

**SPS. ARNULFO &#038; LORNA POSESANO, PLAINTIFFS-APPELLEES,  
VS. HEIRS OF THE LATE RAFAEL VIRTUDAZO, ET AL.,  
DEFENDANTS-APPELLANTS.**

Ponente: SINGH, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/dabd3bd579ef/>

---

**SINGH, J.:**

For this Court's consideration is the Manifestation with Motion to Lift Order Withholding My Salary[1] filed by Fe P. Perez-Bawagan, Court Legal Researcher II, Acting Clerk of Court-Designate, Regional Trial Court (RTC), Branch 29, Bislig City on October 2, 2014, to wit:

“x x x x x

1) That she received the Notice of Resolution of this Honorable Court dated August 18, 2014, on September 19, 2014, ordering the withholding of her salary in view of the latter's failure to comply its (sic) directive to submit the Transcript of Stenographic Notes of witness Huberto Virtudazo, taken by stenographer Nenette A. Layno on February 1, 2006;

2) That the undersigned was not informed by the receiving clerk that there was an order from this Honorable Court directing the then Clerk of Court to produce the TSN of the above-mentioned witness because the receiving clerk attached the said resolution without reading its contents;

3) That the undersigned was surprised she received the latest resolution ordering her salaries to be withheld;

4) That she respectfully and humbly requests that the said order be lifted and set aside because she cannot do anything with the case considering that the Stenographer who took down its proceedings was already dropped from the Roles of Employees (sic), per resolution issued by the Supreme Court dated April 23, 2012, which resolution was already attached by the undersigned in her previous explanations to other appealed cases which the undersigned was made to explain; That in this particular case, the undersigned was able to locate the stenographic notes but it was not TRANSCRIBED;

5) That it would be very unfair if the salary of the undersigned be withheld for the negligence of others considering that she was only designated as Acting Clerk of Court after these cases were appealed to this Honorable Court, and the case records will show that it was then Clerk of Court Atty. Domingo P. De Castro who transmitted the case on appeal;

6) That the undersigned is a Court Legal Researcher and at present is not receiving any allowance from the Supreme Court even if she already assumed all the responsibilities of the already retired Clerk of Court;

7) That the undersigned has likewise attached to this motion her manifestation and/or letter explanation as her compliance with other appealed cases where her explanation was required, and to prove that she really exerted efforts to comply the same, but all these proved futile.

WHEREFORE, in view of the foregoing, it is most respectfully requested of this Honorable Court that its order directing the withholding of her salary be lifted and/or set aside.

OTHER remedies, just and equitable under the premises are likewise prayed for.

x x x x x”

Considering that the stenographic notes of Huberto C. Virtudazo's testimony, as manifested by Ms. Perez-Bawagan herself, were located, this Court hereby ORDERS the concerned Acting Clerk of Court to have the same TRANSCRIBED and submit the transcription to this Court within thirty (30) days from receipt hereof. The August 18, 2014 Resolution,[2] in so far as the withholding of the salary of Ms. Perez-Bawagan is concerned, is hereby REITERATED until compliance with this resolution by the concerned Acting Clerk of Court is made.

The Court notes that as the Acting Clerk of Court, Ms. Perez-Bawagan should not have waited for this Court to issue this order to transcribe the notes she located, knowing the significance of the same and being fully cognizant of this Court's prior directives. It must also be pointed out that Ms. Perez-Bawagan took time and effort to explain in other cases the reason for her non-compliance, but ignored the prior resolutions in this particular case.

Let a copy of this Resolution be furnished the Office of the Court Administrator for appropriate action and implementation.

**SO ORDERED.**

Boria, Ch., and Badelles, JJ., concur.

---

[1] Rollo, pp. 33-34.

[2] Id., pp. 30-32.

## 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.