

FIRST DIVISION

[A.M. No. P-96-1182, July 19, 2000]

**JOSEFINA MARQUEZ, COMPLAINANT, VS. AIDA CLORES-RAMOS,
COURT STENOGRAPHER III, RESPONDENT.**

R E S O L U T I O N

KAPUNAN, J.:

In a sworn letter complaint dated October 10, 1995, Mrs. Josefina A. Marquez charged respondent, Ms. Aida Clores-Ramos, Court Stenographer III, OCC-RTC, Branch 29, Libmanan, Camarines Sur with unethical, illicit and highly immoral acts.

Complainant alleged, among others, that she is the legal wife of Mr. Florencio Marquez, Sr.; that they were married on January 5, 1955 before the Roman Catholic Church of Libmanan; and that respondent is maintaining an amorous illicit relationship with her husband, out of which a baby boy was born on December 8, 1993 and baptized as Florencio Marquez, Jr. on February 11, 1994 at the St. James the Apostle Parish, Libmanan, Camarines Sur.

Attached to her complaint are handwritten letters of her husband to respondent to prove her husband's extra-marital affairs with respondent Court Stenographer.

Meanwhile, on October 30, 1995, the Office of the Court Administrator (OCAD) also received from the Department of Justice a First Indorsement, dated October 19, 1995 referring the same complaint dated September 8, 1995 for appropriate action.

[1]

Likewise, the Office of the Ombudsman sent its First Indorsement to the OCAD Complaint No. 95-2434 dated October 30, 1995 entitled "Concerned Career Government Employee v. Aida Clores-Ramos" complaining about the unethical actuations and lifestyle of the subject Court Stenographer for carrying an extra-marital relationship with a married man.[2]

In answer, respondent Aida C. Ramos alleged that she is an employee of the RTC, Branch 29, Libmanan, Camarines Sur as Court Stenographer III, having been employed since June 16, 1983. She, however, vehemently denied the allegations contained in the letter-complaint of Mrs. Josefina Marquez that she carried an illicit and immoral relationship with Mr. Florencio Marquez and narrated the following:

x x x.

2.a that since respondent's employment with the Court in 1983, she had never been a subject of any Administrative Complaint as her professional conduct as a public servant and in her private life and her community had

been beyond reproach;

2.b that respondent's fate was not kind to her. She was a victim of deception and betrayal twice over. In 1988, her husband, Raul D. Ramos, a womanizer, abandoned her and her son Ronan C. Ramos for other women and she was left alone to fend for her son and ailing mother;

2.c That as fate would have its way, sometime on February, 1993 respondent crossed paths with an old "gentleman" by the name of Florencio Marquez. She came to know him as a Balikbayan and a long time resident of the United States of America;

2.d That Mr. Florencio Marquez like a wolf in a sheepskin's clothing, introduced himself as a "widower" since 1954. Then, he began courting her. He was a persistent suitor and promised marriage in the United States;

2.e That Mr. Florencio Marquez to "prove" his representations as to his civil status, even gave respondent copies of certifications from the Local Civil Registrar of Libmanan, Camarines Sur regarding his previous marriage with Prudencia Frondoza and the fact of her death on January 9, 1954, which are appended hereto as Annexes "A" and "B", respectively, to form part hereof;

2.f That respondent's only fault was that because of her rural upbringing and of her being naïve in the ways of the world, she came to trust him and started to believe in Mr. Marquez's "sincerity" and "good intentions". So that on March, 1993, because of his persistence, respondent was prevailed upon to accept an invitation to have dinner with him. That acceptance started her travails leading to her present desolate situation;

2.g That Mr. Florencio Marquez made respondent drink wine and not accustomed to it, she felt dizzy and fell asleep, only found out in the following morning that he had carnal knowledge of her. Outrage and self-pity overcame respondent but the "gentleman" assuaged her emotional outpourings with his "assurances" and offer marriage in the United States of America;

2.h That from thereon, the liaisons became frequent and the promise of being brought to the United States and marriage in that country seemed endless;

2.i That eventually, respondent got pregnant and gave birth to a baby boy on December 8, 1993 and was christened Florencio Marquez, Jr. The "widower" from looks of it was vent on migrating back to the United States with respondent and her son and was told to prepare her travelling papers with dispatch;

2.j That it was at this point that respondent discovered the deception made on her by this "widower" gentleman. He was not after all a "widower" as he is very much a married man.

2.k That respondent upon her discovery of Mr. Marquez's true Civil Status immediately severed her relationship with him and has no intention whatsoever in resuming the same now or in the near future.^[3]

In the Resolution of February 14, 1996, the case was referred to Executive Judge Salvador G. Cajot, RTC of Libmanan, Camarines Sur for Investigation/Report and Recommendation.^[4]

Meanwhile, the OCAD received a letter from complainant addressed to then Chief Justice Andres R. Narvasa, withdrawing her complaint against respondent, stating that after conducting her own personal discreet investigation she discovered that the information given to her about the morality of Ms. Aida Clores-Ramos is not true, particularly the information that linked Florencio Marquez as her lover. She added "that all the information given to [her] by the persons who pretended to help [her] were in fact and in truth have ulterior motives in destroying the honor, dignity and even the future of innocent persons, including Mr. Marquez."^[5]

Before acting on the letter, the Court required the respondent to comment thereon. In response, complainant submitted to the Court a manifestation denying that she was the author of said letter of withdrawal. On the contrary, she stated that she was, in fact, very much interested and eager to pursue her case against respondent. She asked, however, that the Executive Judge of the RTC, Libmanan, Camarines Sur to whom this case was assigned for investigation should inhibit himself from conducting the investigation because said judge is a good friend of her husband.^[6]

The case was then referred to Judge Lore V. Bagalacsa, RTC, Branch 56 of Libmanan, Camarines Sur for Investigation, Report and Recommendation.

