

FIRST DIVISION

[A.M. NO. P-06-2159 (FORMERLY A.M. NO. 06-3-141-RTC), April 19, 2006]

ABSENCE WITHOUT OFFICIAL LEAVE (AWOL) OF EDWIN V. GARROBO, SHERIFF IV, REGIONAL TRIAL COURT, BRANCH 156, PASIG CITY

D E C I S I O N

CHICO-NAZARIO, J.:

This administrative matter concerns Edwin V. Garrobo, Sheriff IV of the Regional Trial Court (RTC) of Pasig City, Branch 156.

Records at the Office of Administrative Services (OAS) of the Office of the Court Administrator (OCA) Leave Division showed that Mr. Garrobo failed to submit his Daily Time Records (DTR/s)/Bundy Cards from the month of December 2003 to present.

In a letter dated 19 January 2004, Atty. Albert N. Lavandero, Clerk of Court, same court, informed^[1] the OCA Leave Division that Mr. Garrobo has incurred more than 30 consecutive absences without leave since 1 December 2003.

On 27 January 2004, the OCA received a copy of the letter-explanation of Mr. Garrobo dated 26 January 2004 in compliance with the verbal instruction of Judge Alex L. Quiroz, Presiding Judge, same court, requiring him to explain why he should be allowed to report back to work.

In the explanation letter,^[2] Mr. Garrobo stated that he was constrained to go on leave for the whole month of December 2003 after Judge Quiroz told him that he does not want to see his face in court. This remark of Judge Quiroz allegedly happened after Mr. Garrobo enforced a writ of execution which Atty. Lavandero tasked him to serve sometime in November 2003. He averred that his absences in December 2003 were covered by a leave application signed by Atty. Lavandero. His attempts to seek permission to go on leave in January 2004 were not granted. Thus, he planned to report back to work on 19 January 2004 but unfortunately he met a vehicular accident causing him fractures and bruises as evidenced by a medical certificate dated 20 January 2004 signed by Dr. Rodrigo S. Valenzuela.

In the Agenda Report^[3] dated 18 February 2004, the OCA recommended to the Court the withholding of Mr. Garrobo's salaries and benefits for non-submission of DTRs/Bundy Cards. Consequently, the Court issued Resolution dated 17 May 2004 in A.M. No. 04-3-15-8-RTC ordering the withholding of his salaries and benefits.

On 15 March 2004, Mr. Gorrobo filed before the OCA a request for detail from Branch 156 to the Office of the Clerk of Court (OCC) for reason that he had been