

Malacañang
Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 47

REMOVING MR. ALFONSO J. JAVILLONAR FROM OFFICE AS CLERK OF COURT
OF THE COURT OF FIRST INSTANCE OF PASAY CITY.

This is an administrative case against Mr. Alfonso J. Javillonar, Clerk of Court of the Court of First Instance of Pasay City, who, together with Mr. Conrado L. Vera, collecting clerk in said court, is charged with serious dishonesty arising from the misappropriation of certain amounts deposited with the court.

During the formal investigation, only respondent Vera appeared, respondent Javillonar not having shown up even once either personally or through counsel. In fact, he appears to have absconded. The investigator, with the Secretary of Justice concurring, finds respondent Vera innocent, but respondent Javillonar guilty and recommends the latter's dismissal. Only Javillonar's case will be taken up here, as the other respondent (Vera) is under the disciplinary jurisdiction of the Commissioner of Civil Service.

It appears from the oral and documentary evidence presented during the investigation that respondent Javillonar received and misappropriated public funds in the total sum of ₱21,607.26, representing collections and deposits in the Court of First Instance of Pasay City, broken down as follows:

₱7,006.73, general collections he received from respondent Vera on May 4, 7 and 31, 1962;

₱10,400, deposits in Civil Case No. 2067-P which he withdrew from the Treasurer of Pasay City with the use of two falsified vouchers based on non-existing court orders, purporting to authorize withdrawal of the deposits, dated January 24 and July 20, 1961 (Exhs. 9-Vera, 14-Vera and 15-Vera);

₱1,800, deposit in Civil Case No. 2206-P which he likewise withdrew through falsified voucher and non-existing court order (Exhs. 13-Vera, 16-Vera); and

₱2,400, deposits also in Civil Case No. 2067-P which he withdrew apparently under the same procedure.

(The difference of ₱.53 between the amount taken by respondent Javillonar, ₱7,007.26, and the shortage found

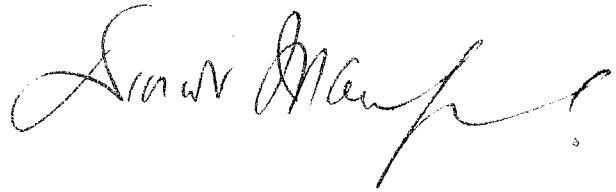
Javillonar, Alfonso J.

by the auditor, ₱7,007.73, is said to represent commissions charged for deposits which were included in the general collections.)

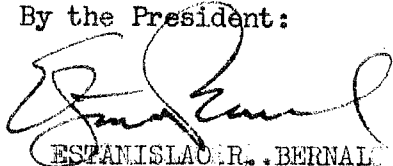
It also appears that respondent Javillonar has been accused in three criminal cases of malversation of public funds through falsification of public documents now pending in the Court of First Instance of Pasay City in connection with the fraudulent withdrawal and misappropriation of the court deposits of ₱10,400 and ₱1,800 treated above. Finally, it appears that at the end of 1961 he still had to account for ₱7,655.08 as general fund collections and that his report of withdrawals for the period from March 1960 to October 1961 was not accompanied with corresponding report of deposits, which shows that he violated his official duty to keep his financial accounts in order.

In view of the seriousness of the irregularities committed, constituting no less than dishonesty with criminal complexion, Mr. Alfonso J. Javillonar is hereby removed from office as Clerk of Court of the Court of First Instance of Pasay City effective as of the date of his preventive suspension.

Done in the City of Manila, this 30th day of January, in the year of Our Lord, nineteen hundred and sixty-three.



By the President:



ESTANISLAO R. BERNAL
Assistant Executive Secretary