Accordingly, on June 22, 1998, Judge Lore Valencia-Bagalacsa submitted her Report and Recommendation finding respondent guilty of the charges against her and recommended her suspension for a period of one (1) year.

The evidence for complainant as described in Judge Valencia-Bagalacsa's report is as follows:

Josefina Asuncion Demagante, a young widow of twenty-three married twenty-six year old widower Florencio Marquez in religious rites on January 5, 1955 at Libmanan, Camarines Sur (Exhibit A, p. 119, Vol. 2, Record). In their later years both went to the United States, but Marquez went home to the Philippines ahead of his wife as a `balikbayan.' He met one Aida Clores-Ramos, a court stenographer assigned at Branch 29 of Regional Trial Court in this jurisdiction. (see Complaint, pp. 6-7, Vol. 1, Record) Marquez and Ramos lived together in the years 1993 and 1994 and the latter gave birth to a son, who was born on December 8, 1993 and was baptized as Florencio Marquez, Jr., on February 11, 1994 (Exhibit B, p. 20, Vol. 1 and p. 120, Vol. 2, Record). While in the United States, Josefina Marquez learned of her husband's amorous relation with another woman, so she confronted him with it. Her husband wrote on September 7, 1993 (Exhibit C, p. 11, Vol. I, Record) and admitted the relation. He even named the woman as "Aida Ramos, from Garchitorena" (Exhibit C-1). He promised his wife that if she returns to the Philippines, she is still the `number one' so she should just relax. Aida, according to

Mr. Marquez in his letter to his wife, is only his 'alangan' (sexual playmate) while his wife is not here in Libmanan (Exhibit C-2). However, Josefina Marquez received more information from the Philippines about her husband's illicit relation with another woman. Feeling aggrieved, complainant went home to the Philippines, in September 1994.

One day, while cleaning their closets at their Libmanan residence, she found letters from her husband to respondent, and from the latter to her husband. There were also letters with envelopes addressed to Mrs. Aida Ramos of RTC Libmanan, Camarines Sur from one Florencio Marquez. One, dated March 7, 1994 (Exhibit G, p. 10, Vol. 1 and p. 127, Vol. 2, Record) relates his flight to the U.S. which took only 12 hours. The letter likewise informed "Ma" that he already talked with his wife about their situation in Libmanan and that the matter is settled already, and that they have no more problem. He also sent his regards especially to his boy 'Florence' (Exhibit D-2) In another letter (Exhibit D-2), "Papa" writes "Mama" that he received her letter and knew what she meant; he related that he was operated on last March 31, 1994, and but there is no need to worry as he is now fine. He informed 'Mama' that he will be home on April 28, 1994. The letter is addressed to Mrs. Aida Ramos of RTC Branch 29, Libmanan, Camarines Sur, from Florencio S. Marquez of Northridge, California, as shown in the postmarked envelope (Exhibit D, p. 12, Vol. 1, p. 124, Vol. 2, Record). Complainant found another letter from "Mama" dated February 9, 1993 to "Papa" advising the latter to inform one Eva frankly that he met somebody already, that it was Belen Naval who introduced her to him, so that her Tiya Linda will not be implicated. She cautioned in her letter never to mention her name and that he can talk to her but it will be for the last time. She assured him of her trust. (Exhibit F, pp. 18 and 19, Vol. 1, and p. 126, Vol. 2, Record)

Josefina Marquez claimed that the "Mama" or "Ma" in the letters refer to respondent, as her husband calls her "Mie" as shown in the letter dated September 7, 1993. (p. 99, Sworn Statement of Josefina Marquez, Vol. 2, Record)

On December 8, 1996, Josefina was able to verify that on that day was the birthday of Florencio Marquez' son with the respondent. She thought it wise to visit the church in Libmanan, with the expectation to see the respondent there and to be able to talk to her personally. She asked someone in the church if she knows Aida Ramos, and the woman pointed out to her a woman carrying a child. Josefina approached the woman and inquired if she was Aida Ramos, and the latter answered in the affirmative. She asked her again if the child she was carrying was the son of Florencio Marquez, and she also replied in the affirmative. She then took photographs of mother and son (Exhibits E to E-2, inclusive, p. 14, Vol. 1, and p. 125, Vol. 2, Record). Then, she invited respondent outside the church to have a talk with her. There was an exchange of words with respondent. The latter replied: "baco man lang aco an puta, cadacol diyan" (I am not the only whore, there are a lot of them). (p. 99, Vol. 2 Record, Supra)

Arlyn Marquez, the 38 year old daughter of the complainant said that she