LEILANI E. NACIONALES, COMPLAINANT, VS. SHERYLL S. MADLANGBAYAN, CLERK III, REGIONAL TRIAL COURT, MANDALUYONG CITY, BRANCH 210, RESPONDENT.

A.M. NO. P-06-2171 [FORMERLY OCA IPI NO. 03-1661-P]. June 15, 2006

Ponente: CARPIO MORALES, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/446fc9406dc8/

CARPIO MORALES, J.:

Leilani Nacionales (complainant) has, by Affidavit-Complaint,[1] charged Sheryll S. Madlangbayan (respondent), Clerk III of the Regional Trial Court (RTC) of Mandaluyong, Branch 210, of Misconduct, Conduct Unbecoming of Government Employee and Unethical Conduct Prejudicial to the Best Interest of Service.

The complaint was eventually investigated by RTC Mandaluyong Executive Judge Paulita B. Acosta-Villarante.

Complainant was engaged in the business of selling jewelry and underwear. Respondent was one of her customers who eventually became her close friend.[2]

On November 14, 2002, complainant purchased a pair of shoes and a bag at a store in Greenhills, San Juan for a total amount of P8,198, payment for which complainant charged to respondentï¿½s BPI Credit Card account.[3] The two agreed that complainant would pay respondent the total amount on installment basis.

On January 30, 2003, respondent bought a white gold bracelet from complainant which the latter represented to contain 14 carats (K), valued at P8,500, on a staggered payment basis with a downpayment of P3,000. When the bracelet was appraised in the presence of complainant on February 18, 2003, it turned out that its gold content was below 14K.

Respondent thus decided to return the bracelet to complainant and to demand the return of her P3,000 downpayment.

By respondent's claim, complainant agreed to refund the P3,000 after the latter could find a buyer of the bracelet.[4]

Also by respondent's claim, she demanded the settlement of the amount of P2,050 representing the balance of the payment of complainant's pair of shoes and bag which, as earlier stated, was charged to her (respondent's) credit card account[5] but complainant refused to comply therewith unless she (respondent) first issued a receipt of her previous payment.[6]

The friendship of the two soured and respondent allegedly sent text messages to complainant which contained slanderous words meant to harass, ridicule and embarrass her:

> "Ang kapal ng mukha mo, walang patawad, kahit mahal na araw, may nakakita sa inyo sa loob na taga-OCC. Hindi ka man mabuking ngayon, sa ibang araw, nabubuking [sic] ka rin"; "If you want bastusan, I'll give it to you. Sabi ko kay Lloyd, pagbigyan ka ng isang gabi, kaya yan ang dahilan you are mad at me"; "Duwag ka naman eh"[;] "putang ina mo"[;] etc.[7]

A confrontation between the two occurred in March 2003 which was witnessed by Mary Jane Rodillas, a canteen helper, and one Noemi Feje.

What transpired during the confrontation was narrated at the witness stand by complainant as follows:

> ATTY. LEE: In that incident which happened sometime in March 2003, what happened?
>
> WITNESS [complainant]: I was eating, I did not see her coming. It was 2:00 in the afternoon when she arrived and Noemi said, "here she comes. Isn't she your enemyï¿½"
>
> ATTY. LEE: What happened after that?
>
> WITNESS: She passed by my side and then she was making ismid [sic].
>
> ATTY. LEE: What happened after that?
>
> WITNESS: I turned to her and asked what is her problem.
>
> ATTY. LEE: What did she say in return?
>
> WITNESS: She suddenly gave me a middle finger sign.
>
> ATTY. LEE: What did you do after having seen that she did that making finger sign?
>
> WITNESS: I don't understand what that meant. Sir.
>
> ATTY. LEE: Any reaction from that finger sign that the respondent did?
>
> WITNESS: I asked my companion what is it mean [sic].
>
> ATTY. LEE: What did your companion say?
>
> WITNESS: She said, "Later, because you might run after her when you find out what that means."
>
> ATTY. LEE: After that, what happened?
>
> WITNESS: She stopped at the far end of the canteen and stayed there and she was still making the middle finger sign and she was challenging me.
>
> ATTY. LEE: You said that she was wearing something?
>
> ATTY. LEE: No question yet, your Honor.
>
> WITNESS: Yes, sir, uniform.
>
> ATTY. LEE: What was the uniform being worn by the respondent at that time?
>
> WITNESS: Yellow-green blouse and fatigue-like pants.[8]

