

SECOND DIVISION

[A.M. No. P-09-2677 (Formerly OCA I.P.I. No. 07-2582-P), March 09, 2011]

**ANGELINA C. LIM AND VIVIAN M. GADUANG, COMPLAINANTS,
VS. MARIBETH G. AROMIN, RECORDS OFFICER I, OFFICE OF THE
CLERK OF COURT, MUNICIPAL TRIAL COURT, MEYCAUAYAN,
BULACAN, RESPONDENT.**

D E C I S I O N

PERALTA, J.:

Before this Court is a JOINT AFFIDAVIT COMPLAINT^[1] dated January 18, 2007 of Angelina C. Lim (Lim) and Vivian M. Gaduang (Gaduang) charging Maribeth G. Aromin (Aromin), Records Officer 1, Office of the Clerk of Court (OCC), Municipal Trial Court (MTC), Meycauayan, Bulacan with violation of paragraphs a, b, and c of Section 4, Republic Act (R.A.) 6713, or the Code of Ethical Standards for Public Officials and Employees, in relation to NLRC Case No. RAB-III-03-7148-04 entitled "*Angelina Lim v. Holland Industries and Mr. Billy Lim.*"

In their complaint, complainants narrated that on November 8, 2006, by virtue of a Decision dated June 30, 2005, an Alias Writ of Execution dated September 7, 2006, an Order dated October 16, 2006, and a Certificate of Sheriff's Sale, all issued in their favor, they went to the warehouse of Holland Industries at Sterling Compound/Meridian Compound, Iba, Meycauayan, Bulacan to acquire the subject properties transferred to complainant Lim. However, while they were loading the subject properties to the truck, Aromin arrived and ordered them to stop loading the items since somebody will bring an order from the court stopping the implementation of the certificate of sale.

Complainants claimed that they waited for an hour for the person who was supposed to bring the order, but nobody came; hence, they proceeded with the loading of the items to the truck. It was then that Aromin started shouting to them, "*Maganakaw kayo. Makapal ang mukha mo.*" "*Abuloy na namin sayo yan. Puta ka, wala kang utang na loob.*"

Complainants averred that since Aromin introduced herself to be a court employee in the OCC, MTC, Meycauayan, Bulacan during the posting of the notice of sale on October 3, 2006, she should have known that what they did was legal.

They further questioned Aromin's presence at the warehouse and her misrepresentation as the wife of Reynaldo Lim when in fact she was not. Complainants added that Aromin should be in the court performing her duties and not meddling in their case.

On January 23, 2007, the Office of the Court Administrator (OCA) directed Aromin

to comment on the instant complaint against her.^[2]

In her Comment^[3] dated February 15, 2007, Aromin denied the accusations against her. She alleged that on November 8, 2006, Billy Lim, the owner of the warehouse, summoned her to get police assistance, because complainants were trying to forcibly open his warehouse. On her way to the warehouse, Aromin averred that she was also told that Billy Lim would be bringing some documents and that he asked her to tell complainants to stop the loading of the machineries and other products to their container vans. Thus, she approached complainant Gaduang, who was at that time trying to open the front gate, and advised her to stop because the owner is coming, and told her to wait until 12 o'clock in the afternoon.

Aromin added that Gaduang then arrogantly acted as if she was the owner of the place and falsely represented herself as a lawyer and threatened to file a complaint against her. Likewise, Aromin claimed that she did not know Angelina Lim personally and never encountered her then, thus, the allegations that she shouted invectives at them could not have happened.

Finally, Aromin maintained that she had nothing to do with the controversy between complainants and Lim. She claimed that the instant complaint against her was pure harassment, because she was one of the witnesses in the criminal complaint for robbery and trespassing filed by Billy Lim against the complainants.

Due to the conflicting versions of the parties, on November 19, 2007, the OCA referred the instant complaint to the Executive Judge of the Regional Trial Court, Malolos, Bulacan, for investigation, report and recommendation.^[4]

In her report,^[5] Executive Judge Herminia V. Pasamba found respondent to be guilty of improper conduct which tends to diminish the faith of the people in the judiciary, and recommended that she be admonished.

During the investigation, it appeared that on November 8, 2006, Billy Lim tried to stop the loading of the subject items due to the absence of a sheriff or any personnel of the NLRC. It was then that he requested Aromin to seek police assistance and stop complainants from acquiring the machineries and other items inside the warehouse.

The Investigating Judge noted that the allegation that respondent shouted invectives against complainants was never established since the latter failed to attend the hearings. Thus, in so far as this allegation is concerned, the same is baseless.

The Investigating Judge, however, concluded that the administrative complaint against Aromin cannot be dismissed, considering her inappropriate conduct of extending a favor to a friend by using her position as a court employee in order to stop the implementation of a court's judgment. Disciplinary sanction was, therefore, recommended.

On July 6, 2009, the OCA found Aromin guilty of violation of Section 1, Canon IV of the Code of Conduct for Court Personnel and Conduct Unbecoming of a Court Personnel, and recommended that the administrative complaint against respondent