, does **not require so much time**…*"

(3) "*If the city **fiscal** does **not believe the testimony of the officer** making the arrest or consider it sufficient, or has any doubt as to the probability of the prisoner having committed the offense charged, and is **not ready to file an information** against him on the strength of the testimony or evidence presented, there would be **no legal reason or ground for him to wait until further evidence** may be secured **before dismissing** the case against the prisoner, **or detaining** the person arrested without warrant **without violating the precept of article 125** of the Revised Penal Code.*"

Paragraph (1) is plain as to the fiscal having the power to deliver-and-prevent as enunciated in its underlined words. Article 125 has "delivery" in its title. These objective reading makes plain that the fiscal is also responsible in said delivery under Article 125.

Fiscal Is Primarily Responsible for Article 125 Delivery

More crucially, there are at least four ways to prove that the fiscal is primarily responsible under Article 125:

(1) The phrase "*file the corresponding information in time … to effect the delivery of the prisoner to the city courts*" can be shortened as "*to file information to deliver to detainee to the court*" so that **it is the fiscal who has – at this point of due process of law, the inquest – the primary and leading, if not only, responsibility to deliver the detained to the court**.

(2) This is confirmed by *Sayo* itself: "***upon the filing*** *of such* ***information*** *will the prisoner be deemed* ***deliver*** *to a judicial authority in the City of Manila within the meaning of article 125…*"

(3) Both the arresting officers and fiscal are both responsible in Article 125 delivery: the arresting officers for *physical* delivery while the fiscal for *judicial* delivery (that is charging a crime for the court and judge to have jurisdiction over his person). Bear in mind that now and recent times, the delivery to the judge is judicially by *Information* by the fiscal and not physical delivery by the arresting officer. This was declared so in *Sayo* "*[i]t is obvious that the surrender or* ***delivery*** *to the judicial authority of a person arrested without warrant by a peace officer, does* ***not*** *consist in a* ***physical*** *delivery, but in making an accusation or charge or* ***filing*** *of an* ***information*** *against the person arrested with the corresponding court or judge.*" [emphasis added]

(4) As then in 1948 in the City of Manila and now with recent times, the arresting officer himself cannot, by judicial impossibility, judicially deliver to the court. *Sayo* declared: "*As a peace officer cannot deliver directly the person arrested to the city courts, he shall deliver him to said court through the city fiscal…*". Such is the truly required physical delivery just as we do now and recent times.

DoJ Fiscal Excused Responsibility Is Not Only Legally Wrong But Also Administratively Unworkable If Not Impossible

Consider the explanation of the Supreme Court (hereafter as *SC rationale*): "*If the city fiscal does not file the information within said period of time and the arresting officer continues holding the prisoner beyond the six-hour period, the* ***fiscal will not be responsible for violation of said article 125, because he is not the one who arrested and illegally detained the person arrested****, unless he has ordered or induced the arresting officer to hold and not release the prisoner after the expiration of said period*." Before we dissect this paragraph, let me

invoke that in 1948 as in now and recent times, the inquest investigation does not require so much time as quoted in paragraph (2) so that when the fiscal is "*not ready to file an information*" then necessarily "*the fiscal does not believe the testimony of the officer making the arrest or consider it sufficient, or has any doubt as to the probability of the prisoner having committed the offense charged*" under quote (3) above from *Sayo*. That inquest "*investigation does not require so much time*" and the **fiscal** "*not ready to file an information*" **cannot be excused** from legal and constitutional responsibility fiscal **leaving only the arresting officer alone to comply with the Article 125**. **No wonder that the DoJ inquest officer all across the country take their sweet time as the arresting officer is the only one held accountable for breach of Article 125**.

Thus, while the *SC rationale* may be the current law, it is not good law, in fact is an **unjust and stupid law made by the Supreme Court**. Moreover, the *SC rationale* is also **administratively unworkable**, if not administratively impossible. Have you heard of PNP/BJMP facilities releasing detainees on expiry of Article 125 time limits without the fiscal submitting his *Information* (ie making a criminal charge) to the court? None! If they would on such expiry of Article 125 time limits then they would have to arrest them again when the *Information* is then filed by the fiscal. Imagine the administrative and coordination nightmarish burden.