The foregoing account was substantially corroborated at the witness stand by Mary Jane Rodillas.[9]

Advancing a different version of the incident, respondent alleged in her Counter-Affidavit as follows:

> - x x x What really transpired is: I came from METROBANK and when I passed by the canteen near the Mandaluyong Gymnasium, I did not notice the complainant until I heard shouts from her "ANONG PROBLEMA MO" etc. and also shouted "SHERYLL MANIAC". And this did not happen in the office but near the canteen beside the Mandaluyong Gymnasium. Calling me SHERYLL MANIAC is a very serious insult and an attack on my person and personality, since I am a lady, single of 24 years of age, and don't belong to the category she branded me as "MANIAC."[10](Emphasis in the original; underscoring supplied).

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

In her Affidavit-Complaint, complainant claimed that respondent shouted "fuck you" and made a "dirty middle finger sign" at her. This claim was corroborated by Mary Jane Rodillas and Noemi Feje in their respective affidavits.

Not denying having uttered "fuck you" and made dirty middle finger sign, respondent justified the same by claiming that they were done in retaliation. Thus she testified:

> Q [Atty. Floirendo]- Madam witness, in your counter affidavit, paragraph 9, you stated that, and if I may quote your honor please, x x x Do you confirm and affirm the truth and veracity of this paragraph?
>
> A - Yes ma'am.
>
> Atty. Floirendo - You mean to say madam witness that it was the complainant who shouted to you first when you saw her near the Mandaluyong Gymnasium on the date she complained of?
>
> A - Yes ma'am.[11]

In her Investigation Report,[12] Judge Acosta-Villarante found as follows:

> Respondent Madlangbayan was charged for Misconduct and Conduct Unbecoming a Government Employee. Misconduct generally means wrongful, improper, unlawful conduct motivated by a premeditated, obstinate or intentional purpose (Words and Phrases, Vol. 27, page 466, citing Sewell vs. Sharp, LA APP. 102 So 2d 259, 261).

From the evidence presented, complainant, through [sic] nervous, and her witness Mary Jane Rodillas, a canteen helper, testified in a candid and straightforward manner indicating sincerity and truthfulness. The Investigating Presiding Judge is persuaded that a confrontation between complainant and respondent did in fact occur. As claimed by respondent, she came from METROBANK and passed by the canteen. Mary Jane Rodillas testified that the time is 2:30 in the afternoon which respondent failed to deny.

It should be stressed that respondent has been nursing grudge/hatred against complainant by reason of the latter's non-payment of her balance in the credit card and her refusal to return the downpayment on the bracelet despite insistent demands by respondent. What is more, the irreconcilable differences had reached such a magnitude to the extent that respondent reported this matter to her parents who called complainant to pay her indebtedness but complainant allegedly invented stories to respondent's parents by saying, "Sinabihan ako ng anak niyo na walang hiya kayong magulang niya, etc." which caused the ire of respondent.

The Investigating Presiding Judge finds credible the allegation of complainant that respondent had been sending embarrassing text messages to harass complainant who appears adamant to the respondent's demands.

The Code of Judicial Ethics mandates that the conduct of court personnel must be free from any kind of impropriety, not only with respect to their duties in the judicial branch but also to their behavior outside the court as private individuals, inorder to preserve the good name and integrity of the courts of justice.

Under the given facts, the unprofessional conduct of respondent as court employee could bring the court into disrepute.[13] (Emphasis and underlining in the original; underscoring supplied).

