

RE: ABSENCE WITHOUT OFFICIAL LEAVE (AWOL) OF DARLENE A. JACOB, STENOGRAPHER III, REGIONAL TRIAL COURT, BRANCH 14, MANILA

A.M. No. 98-8-246-RTC. February 15, 1999

Ponente: QUISUMBING, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-98-8-246/>

QUISUMBING, J.:

This administrative matter concerns Darlene Jacoba, Stenographer III of Branch 14, Regional Trial Court, Manila. Records at the Administrative Services Division of the Office of the Court Administrator (OCA) reveal that she began incurring unauthorized absences on July 1, 1997. Through the presiding judge of Branch 14, Judge Inocencio D. Maliaman, OCA asked her to explain why she should not be dealt with administratively, in a letter dated October 9, 1997, which reads:

"Ms. Darlene A. Jacoba

Thru Judge Inocencio D. Maliaman

RTC, Br. 14

Manila

Sir/Madam:

Our records show that you have been continuously absent from office since July 1, 1997 up to the present without any approved application for leave of absence, a conduct prejudicial to the best interest of the service and punishable under the Civil Service Law.

You are, therefore, directed to explain in writing within five (5) days from receipt hereof, why you should not be dealt with administratively. Otherwise, this Office will be constrained to recommend that you be dropped from the roll.

Very truly yours,

(SGD.) MA. CORAZON M. MOLO

Officer-in-Charge

Office of the Administrative Services

OCAD"[1]

At the same time, Jacoba's salaries were ordered withheld.[2]

Jacoba did not respond to the letter of the OCA so a follow-up letter was sent to Judge Maliaman. The OCA also asked for Judge Maliaman's recommendation regarding this matter. Specifically, Judge Maliaman was asked whether or not Jacoba should be dropped from the service for having been absent without official leave.[3]

Judge Maliaman informed the OCA that Jacoba had, indeed, been absent starting August 7, 1997. She told Judge Maliaman that she would be filing a letter of resignation but she had not done so.[4] In a letter dated December 19, 1997, Judge Maliaman recommended that Jacoba be dropped from the service.[5]

There is no doubt that Jacoba has been remiss in her duties as court stenographer, to the detriment of the service. This falls within the purview of Section 35, Rule XVI of the Omnibus Rules on Civil Service, which provides:

"Officers and employees who are absent for at least thirty (30) days without approved leave are considered on Absence Without Leave (AWOL) and shall be dropped from the service after due notice. x x x"

Under the present Omnibus Rules on Appointments and Other Personnel Actions, an employee who is absent without approved leave for at least 30 calendar days shall be separated from the service or dropped from the rolls even without prior notice.[6]

We have repeatedly held that the conduct and behavior of everyone connected with an office charged with the dispensation of justice is circumscribed with the heavy burden of responsibility.[7] This Court cannot countenance any act or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and diminish or even just tend to diminish the faith of the people in the Judiciary.[8]

WHEREFORE, in view of the foregoing, Darlene A. Jacoba, Court Stenographer III, Regional Trial Court, Branch 14, Manila is hereby DROPPED from the service.

SO ORDERED.

Davide, Jr. C.J., Romero, Bellosillo, Melo, Puno, Vitug, Kapunan, Mendoza, Panganiban, Purisima, Pardo, Buena, and Gonzaga-Reyes, JJ., concur.

[1] Rollo, p. 4.

[2]Id., p. 5.

[3]Id., p. 6.

[4] Id., p. 7.

[5] Id., p. 8.

[6] Rule XII, Sec. 2.1(a).

[7] Re: Ms. Teresita S. Sabido, 242 SCRA 432 (1995); *Mirano v. Saavedra*, 225 SCRA 77 (1993); *Annang v. Vda. de Blas*, 202 SCRA 635 (1991).

[8] Re: Ms. Teresita S. Sabido, *supra*, at 434-435.

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.