The Absurdity of the SC Rationale

We can simplify the quoted defence as ordered in time as follows:

Step 1: Fiscal does not file Information.

Step 2: Article 125 time limit expires.

Step 3: Arresting officer must release detainee else breach of Article 125.

Step 4: If fiscal ordered or induced arresting officer to hold and-not-release then he is liable for Article 125.

In a time limit that is short – such as six hours then in 1948, or 12 hours now and in recent times – the SC rationale is all theoretical. Imagine then in 1948 when the law in SC rationale was decreed, the arresting officer would leave the office of the fiscal with the detainee that, in a few hours Article 125 would expire and surely the fiscal would not be able to file the *Information* as if he had been able, he would have done it there and then, the arresting officer would have to release the detainee and

might have to re-arrest on filing of *information*. **The absurdity is stupidity.** And why couldn't the fiscal, especially in a short time limit such as in *Sayo*, declare to release the detainee right there and then or instruct the arresting officer to wait for the Article 125 time limit to expire before releasing him. **The absurdity is evil**.

In all these absurd scenarios, the fiscal had all the time in the world. On the first step, the *Sayo* court gave the DoJ so much undeserved latitude and laxity excusing it from constitutional vigilance and utmost responsibility of upholding the safeguards and protecting a man's right to liberty. This "*no pressure, file whenever*" is unjust and defies basic sense of right and wrong just as we previously declared it as bad law. The Supreme Court in Sayo is indeed Supreme Cunt. Belatedly, I must add, they write bad too. DC15 Mandates For Immediate Filing Of Information

In light of and despite of *Sayo*, why then would DoJ's 2024 DC15 mandates:

- Rule V Section 5(e): "*The inquest prosecutor shall immediately resolve the case, … **The prosecutor shall prepare the information**, when applicable*" and

- Section 17 Period to Resolve Cases: "*Inquest referrals shall be **resolved within the day and transmitted** to the head of office for approval on the **next working day**.*"

We submit this *The DoJ Fiscal Having No Liability Under Article 125* **as this is an egregious culpable violation of the constitutional rights of Filipinos and betrayal of public trust**.

While the *Respondents* may not be the justices who decided the case of *Sayo*, **they have the requisite knowledge that this is a prevailing practice in the judicial system**. That knowledge imposed the constitutional duty to correct this egregious harm and oppression against the Filipino public. But they don't!

33.4. *Bata Man Ako, May Karapatan Pa Din Ako* (Deprivation of Liberty of Curfew Ordinances)

This CO is submitted as an additional misconduct, hereafter as CO No. 6.

In G.R. 225442[336], the Supreme Court permitted the night curfew ordinance of Quezon City with explicitly enumerated curfew exceptions' coverage of other fundamental rights (eg association, religion, political assembly, etc).[337] Antipolo City recently enacted exactly the same ordinance. However, the case was decided

- against right to travel rather than the greater right against deprivation of liberty,
- without regard to empirical universally recognized conditions that justifiably and legitimately caused the curfew imposition (eg rise in juvenile crimes, delinquency or victimizations)
- without regard to due process of public hearings but rather a unilateral imposition of the government,
- without regard to empirical evidence to demonstrate the first limb of the *Strict Scrutiny Test*, for example[338]:

  (1) juvenile delinquency increases proportionally with age of minors going to adulthood and

  (2) juvenile arrests and offenses (by specific crime) relative to local population including time and places of occurrences.

We submit this *Bata Man Ako, May Karapatan Pa Din Ako* (Deprivation of Liberty of Curfew Ordinances) **as another additional misconduct as this is an egregious culpable violation of the constitutional rights of Filipinos and betrayal of public trust**.

33.5. *Hindi Ka Halal, Huwag Kang Abuso (The Undemocratic Self-Conferred Contempt Power of the Court)* – the Ultimate Abuse of Power

This CO is submitted as an additional misconduct, hereafter as CO No. 7.

In a clear abuse of process, lawyers Ferdinand Topacio, Mark Tolentino, and Rolex Suplico have filed a petition for indirect contempt on July 31, 2025 against Presidential Adviser Larry Gadon, analyst Richard Heydarian, and Rep. Perci Cendana for the latter's criticism of the *Respondents* in its *Decision* on the *Duterte* case (see, https://www.youtube.com/watch?v=dikVH-PLgNw).