Thus finding for complainant, Judge Acosta-Villarante recommended that respondent be only reprimanded as this is the first offense that she committed and that her actuations were "anchored on legitimate demands."[14]

Then Court Administrator, now Supreme Court Associate Justice Presbitero J. Velasco, Jr., by Report of August 16, 2005,[15] took exception to Judge Acosta-Villarante's findings in this wise:

> Even if respondent has legitimate demands against complainant, it is still improper for a court employee to

> make offensive and foul remarks. High strung and belligerent behavior has no place in government service where the personnel are enjoined to act with self-restraint and civility at all times even when confronted with rudeness and insolence. Conduct violative of this standard quickly and surely corrodes respect for the courts.
>
> However, the fact that this is respondent's first offense is considered a mitigating circumstance in her favor. A fine of P1,000.00 is therefore recommended.[16]

This Court finds Justice Velasco's position well-taken.

Even if respondent acted in retaliation to complainant's calling her "Sheryll Maniac" when she uttered "fuck you" and made a dirty finger sign, that these were done in public by a court employee who was then wearing office uniform creates a bad impression not only against respondent as an employee but also against the judiciary.

Courts are looked upon by the people with high respect. Misbehavior by their employees within and around their vicinity necessarily diminishes their sanctity and dignity.[17] The injunction of this Court in Cervantes v. Cardeño thus bears reiterating:

> We take this opportunity to remind, not only the respondent, but all court personnel as well, that the image of the judiciary is mirrored in the kind of conduct, official or otherwise, which the personnel within its employ display, from the judge to the lowest clerk. Any fighting or misunderstanding becomes a disgraceful sight reflecting adversely on the good image of the judiciary. Professionalism, respect for the rights of others, good manners and right conduct are expected of all judicial officers and employees. Thus, all employees are required to preserve the judiciary's good name and standing as a true temple of justice.[18] (Italics in the original; emphasis and underscoring supplied).

Disgraceful conduct is classified as a grave offense under Section 52(A) of the Uniform Rules on Administrative Cases in the Civil Service which is punishable by suspension of Six (6) Months and One (1) Day to One (1) Year for the first offense.

Following the case of Policarpio v. Fortus,[19] however, cited by Justice Velasco in his Report wherein the therein respondent was found to have been engaged in discourteous acts improper of an employee of the Judiciary and was fined P1,000, this Court finds reasonable the recommended penalty of fine in the amount of P1,000.

WHEREFORE, for disgraceful acts improper of an employee of the judiciary, respondent Sheryll S. Madlangbayan, Clerk III of the Regional Trial Court of Mandaluyong City, Branch 210, is FINED the amount of One Thousand Pesos. And she is WARNED that a repetition of the same or similar acts in the future will be dealt with more severely.

SO ORDERED.

Quisumbing, (Chairperson), Carpio, and Tinga, JJ., concur.
Velasco, Jr., J., no part due to prior action of OCA.

---

[*] Sometimes spelled Leilanie.

[1] Rollo, pp. 1-3.[2] TSN, March 4, 2004, rollo, p. 80.[3] Celine Sales Invoice No. 189671, rollo, p. 290.[4] Counter-Affidavit of Sheryll S. Madlangbayan, rollo, pp. 5- 6.[5] Rollo, p. 6.[6] Id. at 322.[7] Affidavit-complaint of Leilani Nacionales, rollo, p. 1.[8] TSN, March 4, 2004, rollo, pp. 104-105.[9] TSN, June 7, 2006, rollo, pp. 172-204.[10] Rollo, p. 8.[11] TSN, July 9, 2004, rollo, pp. 304-305.[12] Rollo, pp. 320-325.[13] Id. at 324.[14] Id. at 325.[15] Id. at 357-359.[16] Id. at 359.[17] Merilo-Bedural v. Edroso, 396 Phil. 756, 763 (2000).[18] A.M. No. P-05-2021, June 30, 2005, 462 SCRA 324, 331-332.[19] A.M. No. P-95-1114, Sept. 18, 1995, 248 SCRA

272.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.