

**JENNYLEN LEE, Complainant, vs. JUANITA A. MANGALINDAN, Junior
Process Server, Municipal Trial Court, Branch 1, Guagua, Pampanga,**

A.M. No. P-08-2432 (Formerly OCA IPI No. 04-2018-P). March 14, 2008

Ponente: AUSTRIA-MARTINEZ, J.

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AUSTRIA-MARTINEZ, J.:

Before the Court is a letter-complaint dated September 3, 2004 of Ms. Jennylen Lee charging respondent Juanita A. Mangalindan, Junior Process Server, Municipal Trial Court (MTC), Branch 1, Guagua, Pampanga with Grave Misconduct for issuing to her PCI Bank Check Number 0147186 dated June 30, 2000, which when presented for payment on its maturity date was dishonored by the drawee bank on the ground that the account was closed.

In the investigation, it was established that:

- respondent issued and delivered PCI Bank Check No. 0147186 dated June 30, 2000 in the amount of P30,000.00, and that it bounced when presented for payment for the reason “Account Closed”; and
- respondent already paid the value of the subject check and interest thereon.

In the Report and Recommendation dated June 13, 2007, Investigating Judge Pamela Ann A. Maxino found respondent guilty of misconduct and recommended that respondent be fined P3,000.00.

Upon evaluation thereof, the Office of the Court Administrator recommends the dismissal of the case on the ground that respondent not only paid the value of the check for P30,000.00 but also paid substantial interest in the amount of P20,000.00, to the satisfaction of the complainant, and that this is respondent’s first administrative case after more than 22 years in the judiciary.

The Court upholds the findings and recommendation of the Investigating Judge, except as to the penalty.

Respondent’s issuance of a bouncing check constitutes misconduct which is a ground for disciplinary action.[1] The conduct of every personnel connected with the courts should at all times be circumspect to preserve the integrity and dignity of the courts of justice.[2] Thus, even if respondent paid the value of the subject check and the substantial interest thereon, respondent still stands liable.

However, except for the present case, the fact that respondent has had an otherwise unblemished service in the judiciary for 22 years, and that she has paid her obligation to the full satisfaction of the complainant, mitigate such liability. A fine of P2,000.00 is in order.

WHEREFORE, the Court finds Juanita A. Mangalindan, Junior Process Server, MTC, Branch 1, Guagua, Pampanga, guilty of Misconduct and FINES her P2,000.00, payable within 60 days from receipt of herein Resolution with a STERN WARNING that a repetition of the same or similar act will be dealt with more severely.

SO ORDERED.

Ynares-Santiago, (Chairperson), Chico-Nazario, Nachura, and Reyes, JJ., concur.

[1] *Mamacay v. Francisco*, 447 Phil. 356, 360 (2003).

[2] *Id.*

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