[336] (August 8, 2017)
[337] This is the second limb of *Strict Scrutiny Test* – the narrowly tailored "least restrictive possible" means of achieving the first limb (legitimate State interest of preserving public safety, having easily recognized)
[338] These are based on the US case of *Qutb v. Strauss* cited in the seminal Philippines case.

First of all, the indirect contempt power is under the Rules Court, which you only apply in a proceeding. **There is no proceeding at all.** Therefore, **Topacio et. all abused the legal process.** True, the Supreme Court can issue indirect contempt charge motu proprio outside of a proceeding but Topacio et. al. must simply let the Supreme Court defend itself if it wants to. **Instead of dismissing outright the 2abuse of process" petition, the *Respondents* issued Gadon et. al. with show cause orders.**

Political analyst Llamas rebuked the *Respondents* and Topacio: "*Tinatanong lang naman natin … at tsaka sinasabi ko yan, sabi nga ng mga abogadong bumanat para hindi sila madisbar, respectfully. Baka makasama tayo sa mga kinasuhan ng mga sobrang galing na mga abogado katulad ni Topacio na 'indirect contempt' ito sila Gadon, si Congressman Percy Cendana na nag endorse ng unang impeachment case at tsaka si Richard Heydarian, political analyst.* ***Ano yan, chilling effect? Para walang mag criticize sa Supreme Court? Na ang linaw linaw naman na binago ang mga rules sa impeachment habang sila ay impeachable persons themselves!****"*[339] [empahasis added]

But the Supreme Court with the *Respondents* is simply an institution of abuse. In *Badoy vs. Domingo* et. al.[340], Justice Leonen, the same ponente of the *Duterte* case, convicted Badoy of indirect contempt (see https://sc.judiciary.gov.ph/wp-content/uploads/2024/02/22-09-16-SC.pdf) in an En Banc decision declaring the so-called judicial protection defeating the private citizen's free speech right to criticize a public official (in this case, a judge). **This is a perennial abuse of power by the judiciary that must be destroyed.**

Contempt power of the court is a relic of the olden times of abusive kings in England in 1100s. Whereas, democracy was born in Greece in 6th century BC. In the age of internet and artificial intelligence, there is no need for such perennially abused power.

In all cases of contempt, justices and judges claim that "*courts possess the inherent power to punish for contempt*." Justice Leonen said so in *Badoy*. **But the Supreme Court justices who ever said so too simply self-conferred this power. There is nothing inherent about this in a democracy where all power emanates from the people**. **We must destroy this power.**

This is especially so that **justices and judges cannot be trusted to not abuse this power, especially Filipino justices and judges**. Take the case of Judge Ibay who caused the imprisonment of hapless Filipinos at

[339] Ibid 322.
[340] A.M. No. 22-09-16-SC

leas four times – on the most trivial of offenses such as parking dipute – despite the so-called stern warning of the Supreme Court "*a repetition of the same shall be met with more severe punishment*." Severe means P5,000 even at the fourth instance. His evil abuse is immortalized in a post also on abusonggobyerno.org:

2009: CONTEMPT ORDER NA IPAKULONG ANG DRIVER NA NAG PARK SA SPACE NI Judge IBAY - Abuso Ng Gobyerno

https://abusonggobyerno.org/abusadong-judge-series-judge-ibay-2009/

The Supreme Court is an institution of oppression against the Filipino people.

There is no justice system in the Philippines. Only legal system of oppression, said so by a whistleblower against government corruption in NBN-ZTE deal.[341] Watch this and hear from the whistleblower directly: https://www.youtube.com/watch?v=MKR9GTc-smY

While one may argue that the contempt power still exists in the US and the UK and other democracies. Well, the difference is that these are **mature and proper democracies**. **Ours, in the Philippines, is a stillborn or retarded freak.** In addition, the citizenries in these well-developed democracies are democratically-aware of their omnipotent power. **We, the Filipinos, aren't.**

We submit this *Undemocratic Self-Conferred Contempt Power of the Court* (the Ultimate Abuse of Power) as another additional misconduct **as this is an egregious culpable violation of the constitutional rights of Filipinos and betrayal of public trust**.

