383 Phil. 267

SECOND DIVISION

[A.M. No. P-00-1368, February 28, 2000]

JUDGE ABELARDO H. SANTOS, MUNICIPAL TRIAL COURT IN CITIES, BRANCH 1, ANGELES CITY, COMPLAINANT,[1] VS. AURORA T. LARANANG, COURT STENOGRAPHER II, MUNICIPAL TRIAL COURT IN CITIES, BRANCH 1, ANGELES CITY, RESPONDENT.

D E C I S I O N

MENDOZA, J.:

These are complaints filed against Aurora T. Laranang, Court Stenographer II of the Municipal Trial Court in Cities, Branch 1, Angeles City, Pampanga charging her with gross neglect of duty and habitual tardiness.

It appears that on August 4, 1997, complainant issued an order requiring respondent to explain in writing within five days why no administrative complaint should be filed against her for her failure to transcribe within 20 days of their taking her stenographic notes in the following cases:[2]

Case No.	Witness	Date of Trial
1. 91-508,509	Tomas Solmerano	12-8-92
2. 91-508,509	Tomas Solmerano	2-15-93
3. 91-508,509	Luciano Roman	9-6-93
4. 91-508,509	Carlos Santos, Sr.	3-27-95
5. 91-508,509	Carlos Santos, Sr.	12-18-95
6. 95-41,42,43	Cezar Pangilinan	12-5-95
7. 95-1435	Nerilla Francia	12-18-95
8. 95-11,28,29,30	SPO2 Ricardo Tolentino	12-19-95
9. 95-11,28,29,30	SPO1 Arthur Petil	12-19-95
10. 95-41,42,43	Ester Tiamzon	2-6-96
11. 94-769,770	Roger Tiglao	3-4-96
12. 95-1435	Dr. Roland Maniulit	3-19-96
13. 95-159	Dr. Sesnando	3-31-96

14. 95-238	Sandalo Rodolfo Basilio	5-28-97
15. 95-140	Juana Guinto	5-29-97
16. 95-11,28,29,30	SPO1 Arthur Petil	6-10-96
17. 95-11,28,29,30	SPO1 Arthur Petil	6-11-96
18. 95-34	Lucia Maglaqui	6-10-96
19. 95-1081,1082	Petra Cuadro	6-10-96
20. 95-1142	Ariel Yanga	6-24-96
21. 95-1435	Nerilla Francia	1-2-96
22. 94-606	Elena Siongco	6-24-96
23. 95-646,647	Francisca Pena	7-22-96
24. 95-1150	Abraham Tayag	7-29-96
25. 95-1144,1145	Aezel Mangabat	8-5-96
26. 95-917,918,919	Ruben Sabado	8-6-96
27. 96-602	Esmeralda Velasquez	8-19-96
28. 95-34	SPO1 Arthur Petil	8-19-96
29. 94-769,770	Roger Tiglao	8-19-96
30. 95-1150	Abraham Tayag	8-19-96
31. 91-508,509	Angelito Santos	8-20-96
32. 95-1645,1646,1647	Manuel Cunanan	8-23-96
33. 95-1150	Dr. Hernand Tulud	9-2-96
34. 96-15	Romer Rubio	9-2-96
35. 95-1435	Alice Aquino	9-3-96
36. 95-1645,1646,1647	PO2 Luis Taruc	9-3-96
37. 95-1142	SPO2 Francisco Fernandez	9-16--96
38. 96-303	Noel Fernandez	9-23-96
39. 96-576	Rolando Madlambayan	10-14-96
40. 95-159	Rommel Salunga	10-14-96
41. 94-769,770	Roger Tiglao	10-14-96
42. 95-932	Bienvenido Bautista	10-15-96
43. 95-140	Isabela	10-18-96

