

## **THIRD DIVISION**

**[ A.M. No. P-01-1479 (Formerly A.M. No. 00-8-170-MTC), July 11, 2001 ]**

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.  
RUBEN B. ALBAYTAR, CLERK OF COURT, MUNICIPAL TRIAL  
COURT, BRANCH 1, SAN PEDRO, LAGUNA, RESPONDENT.**

### **DECISION**

**VITUG, J.:**

The Office of the Court Administrator ("OCA") conducted a judicial and physical inventory of cases pending with the Municipal Trial Court ("MTC") of San Pedro, Laguna, Branch 1, presided over by Judge Carmelita S. Manahan and clerked by respondent Ruben B. Albaytar.

On 15 August 2000, the OCA submitted to the Court its memorandum, reporting thusly: One thousand nine hundred thirty five (1,935) pending cases; four (4) cases submitted for decision; five (5) cases unresolved within the ninety-day reglementary period; four hundred eighty seven (487) cases still to be scheduled in the court's calendar despite the lapse of a considerable length of time; and eleven (11) other cases still unacted upon since the time of the filing thereof.

The Court, in its Resolution, dated 13 September 2000, resolved -

"1) to DIRECT Judge Carmelita S. Manahan, Municipal Trial Court, Branch 1, San Pedro, Laguna:

" to INFORM this Court, through the Office of the Court (a) Administrator, within ten (10) days from notice, whether the decisions in Criminal Case Nos. 30538, 30328, 24378 and 24379 were promulgated as scheduled;

" to EXPLAIN, within ten (10) days from notice, why no (b) administrative sanction should be imposed upon her:

"(b.1) for her failure to decide within the reglementary period Civil Case Nos. 97-66 and 97-43; and

"(b.2) for her failure to decide within the mandatory period the pending incidents in Civil Case Nos. 2731, 97-55 and 2518;

" to DECIDE/RESOLVE immediately the enumerated cases in (c) b.1 and b.2 and to SUBMIT copies of the decisions/resolutions to this Court, through the Office of the Court Administrator, within ten (10) days from

promulgation/rendition thereof; and

" to INFORM this Court, through the Office of the Court (d) Administrator, within ten (10) days from notice, whether the decisions/resolutions in Criminal Case Nos. 29369 and 29370 and Civil Case Nos. 2679 and 2480 were rendered/resolved within the reglementary period and submit copies of the decisions/resolutions of the aforestated cases to this Court, through the Office of the Court Administrator, within ten (10) days from notice;

" Mr. Ruben B. Albaytar, Clerk of Court, Municipal Trial Court, (2) San Pedro, Laguna, Branch 1:

" to DEVISE a systematic and orderly management of court (a) records;

" to regularly and religiously UPDATE the entries in the (b) docket books;

" to APPRISE Judge Carmelita S. Manahan and to CAUSE the (c) setting in the court calendar of the following cases: and

(c.1) which remained unacted upon since they were filed, to wit: Criminal Case Nos. 32410, 34632, 34633, 34634, 34351, 34109, 34113, 34114, 26677 and 26392 and Civil Case No. 98-84;

(c.2) which were not further acted on despite the lapse of a considerable length of time, to wit: Criminal Case Nos. 34119, 33424, 33428, 33477, 33502, 33503, 32317, 32318, 33351, 29705, 30010, 30011, 30061, 30062, 30063, 30064, 29960, 29961, 29962, 29963, 29964, 30179, 30180, 30181, 30182, 30259, 32428, 31204, 32368, 32152, 32168, 32202, 31761, 31810, 32064, 32103, 31610, 32102, 29622, 33373, 33374, 33375, 31203, 31202, 31201, 32324, 32437, 31979, 28197, 28198, 28199, 32424, 13464, 13843, 2725, 24304, 24635, 32372, 31893, 31789, 31779, 31780, 26934, 26904, 26905, 26906, 26907, 26908, 26909, 26910, 34545, 22844, 22216, 22217, 22218, 22219, 22220, 22221, 22222, 22223, 22237, 22238, 22239, 23566, 23568, 23570, 23572, 23574, 23576, 23565, 23567, 23569, 23571, 23573, 23575, 23577, 34280, 26740, 26741, 26742, 26743, 26939, 34526, 34524, 34525, 30284, 30285, 30286, 32786, 33151, 32766, 32888, 32847, 32848, 32849, 32850, 32892, 32781, 33081, 33015, 32992, 33056, 33075, 32917, 32983, 34730, 29223, 26823, 26824, 26825, 26826, 26827, 26828, 26829, 26830, 26521, 26522, 26523, 26524, 26525, 26526, 30721, 30155, 30156, 30157, 30158, 30131, 30132, 30133, 30134, 31890, 25559, 25512, 25649, 31396, 32218, 32219, 32220, 32221, 32222, 31901, 32779, 34145, 34146, 34147, 32579, 32703, 34418, 13465, 34282, 29798, 29799, 29800, 29801, 31505, 31506,

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33210, 33211, 33212, 31320, 30053, 30054, 30055,  
30056, 30298, 30299, 30212, 30213, 30214, 30215,  
24172, 24174, 24176, 28432, 28433, 28434, 32423,  
14513, 13581, 24402, 24403, 24404, 24405, 24406,  
24407, 24408, 24409, 24410, 24411, 24754, 32379,  
32380, 32381, 32382, 32374, 23765, 13842, 13843,  
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34487, 34497, 32257, 32258, 32111, 33041, 32953,  
33420, 33215, 33216, 26284, 28076, 28077, 28078,  
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34756, 34141, 34257, 34283, 34328, 32713, 32510,  
32506, 32484, 32685, 32686, 34740, 26901, 26031,  
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25695, 26320, 27154, 28131, 28184, 28185, 28186,  
28187, 31794, 31795, 31796, 31797, 31287, 31293,  
31923, 31924, 31925, 31926, 30002, 30003, 30004,  
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23103, 21893, 32881, 23658, 23659, 33523, 34822,  
34823, 28595, 28596, 33924, 30409, 30410, 33359,  
33328, 33339, 32978, 32869, 34005, 34006, 34432,  
34433, 33251, 32780, 32865, 32868, 34355, 34356,  
14559, 32069, 32070, 31441, 31442, 31443, 31256,  
20535 and 25071 and Civil/Other Cases Nos. 2675, 2389,  
97-57, 97-45, 97-47, 97-51, 97-19, 97-53, 2425, 1962,  
1963, 1964, 1965, 1966, 1967, 98-82, 96-28, 2520, 2782,  
99-143, 2792, 2672, 2685, 2500, 2418, 2364, 2319, 2513,  
2429, 99-150, 2515, 2711, 2710, 2708, 2689, 2728, 2382,  
2587, 2369, 2397, 2699, 2706, 2495, 2251, 2187, 2158,  
2256, 2670, 2306, 2489, 2766, 2343, 97-68, 2420, 2541,  
2535 and 2497.

" to EXPLAIN within ten (10) days from notice why no  
(d) administrative sanction should be taken against him for his  
failure to perform his functions as administrative officer of  
the court, i.e. cause the updating of docket books,  
forwarding of orders of transmittal to the Office of the  
Provincial Prosecutors, Regional Trial Court, service of  
summons and notices, and adopting of an orderly  
management of court records despite the resolution of the  
Court En Banc in Administrative Matter No. RTJ-99-1216  
dated October 20, 1999 reprimanding him with stern