

**RTC MAKATI MOVEMENT AGAINST GRAFT AND CORRUPTION,
COMPLAINANT, VS. ATTY. INOCENCIO E. DURLAO, ACTING CLERK
OF COURT OF THE REGIONAL TRIAL COURT VALENZUELA, METRO
MANILA, RESPONDENT.**

A.M. No. P-93-800. August 09, 1995

Ponente: KAPUNAN, J.

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KAPUNAN, J.:

In a letter-complaint dated 11 January 1993, addressed to this Court, Respondent Atty. Inocencio E. Dumlao, then Branch Clerk of Court of the Regional Trial Court of Makati, Branch 134, was charged by the RTC Makati Movement against Graft & Corruption for allegedly engaging in usurious activities, immorality and violation of the Anti-Graft & Corrupt Practices Act (R.A. 3019, as amended). The complaint alleged that Respondent withheld the salary checks of all RTC Makati employees to compel them to borrow money from him at usurious rates, as evidenced by Trust Agreements. The amounts loaned are collected through his alleged paramour, Ms. Piedad Rufo (now Piedad R. Cruz), a clerk employed at the Cash Section of the Office of the Clerk of Court, RTC Makati.[1]

Respondent was also charged with allegedly demanding money from party litigants and lawyers in exchange for favorable action on their cases.[2]

Attached to the letter-complaint are the following supporting documents:

Petition dated 25 April 1988 signed by about 90 employees of the Makati RTC requesting that the remittances of the employees' checks, allowances and other benefits be done either by registered mail addressed to the respective Branch Clerks or OIC's or by personal representation by one personnel of each branch upon authority from the Branch Clerk of Court or OIC;

Memorandum of then Makati RTC Clerk of Court Maximo C. Contreras directing the release of treasury warrants to the payees only, otherwise the release should bear his approval;

Complaint for Sum of Money filed on 4 October 1990 by respondent Inocencio E. Dumlao against a certain Nelson Olandesca based on a promissory note which was attached to the complaint as Annex "A;"

Affidavit complaint dated 15 October 1991 of respondent Inocencio E. Dumlao for estafa (trust agreement) against Adora Balinguit filed with the fiscal's office of Makati ...;

Subpoena issued in IS No. 92-1162 dated 20 February 1992 for estafa (violation of trust agreement) where the complainant is respondent Dumlao against one Lorie Ann Martinez who was then a court employee of Makati RTC Branch 149. Attached to the subpoena are two (2) receipts signed by Martinez as trustee and Dumlao as trustor.[3]

Based on the rule laid down in the case "Anonymous Complaint Against District Judge Gibson A. Araula, CFI of

Southern Leyte, Branch X"[4] that:

[a]lthough the court does not as a rule act on anonymous complaints, cases are excepted in which the charge could be fully borne by public records of indubitable integrity, thus needing no corroboration by evidence to be offered by complainant, whose identity and integrity could hardly be material where the matter involved is of public interest

the complaint was given due course and a Resolution dated 3 May 1993 was issued requiring Respondent to comment.

Respondent vehemently denied all the charges and branded the allegations as mere conjectures, hearsay and rumors without legal or factual basis. He revealed that since December 1992, he has been engaged in a confidential mission to help the Court Administrator expose the widespread corruption in the Makati RTC and he surmised that this is the reason for the "anonymous poison letter" against him.[5]

In its Reply dated 27 July 1993, complainant Movement denigrated Respondent's claim as prime crusader against graft and corruption and challenged. Respondent's appointment as a confidential agent in view of the latter's removal from the Land Transportation Office, prior to his appointment as Branch Clerk of Court of RTC Makati, Branch 34, for being notoriously undesirable.[6]

On 7 1994, the Office of the Chief Justice received another letter-complaint against Respondent signed by Susan B. Quinto for:

- 1) Corruption and dereliction of duty for exacting money from court litigants in the pretext that the amounts exacted are his commissioner's fees yet; he does not prepare his reports.
- 2) For operating a lending agency with the use of the facilities of the court and for exacting from court employees usurious interest;
- 3) For criminal negligence in the performance of his duties as Branch Clerk of Court of RTC, Branch 234, Makati, Metro Manila.[7]

In a Resolution dated 1 June 1994, the aforementioned cases were consolidated and referred to Executive Judge Salvador Abad Santos of the RTC, Makati, Metro Manila, for investigation, report and recommendation.

In the course of the investigation conducted by Executive Judge Abad Santos, no one appeared in behalf of the RTC Movement Against Graft & Corruption. However, complainant Susan Quinto testified and adduced evidence to substantiate her complaint.