	Cunanan	
44. 95-195,196	Atty. Ricardo Diaz	10-28-96
45. 96-303	Noel Fernandez	11-4-96
46. 95-1144,1145	Aezel Mangabat	11-5-96
47. 91-508,509	SPO3 Danilo Cabigon	11-11-96
48. 96-303	Andres Fernandez	11-11-96
49. 95-195,196	Atty. Ricardo Diaz	11-11-96
50. 95-932	Gregorio Chua	11-12-96
51. 96-255,256,257,258	Mario Marmolejo	11-25-96
52. 96-1005	Dominador Cutamora	11-25-96
53. 96-456	Edilberto Villanueva	11-25-96
54. 96-602	Esperanza Bartolome	12-10-96
55. 95-1435	Rowena Miguel	12-10-96
56. 96-14	Abraham Tayag	12-10-96
57. 96-303	Elizardo Mandap, Jr.	1-6-97
58. 96-576	Dr. Edwin Manzon	1-6-97
59. 95-1142	Dr. Nicanor dela Cruz	1-6-97
60. 96-201	Luz Uson	1-7-97
61. 95-1149	PO2 Benjamin Quimsay	3-17-97
62. 95-195,196	Ramon Yap	3-17-97
63. 96-1525	SPO2 Felimon Oyan	3-17-97
64. 96-303	Nardito Licup	4-14-97
65. 95-44	Perfecto Digman	5-26-97
66. 95-618	Marissa Santos	5-26-97

In compliance with said order, respondent submitted an undated letter explaining that as a result of the expansion of the jurisdiction of the Municipal Trial Courts by R.A. No. 7691 and the consequent increase of cases filed therein, and also because of a major surgery which she had undergone, she was not able to transcribe the stenographic notes taken by her within 20 days as required by Administrative Circular No. 24-90 of this Court. Nevertheless, she stated that she was subsequently able to transcribe 34 of the stenographic notes in question.

Finding the explanation of respondent to be unsatisfactory, complainant filed against her an administrative complaint, dated September 30, 1997, with the Office of the Court Administrator (OCA) for gross neglect of duty. In her comment, respondent alleged: (1) that she was not able to transcribe her notes because of illness which forced her to go on leave several times; (2) that on October 31, 1997, she completed transcribing 22 more stenographic notes, but complainant refused to receive the same; (3) that she was not the stenographer on duty during three of the hearings included in the list; and (4) that she was being singled out by complainant who wanted to oust her from his staff.

On February 11, 1998, complainant issued another order requiring respondent to explain in writing within five days why no administrative complaint should be filed against her for being tardy six times in September, 13 times in October, and 19 times in November 1997. In compliance with the order, respondent submitted a letter, dated February 20, 1998, alleging that the entries in her Daily Time Records (DTRs) for the months in question were incorrect because said entries were merely copied from the records kept by complainant, there being no bundy clock or logbook in the trial court. Respondent claimed that she was forced to sign the DTRs by complainant. Respondent presented a list which she claims indicated the correct time of her arrival in, and departure from, the court in November 1997.

Finding the explanation of respondent also to be unsatisfactory, complainant filed with the OCA the instant administrative complaint for habitual tardiness against her. In her comment, dated October 21, 1998, respondent reiterates substantially the allegations in her letter to complainant.

The administrative complaints were referred to Judge Aida E. Layug, Municipal Trial Court in Cities, Angeles City, for investigation, report, and recommendation. In her report, dated January 28, 2000, Judge Layug recommends that the complaint for gross neglect of duty against respondent be dismissed and that the latter be found guilty of habitual tardiness only and reprimanded.

First. On the transcription of stenographic notes, Administrative Circular No. 24-90 provides in pertinent part:

> 2. (a) All stenographers are required to transcribe all stenographic notes and to attach the transcripts to the record of the case not later than twenty (20) days from the time the notes are taken. The attaching may be done by putting all said transcripts in a separate folder or envelope, which will then be joined to the record of the case.
> (b) The stenographer concerned shall accomplish a verified monthly certification as to compliance with this duty. In the absence of such certification or for failure and/or refusal to submit it, his salary shall be withheld.

In the instant case, respondent submitted the transcripts of stenographic notes in the following cases more than 20 days from the time the notes were taken:[3]

	Case No.	Witness	Date of Trial	Date of Submission
1.	91-508,509	Tomas	Dec. 8,	Sept. 11,