

FIRST DIVISION

[A.M. No. 11-9-167-RTC, November 11, 2013]

RE: UNAUTHORIZED TRAVEL ABROAD OF JUDGE CLETO R. VILLACORTA III, REGIONAL TRIAL COURT, BRANCH 6, BAGUIO CITY

R E S O L U T I O N

SERENO, C.J.:

On 1 December 2010, Judge Cleto R. Villacorta III (Judge Villacorta) was granted authority to travel to Canada for the period covering 20 December 2010 to 3 February 2011.^[1] He was expected to report for work on 4 February 2011 but, as certified by Atty. Mylene May G. Adube-Cabuag (Atty. Adube-Cabuag), Clerk of Court, Regional Trial Court, Branch 6, Baguio City, Judge Villacorta reported back for work only on 16 February 2011.^[2]

Judge Villacorta was asked to explain in writing his failure to secure an extension of his authority to travel abroad in violation of Office of the Court Administrator (OCA) Circular No. 49-2003.^[3] In a letter^[4] dated 31 March 2011, Judge Villacorta explained that he was unable to return to the country at the expiration of his travel authority because he had to attend to a few family-related matters: a) he had to accompany his son in Canada for the latter's medical check-up; b) the planned transfer by his family to an apartment in Canada was delayed because the original lessee of the unit was still occupying the same; c) he had to wait for the issuance of his re-entry permit; and d) he had to wait for packages from his sister which he would bring home to their mother in the Philippines.

On 29 April 2011, Judge Villacorta was granted another authority to travel to Canada for the period covering 1 May to 2 June 2011 to attend the wake and funeral of his sister.^[5]

Meanwhile, in a Memorandum dated 12 May 2011, Deputy Court Administrator (DCA) Raul B. Villanueva and the OCA Office of Administrative Services (OCA-OAS) Chief Caridad A. Pabello recommended that the judge's absence during his extended travel from 4-15 February 2011 be considered unauthorized, which recommendation was approved by the then OCA Officer-in-Charge.^[6] Also, his letter-explanation dated 31 March 2011 was referred to the OCA Legal Office for appropriate action.

Judge Villacorta failed to report for work on 3 June 2011 following his second travel to Canada. Based on a Certification issued by Atty. Adube-Cabuag, Judge Villacorta reported back for work only on 7 June 2011.^[7] When asked to explain, Judge Villacorta replied in a letter^[8] dated 15 June 2011 that no other return flight was available other than on 5 June 2011.