In his report submitted on 23 August 1994, Executive Judge Abad Santos made the following findings which we quote in full below:

xxx x x x x x

With regard with the first charge, the private complainant has shown through, among others, court records that respondent indeed charged commissioner's fees for the reception of evidence in at least 2 ex-parte cases. These cases are Makati Insurance Company, Inc. versus Hadji Anthony Lim (Civil Case No. 91-217) and Household Finance Corporation versus Sps. Oledena (Civil Case No. 92-3449). Both cases are pending before Branch 134 RTC Makati. Both cases were dismissed by the present presiding Judge Paul Arcangel for failure to prosecute only to find out that plaintiffs in the two (2) cases had already presented their evidence ex-parte on 20 July 1992 and 17 June 1993 respectively before the then Clerk of Court who was respondent Dumlao. Notwithstanding the protestations of respondent to the effect that he was not the recipient of the amount although he admitted he

"billed" the parties and the subsequent recantation of one of the lawyers, the court still believes him to be liable since in the first place he admitted having demanded certain amounts from the parties. Again during his testimony he made an admission that he collected commissions of from P300.00 to P500.00 for the ex-parte reception of evidence. (TSN, 28 July 1994, pp. 6-7.) Nowhere in the Rules is the Clerk of Court allowed to charge and collect commissioner's fees for the reception of evidence ex-parte. On the contrary, on Page 32 paragraph 1 of the Manual for Clerks of Court it is stated that "No Clerk of Court shall demand and/or receive commissioner's fees for reception of evidence ex-parte." This offense is aggravated by respondent's failure to prepare the commissioner's reports notwithstanding his having been paid at the ex--parte reception.

Moreover, there is the unrefuted allegation of a certain Atty. Eugenio Macababayao that respondent asked P1,000.00 from him when he requested that his LRC Case No. M-2489 be set for hearing. It appears that the said case was filed on 11 Feb. 1992. After the lapse of one or two months when he went to respondent to request that the case be calendared, respondent asked for P1,000.00. Because he refused to pay, the case was not set for hearing. It was only on 17 Jan. 1994 after respondent was transferred to another Court that the case was included in the Court's calendar. Whether or not respondent demanded money is no longer as important. The fact is it took almost two (2) years before the case was set for hearing. Among others, it is the duty of the Clerk of Court to assist the Judge in matters such as this.

With regard to the second charge of engaging in usurious activities, the evidence of private complainant are so preponderant that it cannot but be concluded that respondent was into usurious activities on government time and resources. The testimony of Arthur Blancaflor, his runner then, was given with ease and spontaneity and so complete that its veracity cannot be doubted. His testimony details respondent's collection process. Blancaflor on payday gets the pay checks of respondent's debtors, brings them to the payees for the latter's endorsement, gives them to respondent for his second endorsement and deposits them to respondent's account with the Philippine National Bank. This testimony is corroborated by that of Atty. Cynthia Marmita, Clerk of Court of Br. 136 RTC Makati who admitted having borrowed money from respondent "around 20 to 30 times" at 10% interest a month. (TSN, 15 July 1994, pp. 4-5.) Teresa Arzaga, a municipal employee detailed with Makati RTC also testified to the same effect except that the loans were coursed thru respondent's friend Piedad Rufo. (TSN, 12 July 1994, pp. 4--8.) Rosario Ambrosio also testified that she borrowed money from Piedad Rufo to the tune of around P50,000.00. This witness turned hostile when she denied having dealt with respondent with regard to her loan transactions although she admitted having heard of the same. (TSN, 12 July 1994, p. 8.)

But what really convinced the court of respondent's lending activities are the documentary evidence attached to the complaint as annexes and introduced in evidence at the hearing. These are Exh. K, the information filed against RTC Makati employee Lorie Ann Martinez at the instance of respondent Dumlao for violation of Trust Agreement (Estafa); Exh. L, the affidavit-complaint of respondent Dumlao in the said estafa case where it is alleged that Lorie Ann Martinez "failed to deliver to the beneficiary, Ms. Piedad Ronquillo (Rufo) the sum of P6,000.00 on their delivery dates, i.e., June 15, and July 15, 1991, and likewise failed to return to complainant on or before June 18 and July 18, 1991, the said sum of P6,000.00 in violation of her obligation to do so, in accordance with the "Trust Agreement" referred to in the affidavit-complaint; Annex C of the complaint in Administrative Matter No. P-93-800, which is a copy of the complaint for sum of money filed by respondent Dumlao against one Nelson Olandesca based on a promissory note signed by the latter in favor of the former; and Annex D of the same complaint which is another affidavit-complaint for estafa again filed at the instance of respondent Dumlao vs. another RTC Makati court employee, Adora Balinguit, with the same "Trust Agreement" as exhs. L1 & L2 as basis. All these indubitably show that respondent was really engaged in lending activities especially in the light of respondent's failure to satisfactorily explain them.

