

EN BANC

[A.M. No. 99-11-06-SC, February 15, 2000]

**RE: ABSENCE WITHOUT OFFICIAL LEAVE (AWOL) OF ANTONIO
MACALINTAL, PROCESS SERVER, OFFICE OF THE CLERK OF
COURT.**

RESOLUTION

PARDO, J.:

What is before the Court for consideration is a Memorandum dated October 13, 1999 of Atty. Luzviminda D. Puno, Clerk of Court *En Banc*, reporting the unauthorized absences of Mr. Antonio B. Macalintal, Process Server of the Office of the Clerk of Court *en banc*.

The records reveal that Mr. Macalintal filed applications for leave which were not signed by his immediate supervisor. He was, thus, considered absent without official leave (AWOL) on the following dates:

March	4, 5, 10, 11, 23, and 24;
April	7, 12, 13, 14, 15, 22, 23, 28, and 30;
May	4, 5, 6, 7, 13, 14, 18, 19, 26, 27, and 28;
June	2, 3, 7, 17 to 25; all in 1999.

Also, he incurred absences without application for leave on the following dates:

January	5, 6, 8, 11, 14, 18, 19, 21, 22, 27, and 29;
February	1 to 12, 16, 17, 18, 19, 22, and 24;
March	1, 29 and 30;
April	8, 19, 26, and 30;
May	10, 15, 21, and 24;
June	1, 9, 11, 29, and 30;
July	1, 2, 6, 7, 8, 14 to 23, 27 and 29;
August	3, 4, 5, 11 to 26; and
September	1 to 30; all in 1999.

Accordingly, on October 13, 1999, Clerk of Court *En Banc* Atty. Luzviminda D. Puno issued a memorandum informing Mr. Antonio B. Macalintal of the dates of his unauthorized absences and directing him to explain why he should not be dismissed from the service for habitual absences without official leave.

In his answer dated October 21, 1999, Mr. Antonio B. Macalintal admitted having incurred absences. He explained that he was suffering from illness and financial difficulties. He averred that his family's finances went awry because he granted a loan of P150,000.00 to his wife's niece. The loan remained unpaid, and he had to borrow money from his relatives to be able to pay for the matriculation and allowances of his children as well as for the continuous medication of his wife.