PROBABLE CAUSE TO IMPEACH

34. Filing an impeachment case against the *Respondents* before the Senate to decide and try them requires at least one-third of all the members of the House vote to impeach, whichever mode initiates the impeachment proceeding caused by this *Verified Impeachment Complaint*. This vote rests on the finding of probable cause, **determined individually by each member**.

    34.1. Whereas in criminal or judicial proceedings, the definition of probable cause is well-settled, it **does not oblige the House members to adhere to this traditional evidential threshold**. **Probable cause is what each**

[341] One News PH, "*NBN-ZTE whistleblower Jun Lozada reveals the true cost of exposing corruption | The Long Take*"

House member believes it to be. A lawmaker in the State of Connecticut once said of the burden of proof on impeachment:[342]

"*We did not have a black and white definition of what did somebody have to do to be impeached. I think we worked our way through in this committee to an understanding that was agreed to by all of us. Although, again, we could not define it in black and white. We knew what we meant by conduct that meant that a person should be removed from that office. So that the public who must rely on the person on that office would no longer feel that confidence. I think we weighed a lot of pieces of evidence to say at what point the scales tipped over to the point where I felt and I think we could begin to feel as a group that it had gone over that difficult line to define, I think we clearly came to that point. Came to, at least for each of us, what had to be in the last analysis,* ***a very individual decision****, but a decision that clearly flowed from the group's action*."

34.2. Let it be clear that the evidential standard in determining whether to hold the *Respondents* for trial at the Senate constituted as an impeachment court is as **low as it is liberally-designed as easy to initiate an impeachment case**, be it through *Mode 1* or *2*.

34.3. Having said the foregoing, lest we forget, the factual and legal submissions in this *Verified Impeachment Complaint* are **unmistakable rebuke of no less than the House who wield the exclusive power to initiate all impeachment cases**. Quite frankly, the House need not have submitted an MR to the *Respondents* but **rather could have initiated the Mode 2 impeachment of them all instead**.

GROUNDS FOR IMPEACHMENT

This section recites the grounds for impeachment supported by the Statements of Facts (extensively and thoroughly laid out under paragraphs 23 to 33) that clearly establish the culpability of the *Respondents*.

Culpable Violation of the Constitution

35. The *Respondents* committed culpable violation of the Constitution.

Elements Made Out the Ground

35.1. From its title, the elements of this ground are (1) violations of the Constitution and (2) said violations are culpable:

35.1.1. *Violations of the Constitution*.

[342] OLR Research Report, "*Burden of Proof for Impeachment*", February 11, 2004.

The *Statements of Facts* are replete with violations of the Constitution (the italicized violations pertain to "*Other Offenses*":

Article II
(1) Section 1 (The People is Sovereign)
(2) Section 4 (Duty to Serve and Protect the People)
(3) Section 9 (Duty to Promote Just Social Order)
(4) Section 10 (Duty to Promote Social Justice)
(5) Section 27 (Duty to Maintain Honesty and Integrity)

Article III
(6) Section 1 (Deprivation of Life, Liberty and Property)
(7) Section 4 (Free Speech/Expression, Grievance Redress)
(8) Section 6 (Right to Travel)
(9) Section 7 (Right to Information on Matters of Public Concern)
(10) Section 11 (Right to Free Access to Courts and Legal Assistance)
(11) Section 12 (Miranda Rights, Freedom from Torture)
(12) Section 14 (Due Process of Law, *Presumed Innocent Until Guilty)*
(13) Section 16 (Right to Speedy Disposition of Cases)
(14) Section 18 (Political Beliefs, *No Involuntary Servitude*)
(15) Section 19 (No Degrading Punishment)
(16) Section 22 (No Ex Post Facto Law)

Article VIII
(17) Section 1 (Judicial Review Power)
(18) Section 4(3)(4) (Change of Venue)
(19) Section 4(3)(5) (Modify Substantive Rights)
(20) Section 7(3) (Competence, Integrity, Probity)
(21) Section 11 (Good Behavior)
(22) Section 14 (Facts and Law)