Finally, as to the charge of dereliction of duty as Branch Clerk of Court of RTC Makati Branch 134, all one has to do is to examine the Monthly Reports signed by respondent Dumlao and the inventory submitted by the present presiding judge of the said branch and it becomes apparent that while respondent Dumlao reported that their court had only 2 cases pending decision for the month of April, 1993; 4 for May 1993; and 2 for June 1993; yet the inventory submitted by Judge P. Arcangel as of 13 December 1993 shows about 120 cases were submitted for decision or with unresolved incidents some of which as early as 1983. Respondent's reliance on the report of the criminal and civil in?charge will not exculpate him from being negligent especially in the light of his own admission of "aberrations" and "shenanigans" going on in their branch. This should have all the more put him on his guard and he should have double checked the entries in the inventories given to him for his signature.[8]

xxx x x x x x

Based on the foregoing, Executive Judge Abad Santos recommended the dismissal of Respondent from service on grounds of grave misconduct and dishonesty prejudicial to the best interest of the service and acts unbecoming a court officer.

After a thorough analysis of the records of the case, we find that the dismissal of Respondent is in order. We approve the recommendation of Executive Judge Abad Santos.

Public service requires utmost integrity and strictest discipline. A public servant must exhibit at all times the highest sense of honesty and integrity. The administration of justice is a sacred task. By the very nature of their duties and responsibilities, all those involved in it must faithfully adhere to, hold inviolate, and invigorate the principle solemnly enshrined in the 1987 Constitution that a public office is a public trust; and all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency. The conduct and behavior of everyone connected with an office charged with the dispensation of justice, from the presiding judge to the lowliest clerk, should be circumscribed with the heavy burden of responsibility. Their conduct, at all times, must not only be characterized by propriety and decorum but, above all else, must be above suspicion. Indeed, every employee of the judiciary should be an example of integrity, uprightness and honesty.[9]

The nature and responsibilities of public officers enshrined in the 1987 Constitution and oft-repeated in our case law are not mere rhetorical words. Not to be taken as idealistic sentiments but as working standards and attainable goals that should be matched with actual deeds.

In the case at bench, the particular public officer concerned is a Branch Clerk of Court of a court of justice who is described as an essential officer in any judicial system, whose office is the hub of activities, both adjudicative and administrative[10] and who occupy a position of great importance and responsibility in the framework of judicial administration.[11] Clerks of Court are, thus, required to be individuals of competence, honesty and probity specifically mandated to safeguard the integrity of the court and its proceedings, to earn respect therefor, to maintain loyalty thereto and to the judge as the superior officer, to maintain the authenticity and correctness of court records and to uphold the confidence of the public in the administration of justice.[12]

Did Respondent live up to his commitment?

On the issue of Respondent's demanding and receiving so called "commissioner's fees," we find the charges against Respondent meritorious. The Manual for Clerks of Courts, which in essence is the "Bible for Clerks of Courts"[13] specifically provides that:

No Branch Clerk of Court shall demand and/or receive commissioner's fees for reception of evidence ex-parte.[14]

...The court shall allow the commissioner, other than an employee of the court, such reasonable compensation as the circumstances of the case warrant...[15] (Underscoring ours.)

Yet despite the express prohibition, a bill for the payment of P2,000.00 as commissioner's and stenographer's fees for the ex-parte presentation of plaintiffs evidence in the case of Makati Insurance Co., Inc. v. Hadji Anthony Lim (Civil Case No 91-217) pending before Branch 134, RTC-Makati was issued and signed by Respondent on 20 July 1992.

We find Respondent's explanation that he was not the commissioner appointed in the aforementioned case and that he did not receive any money[16] insufficient in view of his categorical admission on two (2) occasions that he signed the said bill. His convenient excuse that he could no longer recall who the assigned commissioner was, is simply incredible.

xxx x x x x x x

Q

So you now admit that the signature found in the bill for the payment of commissioner's fee in this case, marked as Exh. "B" is your signature?

