

IN RE: MILAGROS SANTIA STENOGRAPHIC REPORTER BRANCH XXX, RTC ILOILO CITY

A.M. No. 85-1-6874-RTC. April 25, 1985

Ponente: MAKASIAR, J.

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MAKASIAR, J.:

Miss Milagros Santia is the stenographic reporter of Branch XXX, Regional Trial Court, Iloilo City. She has been absent continuously without any approved leave of absence since January 1, 1984, after the expiration on December 29, 1983 of her duly approved leave of absence.

In a letter dated March 28, 1984, Acting Court Administrator Arturo Buena directed Miss Santia to explain in writing why she should not be dealt with administratively for her prolonged absence, with a warning that he will recommend that she be dropped from the service should she fail to comply with the said letter. Until this date, she has ignored said warning and has not reported for duty.

In a letter dated October 10, 1984, Acting Executive Judge Amelia K. del Rosario, Presiding Judge of Branch XXV of the Regional Trial Court of Iloilo City, informed the Honorable Chief Justice:

1. that Miss Santia failed to report for duty since the expiration of her leave on December 29, 1983;
2. that the continued absence without leave of Miss Santia was the subject of a letter dated February 24, 1984 of Judge Jesus V. Ramos;
3. that the continued absence without leave of Miss Santia has greatly jeopardized the service, for which reason she requested that her position be declared vacant to enable Judge Ramos to recommend another stenographic reporter in her place; and
4. that Miss Santia falsified her (Judge del Rosario's) signature in an alleged special power of attorney which enabled her to get the pay checks of all the Judges and employees of the regional trial courts in Iloilo City for the second half of February, 1984 and thereafter to endorse 16 of said checks, by reason of which, according to reliable information, criminal charges have been filed against Miss Santia.

Acting Court Administrator Buena therefore recommends that she be separated from the service as a notoriously undesirable employee pursuant to Section 40(d) of P.D. 827.

It appears that, in a decision dated October 29, 1984, respondent Milagros Santia y Escarilla was convicted of seventeen (17) counts of falsification of private documents in Criminal Cases Nos. 84-24341, 84-24343 up to 84-24358 by Judge Ernesto S. Tengco, Presiding Judge of Branch VI, Regional Trial Court, Manila, and "... sentenced to suffer on each and every criminal case the indeterminate penalty of Four (4) months and One (1) day of arresto mayor as minimum, to Two (2) years, Four (4) months and One (1) day of prision correccional as maximum, a fine of P1,000.00 with subsidiary imprisonment in case of insolvency, and to pay the costs. No civil indemnification shall be awarded as all the Treasury Warrants had been recovered."

WHEREFORE, MILAGROS SANTIA IS HEREBY SEPARATED FROM THE SERVICE AS STENOGRAPHIC REPORTER IN BRANCH XXX OF THE REGIONAL TRIAL COURT OF ILOILO CITY, FOR ABANDONMENT AND FOR MALFEASANCE IN OFFICE, WITH FORFEITURE OF ALL HER RETIREMENT GRATUITIES, AND WITH PREJUDICE TO REINSTATEMENT IN ANY OFFICE OF THE NATIONAL GOVERNMENT, OF LOCAL POLITICAL SUBDIVISIONS, OF ANY GOVERNMENT AGENCIES OR INSTRUMENTALITIES, AND OF ANY GOVERNMENT-OWNED OR -CONTROLLED CORPORATIONS.

SO ORDERED.

Fernando, C.J., Teehankee, Aquino, Concepcion, Jr.,[*] Abad Santos, Melencio Herrera, Plana, Escolin, Relova, Gutierrez, Jr., De la Fuente, Cuevas, and Alampay, JJ., concur.

[*] He signed before he left.

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