

THIRD DIVISION

[A.M. No. P-02-1645 (Formerly OCA IPI No. 01-1179-P), April 21, 2003]

**GILBERT HOWARD M. ATIENZA, CLERK OF COURT III, MTCC,
BRANCH 1, PALLOCAN WEST, BATANGAS CITY, COMPLAINANT,
VS. JOSEPHINE V. DINAMPO, COURT STENOGRAPHER II;
RESPONDENT.**

R E S O L U T I O N

CORONA, J.:

This concerns the letter-complaint dated March 2, 2001 filed with the Office of the Court Administrator (OCA) by Gilbert Howard M. Atienza, Clerk of Court III, Municipal Trial Court in Cities (MTCC), Batangas City, against Josephine V. Dinampo, Court Stenographer II of that court, for the latter's absences without official leave from January 18, 2001 to February 21, 2001, and from February 27, 2001 to March 2, 2001 despite a previous warning. The OCA likewise received a letter from a concerned employee charging Dinampo with absenteeism, tardiness and inefficiency.

In his letter-complaint, Atienza reported that Dinampo's failure to report for work resulted in an additional workload for her fellow stenographers, thereby causing delay in the transcription of stenographic notes.

Atienza narrated that, from January 18, 2001, Dinampo failed to report for work without filing any application for leave. Except for the information relayed to the office by her husband on January 25, 2001 claiming that Dinampo was sick, no further word reached the office to inform them if the latter was still interested in working.

Dinampo reported for work in the afternoon of February 22, 2001 but did not explain her long absence. Neither did she file an application for leave. She only reported for work presumably because she came to know about the official trip of court employees to Lucena City on February 23, 2001 to celebrate the Supreme Court's Centenary. While Dinampo reported for work on February 26, 2001 after joining the trip to Lucena City, she failed to report for work again the following day.

On March 14, 2001, then Acting Court Administrator Zenaida N. Elepaño referred the complaint to Executive Judge Ruben A. Galvez, MTCC, Batangas City, for discreet investigation and report.

In his investigation report dated April 2, 2001, Judge Galvez declared that the absences without leave of Dinampo were personally known to him and that the same were borne out by official records. It was only on March 5, 2001, after learning that Atienza had filed a letter-complaint against her at the OCA, that she finally reported for work. Dinampo tried to convince Atienza to sign her daily time