A

Admitted.[17]

xxx x x x x x x

COURT:

Now, you received the amount of P2,000.00 as commissioner's fee, as it appears in this document.

ATTY. Dumlao:

I cannot..... it appears to be there Your Honor, but I cannot recall that now.

xxx.

COURT:

That is your signature?

ATTY. Dumlao:

It appears to be my signature Your Honor.[18]

xxx x x x x x x

Respondent's admission that he is unfamiliar with the Manual of the Clerks of Courts and is not even aware of its existence does not help him any. In his Supplemental Affidavit dated 29 July 1994, he categorically stated:

15.1. That respondent has no personal knowledge of the existence of the Manual for Clerks of Court, published in 1991, prohibiting the collection of commissioner's fees. In fact, herein respondent must admit that he saw the Manual for the first time only on July 28, 1994, during the hearing of this case, when the Executive Judge showed it to him.[19]

Respondent confirmed such ignorance during his cross-examination:

xxx x x x x x x

Q

Do you know for a fact that it's prohibited to collect commissioner's fees, under the rules?

A

Unless designated I think it is not authorized.

Q

Whether authorized or not you are not allowed to collect commissioner's fees, is it not?

A

I am not aware of that, Your Honor.

Q

You're not aware that it's prohibited?

A

Yes, Your Honor. I am not aware that it is prohibited, because that has been the usual practiced of the Court.

COURT:

Proceed.

ATTY. NICOLAS.

Q

As Branch Clerk of Court in Branch 134 and as present Acting Clerk of Court of RTC Valenzuela, do you have a copy of this manual?

(Counsel referring to Manual for Clerks of Court.)

A

No, I don't have.

COURT:

How long have you been a Branch Clerk?

A

Thirteen (13) I think, Your Honor.

ATTY. NICOLAS:

Q

Even if you don't have a copy of this Manual, are you aware of its existence?

A

No.

Q

You have not led your eyes on this Manual, you were not informed?

A

This is the first time I saw this.

Q

So, as Branch Clerk of Court and as present Clerk of Court, what do you use as your guidelines to perform your duties as Clerk of Court, in knowing what duties and responsibilities and how to go about such duties and responsibilities?

A

Well, it was the experienced that I have for the past thirteen (13) years and the work description of my appointment.[20]

Respondent's ignorance of the existence and contents of the Manual for Clerks of Court clearly demonstrates how grossly remiss he has been in the performance of his duties as Branch Clerk of Court of Branch 134 RTC-Makati.

He cannot rely on his thirteen (13) years of experience alone, vast though it may seem, because the law is constantly evolving. As a court officer, he should keep abreast of the various changes and amendments of the law.

We view with skepticism the affidavit of Atty. Eugenio Macababayao, Jr., presented by Respondent, recanting his previous testimony that Respondent demanded P1,000.00 from his client in order that his case (LRC Case No. M-2489) can be set for hearing[21] and his present claim that the aforementioned amount is not for Respondent's own benefit but for sheriffs expenses. In his affidavit of 7 September 1994, Atty. Macababayao admitted that Respondent neglected to fully explain the purpose of the aforementioned amount. He stated thus:

xxx x x x x x x

2.1. That when I follow up LRC Case No. M-2489 before Atty. Inocencio E. Dumlao, to have the same set for hearing, he told me to ask my client to prepare P1,000.00, and as explained to me afterwards, the purpose of the P1,000.00 was for the estimated sheriff's expenses...[22] (Underscoring ours.)

xxx x x x x x x

2.3. That the insinuation and inference that the P1,000.00 to be prepared by my client was for the personal benefit of Atty. Dumlao was only the presumption of my client, because at that time, the purpose of the amount was not thoroughly explained to me.[23]

Respondent's failure to explain the purpose for which the money will be used at the time that he solicited the same reflects poorly on his conduct as Branch Clerk of Court and how he carries out the functions of his office.

More importantly, it was only two (2) years after the aforementioned case was filed, was it finally set for hearing on January 17, 1994 by Judge Paul T. Arcangel, notably after Respondent left RTC-Makati, Branch 134,[24] and without Atty. Macababayao, Jr. asking or giving anything.[25] Respondent, with his years of experience, ought to know that "the Clerk of Court is the model for the court employees to act speedily and with dispatch on their assigned tasks to avoid the clogging of cases in courts and thereby assist in the administration of justice without undue delay." [26]

Anent the second accusation that Respondent allegedly operated a lending business at the RTC of Makati using the facilities and resources of the court and charging the court/government personnel exorbitant or usurious

interest, we concur with the findings of Executive Judge Abad Santos.