Article XI

(23) Section 1 (Public Office is Public Trust)
(24) Section 3(1) (House Exclusive Power)
(25) Section 3 (2) (Mode 1 Impeachment Complaint)
(26) Section 3(3) (1/3 Vote for Impeachment)
(27) Section 3(4) (Mode 2 Impeachment Complaint)
(28) Section 3(5) (One-Year Bar Rule)
(29) Section 3 (6) (Senate Sole Power)
(30) Section 3(8) (Congress Promulgate Own Rules)

35.1.2. *Culpability*

Culpability of the *Respondents* is an act or omission committed intentionally, knowingly, recklessly or negligently by the *Respondents*:

- *intentionally*, when his goal is the result of his offense,
- *knowingly*, when he knows the result is virtually certain,
- *recklessly*, when he is aware but disregards the risk of the result occurring, or
- *negligently*, when he should be aware of the risk of the result occurring.

From the top, each subsumes the one below it. For example, if *Respondents* acted intentionally, they also acted knowingly; if they acted knowingly, they also act recklessly.

35.1.2.1. The standard of culpability is not defined in the Constitution and its definition, just to be clear, is beyond any jurisprudence or judicial interpretation.

35.1.2.2. Whether caused by neglect or intention or anything in between, **abuse of power is abuse of power**. When it rears its ugly head – and this ugly is omniscient in everyday government in the Philippines – the people stamp it out like a plague. As such, **abuse of power is a strict liability offense**.

Sheer Number Finds Culpability

35.2. With a multitude of violations of the 1987 Constitution, its sheer number alone is gross culpability to the highest degree. Whether a serial killer or habitual petty thief, the analogy holds in that the *Respondents* demonstrated wilfulness in so pervasive and so widespread a breach of the Constitution.

Focus on Article XI – Accountability of Public Officers

35.3. The factual and legal submissions of all the motions for reconsiderations have a glaring pervasive theme: that the *Respondents* abused its power, position, office, authority and even discretion. In particular, among others:

35.3.1. *encroaching* on the House's exclusive power on all matters of impeachment under Sections 3(1) – *House Sole Power* and 3(8) – *Congress Promulgate Own Rules*,

35.3.2. *overreaching* on impeachment procedures under Sections 3(2) – *Mode 1 Impeachment Complaint* and 3(4) – *Mode 2 Impeachment Complaint*,

35.3.3. *encroaching* on Senate's sole power to try and decide all matters of impeachment under Section 3(6) – *Senate Sole Power*.

Betrayal of Public Trust

36. The *Respondents* betrayed the trust of the Filipino people.

Elements Made Out the Ground

36.1. From its title, the elements of this ground are (1) public trust and (2) betrayal of that trust:

36.1.1. Public *Trust*

The 1987 Constitution under Article XI, Section 1 provides: "***Public office is a public trust**. Public officers and employees must **at all times be accountable to the people**, serve them **with utmost responsibility, integrity, loyalty** and efficiency, **act with** patriotism and **justice**, and lead modest lives*." [emphasis added]

36.1.2. Betrayal

We invoke the submission of the *Second and Third Impeachment Complaints*[343] against the Vice President on how the Supreme Court defines betrayal:

- acts short of criminal,
- *gross faithlessness against public trust*,
- *tyrannical abuse of power*,
- *inexcusable negligence of duty*,
- favoritism,
- *gross exercise of discretionary powers*,
- *breach of official duty by malfeasance or misfeasance*,
- cronyism,
- *prejudice of public interest*,
- *bring public office to disrepute*,
- tolerant of violation of human rights,
- *violations of the constitution other than the "culpable" kind*, and

[343] Ibid 3.

- *any violation of oath of office*.

The italicized enumerated items are the ones applying in the case of the *Respondents'* betrayal of public trust. However, any description as to degree of culpability such as "gross", "tyrannical", or "inexcusable" are disregarded as they are not defined in nor intended by the Constitution. Besides, anything that Supreme Court say defining impeachable conduct is not worth a consideration because its justices being impeachable officers cannot define their own accountability, exactly like what the House Speaker said: "*When the Court lays down rules for how it or others like it may be impeached, it puts himself in dangerous position of writing conditions that may shield itself from future accountability. That is not how checks and balances work."*

