

TENTH DIVISION

[CA-G.R. SP NO. 132562, March 25, 2015]

**WILMA R. PADRONES PETITIONER, VS. ELIZARDO DE LAYOLA
AND MA. LOURDES ALMARIO, RESPONDENTS.**

DECISION

DIMAAMPAO, J.:

Via this *Petition for Review*^[1] under Rule 43 of the Revised Rules of Court, petitioner assails the *Decision*^[2] dated 18 July 2013 and *Resolution*^[3] dated 23 September 2013 of the Office of the President, in OP-DC Case No. 13-D-044.

The salient facts are not in dispute.

Petitioner Wilma Padrones (petitioner), an employee of the News and Information Bureau (NIB) under the Office of the President (OP), received on 4 December 2012 a copy of a formal charge for *Simple Dishonesty* for the loss of the office-issued cellphone of respondent Ma. Lourdes Almario (respondent). In due course, co-respondent, Assistant Secretary Elizardo De Layola (Asec. De Layola), NIB Officer-in-Charge, rendered a *Decision*^[4] dated 4 April 2013, the *fallo* of which reads:

"WHEREFORE, premises considered, the Respondent is found guilty of Simple Dishonesty as charged. Accordingly, a penalty of one (1) month suspension is hereby imposed against her which shall commence upon her receipt of this Decision.

SO ORDERED."^[5]

Petitioner lost no time in filing an *Appeal* before the OP, which, in the challenged *Decision*, dismissed her plea for lack of jurisdiction. The OP ratiocinated that the *Decision* rendered by the NIB Head should be appealed initially to the Department Head, who, in this case, was the Secretary of the Presidential Communications and Operation Office (PCOO), and then finally to the Civil Service Commission (CSC). Petitioner's *Motion for Reconsideration* thereof was denied in the challenged *Resolution*.

Finding the foregoing *Decision* unacceptable, petitioner commenced the instant *Petition* proffering this issue— whether or not the *Decision* of respondent Asec. De Layola and of the OP were rendered without or in excess of jurisdiction.

The Petition is barren of merit.

We find no reversible error in the assailed issuances. Upon receipt of the *Decision* of the NIB imposing upon petitioner a one-month suspension as penalty for simple dishonesty, she never filed a *Motion for Reconsideration* thereof. Ineluctably, the