Witness Arthur Blancaflor, an employee of Br. 134, RTC Makati doing clerical work, has exposed in detail, the modus operandi of Respondent's lending activities. Material portions of his testimony are hereunder quoted:

xxx x x x x x x

ATTY. NICOLAS:

Q

I will ask you one by one. What is your position in Branch 134 of RTC Makati?

A

Casual, Ma'am.

Q

Doing what?

A

Clerical work, ma'am.

Q

You mentioned in number 4 during your assignment in said Branch, you have personal knowledge of the lending activities of Atty. Dumlao?

A

Yes, ma'am.

Q

How much is the interest when he lends out money?

A

Ten percent per month, ma'am.

Q

What did you do for him regarding this lending activities of his?

A

He was giving me the checks.

COURT:

What checks?

A

Salary checks, sir.

ATTY. NICOLAS:

Q

Whose salary checks are these?

A

The employees who borrowed money from Atty. Dumlao.

Q

What did you do with these checks?

A

I asked the said employees to endorse the checks and then I return them to Atty. Dumlao.

Q

Afterwhich what did Atty. Dumlao do with the checks?

A

Atty. Dumlao signed all the checks and then asked me to deposit them to the PNB, Makati.

Q

After you deposited at PNB, you don't do anything else?

A

I returned the bank book to Atty. Dumlao.

Q

Does Atty. Dumlao pay you anything for this errand?

A

No, ma'am.

Q

Why do you do this for him?

A

Because he is my superior.

Q

Where?

A

At Branch 134.

Q

So, as Branch 134 Casual doing clerical work, you're under the supervision of Atty. Dumlao?

A

Yes, ma'am.

Q

In doing this errand, you did not receive any other compensation from him?

A

None, ma'am[27]

xxx x x x x x x

The documentary exhibits presented by Complainant leave no doubt as to the existence of Respondent's lending operations, some of which even led to the filing (by Respondent) of criminal charges against borrowers who failed to pay their loans under the so-called trust agreements.[28] Such despicable acts cannot be tolerated by this Court.

Respondent's reliance on CB Circular No. 905 implementing Monetary Board Resolution No. 225 which effectively suspended the provisions of the Usury Law is misplaced. Although Respondent may not be criminally or civilly liable, he is still administratively liable under the Civil Service Law where lending money at usurious rates of interests is specifically listed as grounds for disciplinary action.[29]

Courts are not lending institutions. By engaging in lending activities, Respondent has caused dishonor to courts of justice.

On the final issue of dereliction of duty, we likewise concur with the findings of Executive Judge Abad Santos. One of the duties of a Branch Clerk of Court is to attend all court sessions.[30] In the instant case, however, Respondent has seriously neglected this duty to the prejudice of public interest. Witness Rolando Santos testified thus:

xxx x x x x x x

Q

Can you substantiate that allegation, why do you say that he's not performing his duties?

A

Well, my duty is inside the Court room, my duty is purely to interpret testimonies and to assist the Clerk of Court during the trial that is mandated by the Supreme Court, but during the course of the hearings it is seldom that I assist Atty. Dumlao, it is almost always me assisting the Judge during the trial.

xxx x x x x x x

ATTY. NICOLAS:

Q

In these trials, you are present during the hearing?

A

Yes, ma'am.

Q

Was Atty. Dumlao present in these hearings?

A

Seldom.

Q

But, generally, was he present?

A

No, ma'am.[31]

xxx x x x x x x

In *Rañosa v. Garcia*[32] we laid down the rule that:

Respondent's duties and responsibilities as branch clerk of court require that his entire time be at the disposal of the court served by him...to assure that full-time officers of the courts render the full-time service required by their office so that there may be no undue delay in the administration of justice and in the disposition of cases as required by the Rules of Court.

We find Respondent's failure to prepare proper or correct monthly reports of cases a serious breach of duty.

One of the basic responsibilities of a Branch Clerk of Court is the preparation of the monthly report of cases to be submitted to this Court[33] and this time Respondent cannot feign ignorance. In his supplemental affidavit dated 29 July 1994, Respondent reproduced in full his duties as Branch Clerk of Court:

Under the direction of the Presiding Judge, he exercises supervision and control over the personnel of a particular branch of the court: performs the duties and functions of a Clerk of Court within the Branch; keeps the record and seal of the Court; examines records of all cases filed and calendared; issues court processes; signs minutes of the Court; administers oath; issues certificates of appearance and clearances; assists the Judge in the preparation of correspondences and endorsements for the signature of the latter; acts as the Administrative Officer of the branch; prepares judicial and administrative reports and signs and submits daily time records of employees; requisitions equipments, supplies and materials and assumes custody of the same; acts as the Clerk of Court or Assistant Clerk of Court in their absence when so designated; and does related tasks.[34] (Underscoring ours.)