36.1.2.1. Betrayal, by ordinary meaning and dictionary-based definition, is a breach of trust whether intentional or not, with malice or not. However, betrayal in all other situations is defined to be inherently intentional: "*Betrayal is the sense of being harmed by the intentional actions or omissions of a trusted person. The most common forms of betrayal are … disloyalty, infidelity, dishonesty.*"[344]

36.1.2.2. "*Impeachment plainly addresses conduct that violates one's solemn promise to 'faithfully discharge' the duties of one's office. A violation 'undermines the constitution and the stability of the government it constitutes. A government which* ***derives its legitimacy*** *from the consent of the governed, a consent* ***rooted in trust*** *that office-holders will* ***not abuse*** *their fiduciary obligations, must be held to* ***demand*** *that its office-holders, both in appearance and in fact,* ***conduct*** *their positions* ***in good faith***" [345] [emphasis added]

Focus on Article XI – Accountability of Public Officers

36.2. The factual and legal submissions of all the motions for reconsiderations have a glaring pervasive theme: that the *Respondents* abused its power, position, office, authority and even discretion – all defining the betrayal of trust of the Filipino public. In particular, among others:

[344] S Rachman, "*Betrayal: a psychological analysis*", April 2010.
[345] Christopher Reinhart, OLR Research Report, "*Impeachable Offenses*", January 6, 2004.

36.2.1. encroaching on the House's exclusive power on all matters of impeachment under Sections 3(1) – *House Sole Power* and 3(8) – *Congress Promulgate Own Rules*,

36.2.2. overreaching on impeachment procedures under Sections 3(2) – *Mode 1 Impeachment Complaint* and 3(4) – *Mode 2 Impeachment Complaint*,

36.2.3. encroaching on Senate's sole power to try and decide all matters of impeachment under Section 3(6) – *Senate Sole Power*.

The enumeration of the above from some of the vast many culpable violations of the Constitution is not an inadvertent mistake but rather meant as **the Constitution inherently caries the declarations of trust reposed on public officers including the *Respondents***. That is why the 4th Impeachment Complaint against the Vice President had four out of seven articles of impeachment simultaneously charging both culpable violation of the Constitution and betrayal of public trust.[346]

Other High Crimes

37. The *Respondents* committed other high crime in the form of its unjust order.

Elements Made Out the Ground

37.1. From its title, the elements of this ground are (1) crime or not (2) said crime or not is high:

37.1.1. *Crime or Not*

The Constitution does not define this ground, never mind the Supreme Court as it has no power over matters of impeachment. Since we copied this ground from the US, we quote the rationale from the US: "*Most scholars had concluded that while indictable crimes can be grounds for impeachment the framers of the federal constitution emphatically did not intend the phrase 'high crimes and misdemeanors' in the federal constitution to limit impeachment to only such crimes*."[347]

37.1.2. *Crime or Not is High*

Similarly, in the US where we copied this ground: "'*Other high crimes' are not limited to indictable offenses, but apply to*

[346] Ibid 7.
[347] Ibid.

serious violations of public trust."[348] The operative word is serious.

Focus on Article XI – Accountability of Public Officers

37.2. The factual and legal submissions of all the motions for reconsiderations have a glaring pervasive theme: that the *Respondents* abused its power, position, office, authority and even discretion – all declaring that the *Decision* of the *Respondents* is unjust.

ARTICLES OF IMPEACHMENT

38. This section recites the *Articles of Impeachment* supported by the *Statements of Facts* (extensively and thoroughly laid out under paragraphs 23 to 33) and *Grounds for Impeachment* (enumerated under paragraphs 35 to 37) that clearly establish the culpability of the *Respondents*.

Article 1

The *Respondents* culpably violated the 1987 Constitution and betrayed the public trust of the Filipinos *when they unanimously* ***encroached*** *on the House of Representatives' exclusive power on all matters of impeachment under Sections 3(1) – House Sole Power and 3(8) – Congress Promulgate Own Rules*.

Statement of Fact: GCEO No. 2 – The *Respondents* intruded "*into the constitutionally vested powers of Congress*" and its component instances of misconduct.

Article 2

The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they unanimously* ***overreached*** *in inventing new constitutional impeachment procedures under Sections 3(2) – Mode 1 Impeachment Complaint and 3(4) – Mode 2 Impeachment Complaint*.

