

LYN L. LLAMASARES, BRANCH CLERK OF COURT, REGIONAL TRIAL COURT (RTC) OF MANILA, BRANCH 40, COMPLAINANT, VS. MARIO M. PABLICO, PROCESS SERVER, REGIONAL TRIAL COURT (RTC) OF MANIL...

A.M. No. P-08-2434-A. June 16, 2009

Ponente: CORONA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/24863db69584/>

CORONA, J.:

This is an administrative complaint against respondent Mario M. Pablico, process server, Regional Trial Court (RTC) of Manila, Branch 40.

Complainant Lyn L. Llamasares, branch clerk of court of RTC-Manila, Branch 40, averred that respondent repeatedly made false entries in his daily time records (DTRs). The arrival and departure times jotted down by respondent in the logbook did not correspond to the entries made by the branch clerk of court. Moreover, he habitually stepped out of the office without logging out and without permission.[1]

Complainant also asserted that respondent only served those court processes that he wanted, thus compelling other court personnel to perform his functions.[2]

Respondent was repeatedly ordered to answer the allegations against him but he refused.[3] He was ordered to comply therewith and to pay a fine of P1,000.[4] Respondent subsequently filed his comment and paid the fine.

Respondent denied the allegations of falsification against him. He pointed out that the differences between his entries and those of the branch clerk of court were merely three to five minutes. He likewise explained that because of the administrative cases against him,[5] he was compelled to go out of the office without permission and consult with a lawyer from the Public Attorney's Office.

Meanwhile, on June 28, 2006, respondent was dropped from the rolls after three consecutive unsatisfactory performance ratings.[6]

And to make matters worse, on November 27, 2006, due to his failure to faithfully perform his duties as process server, respondent was found guilty of simple neglect of duty.[7]

Thereafter, this case was submitted to the Office of the Court Administrator (OCA) for evaluation, report and recommendation. It held:

[D]iscrepancies in the number of minutes (i.e., five minutes more or less) as shown in the logbook for the dates in question readily show the propensity of herein respondent to falsify public records.

The OCA recommended that respondent be found guilty of dishonesty and dismissed from the service.[8]>

We adopt the findings of the OCA.

By the very nature of their tasks and responsibilities, court employees are bound to observe the mandate of Section 1, Article XI of the Constitution which provides:

Section 1. Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiently, act with patriotism and justice and lead modest lives.

We condemn any conduct, act or omission committed by those involved in the administration of justice that violates the norm of public accountability and diminishes or tends to diminish the faith of the people in the judiciary.[9]

Respondent not only unapologetically falsified his DTRs but also attended to his private affairs during office hours. Moreover, he was previously found to have been remiss in the performance of his duties as a process server.[10] Worse, he flagrantly and repeatedly violated our orders. His conduct certainly did not befit that of a responsible public officer.

Respondent is therefore found guilty of dishonesty[11] and consequently dismissed from the service.[12] However, because respondent had already been dropped from the rolls, the penalty of dismissal can no longer be imposed upon him. Nevertheless, the accessory or additional penalties carried by dismissal, namely, cancellation of eligibility, forfeiture of retirement benefits and disqualification from reemployment in the government service are hereby imposed on him.[13]

WHEREFORE, Mario M. Pablico is hereby found GUILTY of dishonesty. The Civil Service Commission is ordered to cancel respondent's civil service eligibility. Respondent's retirement benefits, except accrued leave credits, are forfeited and he cannot be reemployed in any branch, agency or instrumentality of the government including government-owned and controlled corporations.

SO ORDERED.

Puno, C.J., (Chairperson), Carpio, Leonardo-De Castro, and Bersamin, JJ., concur.

[1] Letter-complaint dated March 17, 2005. Rollo, pp. 2-9.

[2] Supplemental complaint dated November 15, 2005. Id., pp. 89-91.

[3] Minute resolution dated March 20, 2006. Id., pp. 376-377. Respondent was ordered to file a comment within a non-extendible period of 10 days and show cause why he should not be disciplined for his contumacious behavior.

[4] Minute resolution dated February 19, 2007.

[5] Respondent had two other pending administrative cases.

[6] Minute resolution in A.M. No. 06-2-92-RTC issued by the Second Division of this Court. Rollo, p. 412. It states:

Adm. Matter No. 06-2-92-RTC (RE: DROPPING FROM THE ROLLS OF MR. MARIO PABLICO, PROCESS SERVER, RTC. BR. 40, MANILA).--Considering the Report dated 31 January 2006 from the Office of the Court Administrator (OCA), the Court Resolves to (1) DROP FROM THE ROLLS Mr. Mario M. Pablico, Process Server, RTC, Br. 40, Manila, for obtaining "Unsatisfactory" performance ratings during the periods from July to December 2003, January to June 2004 and July to December 2004 WITHOUT PREJUDICE to the continuation of administrative complaints filed against him; and (2) DECLARE VACANT Mr. Pablico's position as Process

Server, RTC, Br. 40, Manila.

[7] Reyes v. Pablico, A.M. No. P-06-2109, 27 November 2006, 508 SCRA 146.

[8] Recommendation dated February 1, 2008.

[9] Romero v. Castellano, 440 Phil. 468, 474 (2002).

[10] Supra note 7.

[11] Romero v. Castellano, supra note 9. See also Office of the Court Administrator v. Saa, 457 Phil. 25 (2003) and Office of the Court Administrator v. Sirios, 457 Phil. 42 (2003).

[12] Revised Uniform Rules on Administrative Cases, Rule XVI, Sec. 22(a).

[13] Pagulayan-Torres v. Gomez, A.M. No. P-03-1716, 9 June 2005, 460 SCRA 19, 24-25.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.