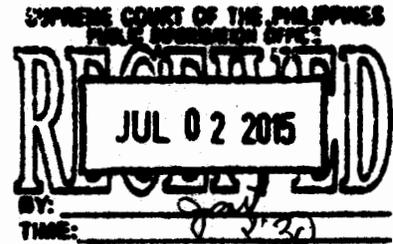




REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **17 June 2015** which reads as follows:

**'A.M No. 15-05-129-RTC – (Dropping from the Rolls of Erwin Y. Carpio, Court Stenographer III, Branch 122, Regional Trial Court, Caloocan City.)**

The records of the Employee's Leave Division (ELD), Office of Administrative Services (OAS), Office of the Court Administrator (OCA), showed that Erwin Y. Carpio (Carpio) had not submitted his Bundy Cards from August 2013 up to the present. Thus, per record of the ELD, OAS, OCA, he had been absent without official leave since July 19, 2013.

In his letter submitted to the Employees' Welfare and Benefits Division (EWBD) OAS, OCA, on July 19, 2013, Carpio manifested his intention to avail of early retirement effective that same date, but he did not take the necessary steps to proceed with his intended early retirement. Based on the *plantilla* of personnel, he was still in active service.

Verification from the EWBD, OAS, OCA showed that Carpio had not filed an application for optional retirement. The records of the Docket and Clearance Division, Legal Office, OCA, revealed no pending administrative case against him, and the records of the Court Management Office, OCA, showed that he was not an accountable officer.

In its Report,<sup>1</sup> dated April 24, 2015, the OCA recommended that Carpio be dropped from the rolls effective July 19, 2013, although he would still be qualified to receive the benefits he was entitled to under the existing laws and to be reemployed in the government; that his position be declared vacant; and that he be informed of his separation from the service or dropping from the rolls at his last known address at 32 Gonzales Street, Malabon City.

The Court ~~agrees~~ with the recommendation of the OCA.

Section 63, Rule XVI of the Omnibus Rules on Leave, as amended by Memorandum Circular No. 13 S. 2007, provides:

<sup>1</sup> Rollo, pp 1-2.

*mlgso*

Effect of Absence Without Approved Official Leave –  
 or an employee who is continuously absent without  
 an approved leave for at least thirty (30) working days shall be  
 considered on absence without official leave (AWOL) and shall  
 be separated from the service or dropped from the rolls without  
 prior notice. xxx

It is clear that the prolonged unauthorized absence of Carpio caused inefficiency in the public service.<sup>2</sup> It should be remembered that the conduct and behavior of all court personnel are circumscribed with a heavy responsibility. Any act or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and diminish or tend to diminish the faith of the people in the Judiciary cannot be countenanced.<sup>3</sup>

By going on AWOL, Carpio grossly disregarded and neglected the duties of his office. He failed to adhere to the high standards of public accountability imposed on all those in the government service.<sup>4</sup>

**WHEREFORE**, Erwin Y. Carpio, Court Stenographer III, Branch 122, Regional Trial Court, Caloocan City, is hereby **DROPPED** from the service and his position is **DECLARED VACANT**.

Let a copy of this resolution be served upon him at his address appearing in his 201 file pursuant to Section 63, Rule XVI of the Omnibus Civil Service Rules and Regulations, as amended. (*Leonen, J., on official leave, Jardeleza, J., designated Acting Member, per Special Order No. 2056, dated June 10, 2015*)

**SO ORDERED."**

Very truly yours,

*MA. LOURDES C. PERFECTO*  
 MA. LOURDES C. PERFECTO  
 Division Clerk of Court *May 6/15*

<sup>2</sup> Judge Florendo v. Cadano, 510 Phil. 230, 235 (2005).

<sup>3</sup> Re: Absence Without Official Leave (AWOL) of Atty. Marilyn B. Joyas, Clerk of Court V, Regional Trial Court of Manila, Branch 16, 555 Phil. 737, 740 (2007).

<sup>4</sup> Re: Absence Without Official Leave (AWOL) of Mr. Robert L. Borcillo, Utility Worker I, Regional Trial Court of Iloilo City, Branch 28, 559 Phil. 1, 4 (2007).

HON. COURT ADMINISTRATOR

Jose Midas P. Marquez (x)

HON. DEPUTY COURT ADMINISTRATOR

Raul B. Villanueva (x)

Jenny Lind Aldecoa-Delorino (x)

Thelma C. Bahia (x)

Legal Office (x)

Court Management Office (x)

Financial Management Office (x)

Docket & Clearance Division (x)

Office of Administrative Services (x)

Office of the Court Administrator

Supreme Court, Manila

ERWIN Y. CARPIO (reg)

32 Gonzales Street, Malabon City

HON. PRESIDING JUDGE (reg)

Regional Trial Court, Branch 122

Caloocan City

OFFICE OF THE CHIEF ATTORNEY (x)

OFFICE OF THE REPORTER (x)

Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)

LIBRARY SERVICES (x)

Supreme Court, Manila

[for uploading pursuant to A.M. No. 12-7-1-SC]

*Please notify the Court of any change in your address.*

A.M. No. 15-05-129-RTC. 06/17/15 (260)URES

12/17/15