Statement of Fact: GCEO No. 3 – The *Respondents* needlessly burdened "*constitutional mechanisms for upholding accountability of public officers*" and its component instances of misconduct.

Article 3

The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they unanimously* ***encroached*** *on Senate's sole power to try and decide all matters of impeachment under Section 3(6) – Senate Sole Power*.

[348] Ibid 1.

Statement of Fact: GCEO No. 2 – The *Respondents* intruded "*into the constitutionally vested powers of Congress*" and its component instances of misconduct.

Article 4

The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they unanimously grossly* ***misrepresented*** *that the at least one-third vote of the Members of the House of Representatives was not validly made under Section 3(3) – 1/3 Vote for Impeachment*.

Statement of Fact: GCEO No. 5 – The *Respondents* found abuse of discretion by the House when facts and law bore none and its component instances of misconduct.

Article 5

The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they unanimously* ***overreached*** *in declaring that the 4th Impeachment Complaint against Vice President Sara Duterte was barred under Section 3(5) – One-Year Bar*.

Statements of Facts: GCEO No. 4 – The *Respondents* nullified *"legitimate actions which have been done in accordance with existing legal framework*" and GCEO No. 5 – The *Respondents* found abuse of discretion by the House when facts and law bore none with both their component instances of misconduct.

Article 6

The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they unanimously modified clear and unambiguous provisions of the Constitution.*

Statement of Fact: GCEO No. 1 – The *Respondents* modified *"clear and unambiguous provisions of the Constitution".*

Article 7

The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they unanimously wilfully added new requirements and conditions in impeachment procedures rendering themselves as judges of their own accountability and constituting conflict of interest*.

Statements of Facts: GCEO No. 3 – The *Respondents* needlessly burdened "*constitutional mechanisms for upholding accountability of public officers*" and GCEO No. 6 – The *Respondents* made themselves *"judges of their own accountability"* with both their component instances of misconduct.

Article 8
The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they wilfully issued unjust orders.*

> *Statement of Fact*: GCEO No. 7 – The *Respondents* committed unjust orders and its component instances of misconduct or criminal offenses including quasi-COs.

Article 9
The *Respondents* culpably violated the Constitution and betrayed the public trust of the Filipinos *when they unanimously have been* ***tyrannical*** *when considering the* ***totality*** *of their encroaching and overreaching abuses of power.*

> *Statements of Facts*: GCEO Nos. 1 to 7 with all 46 instances of misconduct and criminal offenses – not individually, if at all, constituting an impeachable conduct but a combination of some or all of them **as the running theme is rampant impunity and unchecked abuse of power**.

39. As raised at the outset under paragraph 8, while there are 15 Justices consisting of the *Respondents*, the *Articles of Impeachment* will be initiated by the House and later tried and decided by the Senate **as one collective indivisible body as if we are impeaching and later convicting one individual**.

40. **To impeach and convict** the *Respondents* **under each of the *Articles* of *Impeachment***, **any of the individual component instance of misconduct** that buttress the particular article **shall establish the culpability** of the *Respondents* to under the said article. Thus, there will be at least 46 (excluding the totality *Article 9*) instances of factual subjects of enquiries to be made at the Senate trial. **We need only one to remove these abusers of power en masse**.

PRAYER

WHEREFORE, we the Complainants file this *Verified Impeachment Complaint* against all fifteen *Respondents* **on the facts, law, and grounds for impeachment discussed at length in this *Submission***.

We further pray that this *Verified Impeachment Complaint*, upon going through the impeachment procedures laid out by the Constitution and the *Rules on Impeachment Procedure* of the 20th Congress, **be endorsed and transmitted to the Senate with the *Articles of Impeachment*** herein submitted or modified by the House of Representatives as they deem fit in accordance with Section 3 of Article XI of the 1987 Constitution.

THEREAFTER, we most respectfully prayed **for the Senate to constitute itself as an impeachment court and to forthwith conduct the impeachment**

trial against all fifteen *Respondents*, and after due proceedings, **render a judgment of conviction against all fifteen *Respondents* and decree their removal from the Office of the Supreme Court and perpetual disqualification from holding any public office** in the Republic of the Philippines.

Other relief and remedies as may be just and equitable under the premises are also prayed for.

[redacted]

[redacted]