And had he familiarized himself with the Manual for Clerks of Courts he would be acquainted with the specific procedure for carrying out this particular function. Reliance on the so-called Clerks-in-charge who prepare the actual reports, or particularly on their initials which allegedly indicate accuracy and veracity[35] is insufficient and is a lazy and sloppy manner of executing one's duties and responsibilities.

This practice cannot be considered as proper supervision since Respondent in the above-mentioned procedure practically does next to nothing, his only contribution or input is his signature. Branch clerks of court must realize that their administrative functions are just as vital to the prompt and proper administration of justice. They are charged with the efficient recording, filing and management of court records, besides having administrative supervision over court personnel. They play a key role in the complement of the court and cannot be permitted to slacken on their jobs under one pretext or another.[36] They must be assiduous in performing their official duties and in supervising and managing court dockets and records.[37]

Based on the foregoing and in compliance with our duty to help purge the judiciary of undesirable public servants,[38] we find Respondent guilty of grave misconduct and gross ignorance of the duties pertaining to his office and conduct prejudicial to the best interest of the service. We cannot countenance any conduct, act or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and would diminish or even just tend to diminish the faith of the people in the judiciary.[39]

WHEREFORE, Respondent ATTY. INOCENCIO E. DURLAO is hereby DISMISSED from the service with

forfeiture of all benefits, if any, and with prejudice to his reinstatement in government service, including government-owned or controlled corporations.

SO ORDERED.

Narvasa, C.J., Feliciano, Padilla, Regalado, Davide, Jr., Romero, Melo, Puno, Vitug, Mendoza, and Francisco, JJ., concur.

Bellosillo, J., on official leave.

Hermosisima, Jr., J., took no part in the deliberations.

[1] Rollo, p. 2.

[2] Id. at 3.

[3] Report dated 23 August 1994 submitted by Executive Judge Salvador S. Abad Santos, Rollo, pp. 553-554, Rollo, pp. 5-18.

[4] 81 SCRA 483 (1978).

[5] Rollo, p. 22.

[6] Id., at 35.

[7] Id., at 68.

[8] Rollo, pp. 554-556.

[9] Mirano S. Saavedra, 225 SCRA 77 (1993).

[10] Section B. Manual for Clerks of Court, p. 2.

[11] Foreword. Manual for Clerks of Court. p. iii.

[12] Section B. Id., at p. 3.

[13] Foreword. Id., at p. iii.

[14] Id., at 36.

[15] Id. at 74.

[16] Rollo, pp. 200-201.

[17] Id., at 461.

[18] Id., at 259-260.

[19] Id., at 247.

[20] Id., at 465-466.

[21] Id., at 97; 322.

[22] Id., at 569.

[23] *Id.*, at 570.

[24] *Id.*, at 324. 341.

[25] *Id.*, at 531-532.

[26] *Paa v. Remegio*, 88 SCRA 593 (1979), *Manual for Clerks of Courts*, p. 3.

[27] TSN, 6 July 1994, pp. 21-23; *Rollo*, pp. 519-521.

[28] Annex C, D, and E of the Letter-Complaint filed by the RTC-Makati Movement Against Graft & Corruption. *Rollo*, pp.11-18; Exhibits E-E11, L, L-1 & L2. *Rollo*, pp. 154-165; 183-185.

[29] *Manual for Clerks of Courts*, p. 13.

[30] *Id.*, at 35.

[31] TSN, 12 July 1994, pp. 405-406.

[32] 62 SCRA 406 (1975).

[33] *Manual for Clerks of Courts*, p. 131.

[34] *Rollo*, p. 244.

[35] *Id.*, at 303; 473-476.

[36] *Lloveras v. Sanchez*, 229 SCRA 302 (1994); *Office of the Court Administrator v. Bawalan*, 231 SCRA 408 (1994); *Nidua v. Lazaro*, 174 SCRA 581 (1989).

[37] *Lloveras v. Sanchez*, *supra*.

[38] *People v. Ciobal*, 184 SCRA 464 (1990) *Apolinario v. Roa*, 72 SCRA 467 (1976).

[39] *Carreon v. Mendiola*. 220 SCRA 214 (1993).

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