

SECOND DIVISION

[A.M. No. P-04-1863 (Formerly A.M. OCA IPI No. 04-6-161-MeTC), August 12, 2004]

**RE: HABITUAL TARDINESS OF MR. THEODORE G. JAYMALIN,
CLERK III, METROPOLITAN TRIAL COURT - OFFICE OF THE
CLERK OF COURT, MANILA**

RESOLUTION

CALLEJO, SR., J.:

On March 16, 2004, Hermogena F. Bayani, SC Chief Judicial Staff Officer, Leave Division, Office of the Court Administrator (OCA), issued a Certification that Mr. Theodore G. Jaymalin, Clerk III, Metropolitan Trial Court, Office of the Clerk of Court, Manila, incurred tardiness on the following dates:

2002

July	-	18 times
August	-	21 times
September	-	19 times
October	-	18 times
December	-	11 times

2003

January	-	16 times
February	-	13 times

In a Letter dated March 4, 2003, the respondent candidly expressed regret for having incurred such tardiness and reasoned that the same was primarily due to financial difficulties. He explained that, as the breadwinner of the family, "insurmountable problems" due to his debts caused him sleepless nights, and lack of appetite and vitality, prompting him to resort to taking anti-depressants as medication to experience momentary relief therefrom. He then consulted a psychiatrist to relieve him from repressed emotions and anxieties.

In a Letter addressed to the Court Administrator dated March 12, 2003, Executive Judge Alejandro G. Bijasa, MTC, Manila, declared as unmeritorious the respondent's explanation, and opined that if the latter could not live by his present salary, he should seek a more financially rewarding employment. Judge Bijasa recommended that Mr. Jaymalin be reprimanded with a warning that a repetition of tardiness will be dealt with more severely.

For its part, the OCA made the following observations in its Report dated June 10, 2004: