

## **FIRST DIVISION**

**[ A.M. No. P-08-2424 (Formerly A.M. OCA IPI No. 05-2211-P), February 06, 2008 ]**

**HEDELIZA GABISON, Complainant, vs. MIRA THELMA V. ALMIRANTE, Court Interpreter, Municipal Trial Court, Argao, Cebu. Respondent.**

### **DECISION**

**SANDOVAL-GUTIERREZ, J.:**

For our resolution is the administrative complaint of Hedeliza Gabison charging Mira Thelma V. Almirante, court stenographer of the Municipal Trial Court, Argao, Cebu with conduct unbecoming a court employee, grave misconduct and gross dishonesty.

Complainant alleged in her complaint that respondent bought jewelries from her valued at P78,132.00. Respondent issued three (3) post dated checks as payment therefor. Subsequently, respondent again bought another set of jewelries from the complainant valued at P68,522.00 and issued post dated checks. When complainant presented the checks for payment, the same were dishonored by the drawee bank for the reason "Account Closed" or "Drawn against Insufficient Funds." Despite complainant's demand, respondent stubbornly refused to pay.

In her comment on the complaint, respondent denied all the allegations therein. She explained that in 2002, she and complainant agreed to engage in business by selling jewelries, she as the dealer and complainant as her supplier. After selling jewelries, she would issue complainant post dated checks representing the proceeds of the sale. She would then return to complainant the unsold jewelries. Her predicament started when her "sub-dealer" returned the jewelries and when her customers made direct payments to complainant. Thus, she was forced to close her account as she did not have sufficient funds for the checks she issued.

In his Report dated October 10, 2005, then Court Administrator Presbitero J. Velasco, Jr., now a member of this Court, found respondent guilty of misconduct and recommended that she be suspended from the service for one (1) month and one (1) day without pay.

Issuance of a bouncing check constitutes misconduct, a ground for disciplinary action. Respondent's conduct impairs the integrity and dignity of the courts of justice and interferes in the efficient performance of her duties. This Court has consistently held that the conduct required of court personnel, from the presiding judge to the lowliest clerk, must always be beyond reproach and circumscribed with the heavy burden of responsibility as to let them free from any suspicion that may taint the judiciary. All court personnel are expected to exhibit the highest sense of honesty and integrity, not only in the performance of their official duties, but also in their personal and private dealings with other people to preserve the Court's good