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EN BANC

[A.C. No. 5581. January 14, 2014]

ROSE BUNAGAN-BANSIG, *complainant, vs.* **ATTY. ROGELIO JUAN A. CELERA,** *respondent.*

SYLLABUS

1. **LEGAL ETHICS; ATTORNEYS; DISBARMENT; CONCEPT; REQUIRED QUANTUM OF PROOF.—** A disbarment case is *sui generis* for it is neither purely civil nor purely criminal, but is rather an investigation by the court into the conduct of its officers. The issue to be determined is whether respondent is still fit to continue to be an officer of the court in the dispensation of justice. Hence, an administrative proceeding for disbarment continues despite the desistance of a complainant, or failure of the complainant to prosecute the same, or in this case, the failure of respondent to answer the charges against him despite numerous notices. In administrative proceedings, the complainant has the burden of proving, by substantial evidence, the allegations in the complaint. Substantial evidence has been defined as such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. For the Court to exercise its disciplinary powers, the case against the respondent must be established by clear, convincing and satisfactory proof. Considering the serious consequence of the disbarment or suspension of a member of the Bar, this Court has consistently held that clear preponderant evidence is necessary to justify the imposition of the administrative penalty.

2. **ID.; ID.; ID.; ID.; THERE IS PREPONDERANT EVIDENCE IN CASE AT BAR THAT RESPONDENT CONTRACTED A SECOND MARRIAGE DESPITE THE EXISTENCE OF HIS FIRST MARRIAGE.—** In the instant case, there is a preponderance of evidence that respondent contracted a second marriage despite the existence of his first marriage. The first marriage, as evidenced by the certified xerox copy of the Certificate of Marriage issued on October 3, 2001 by the City Civil Registry of Manila, Gloria C. Pagdilao, states that

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respondent Rogelio Juan A. Celera contracted marriage on May, 8, 1997 with Gracemarie R. Bunagan at the Church of Saint Augustine, Intramuros, Manila; the second marriage, however, as evidenced by the certified xerox copy of the Certificate of Marriage issued on October 4, 2001 by the City Civil Registry of San Juan, Manila, states that respondent Rogelio Juan A. Celera contracted marriage on January 8, 1998 with Ma. Cielo Paz Torres Alba at the Mary the Queen Church, Madison St., Greenhills, San Juan, Metro Manila. Bansig submitted certified xerox copies of the marriage certificates to prove that respondent entered into a second marriage while the latter's first marriage was still subsisting. We note that the second marriage apparently took place barely a year from his first marriage to Bunagan which is indicative that indeed the first marriage was still subsisting at the time respondent contracted the second marriage with Alba.

3. ID.; ID.; ID.; ID.; RESPONDENT'S DEFIANT STANCE AGAINST THE COURT WERE DELIBERATE, MANEUVERING THE LIBERALITY OF THE COURT IN ORDER TO DELAY THE DISPOSITION OF THE CASE AND TO EVADE THE CONSEQUENCES OF HIS ACTIONS.— Respondent exhibited a deplorable lack of that degree of morality required of him as a member of the Bar. He made a mockery of marriage, a sacred institution demanding respect and dignity. His act of contracting a second marriage while his first marriage is subsisting constituted grossly immoral conduct and are grounds for disbarment under Section 27, Rule 138 of the Revised Rules of Court. This case cannot be fully resolved, however, without addressing rather respondent's defiant stance against the Court as demonstrated by his repetitive disregard of its Resolution requiring him to file his comment on the complaint. This case has dragged on since 2002. In the span of more than 10 years, the Court has issued numerous directives for respondent's compliance, but respondent seemed to have preselected only those he will take notice of and the rest he will just ignore. The Court has issued several resolutions directing respondent to comment on the complaint against him, yet, to this day, he has not submitted any answer thereto. He claimed to have not received a copy of the complaint, thus, his failure to comment on the complaint against him. Ironically, however, whenever it is a show cause order, none of them have

escaped respondent's attention. Even assuming that indeed the copies of the complaint had not reached him, he cannot, however, feign ignorance that there is a complaint against him that is pending before this Court which he could have easily obtained a copy had he wanted to. The Court has been very tolerant in dealing with respondent's nonchalant attitude towards this case; accommodating respondent's endless requests, manifestations and prayers to be given a copy of the complaint. The Court, as well as Bansig, as evidenced by numerous affidavits of service, have relentlessly tried to reach respondent for more than a decade; sending copies of the Court's Resolutions and complaint to different locations - both office and residential addresses of respondent. However, despite earnest efforts of the Court to reach respondent, the latter, however conveniently offers a mere excuse of failure to receive the complaint. When said excuse seemed no longer feasible, respondent just disappeared. In a manner of speaking, respondent's acts were deliberate, maneuvering the liberality of the Court in order to delay the disposition of the case and to evade the consequences of his actions. Ultimately, what is apparent is respondent's deplorable disregard of the judicial process which this Court cannot countenance.

4. ID.; ID.; ID.; ID.; RESPONDENT'S ACTS CONSTITUTE WILLFUL DISOBEDIENCE OF THE LAWFUL ORDERS OF THE COURT, WHICH UNDER SECTION 27, RULE 138 OF THE RULES OF COURT IS IN ITSELF ALONE A SUFFICIENT CAUSE FOR SUSPENSION OR DISBARMENT.— Clearly, respondent's acts constitute willful disobedience of the lawful orders of this Court, which under Section 27, Rule 138 of the Rules of Court is in itself alone a sufficient cause for suspension or disbarment. Respondent's cavalier attitude in repeatedly ignoring the orders of the Supreme Court constitutes utter disrespect to the judicial institution. Respondent's conduct indicates a high degree of irresponsibility. We have repeatedly held that a Court's Resolution is "not to be construed as a mere request, nor should it be complied with partially, inadequately, or selectively." Respondent's obstinate refusal to comply with the Court's orders "not only betrays a recalcitrant flaw in his character; it also underscores his disrespect of the Court's lawful orders which is only too deserving of reproof." x x x Considering respondent's propensity

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to disregard not only the laws of the land but also the lawful orders of the Court, it only shows him to be wanting in moral character, honesty, probity and good demeanor. He is, thus, unworthy to continue as an officer of the court.

5. **REMEDIAL LAW; EVIDENCE; SECONDARY EVIDENCE; THE CERTIFIED XEROX COPIES OF THE MARRIAGE CONTRACTS, ISSUED BY A PUBLIC OFFICER IN CUSTODY THEREOF, ARE ADMISSIBLE AS THE BEST EVIDENCE OF THEIR CONTENTS, AS PROVIDED FOR UNDER SECTION 7 OF RULE 130 OF THE RULES OF COURT.—** The certified xerox copies of the marriage contracts, issued by a public officer in custody thereof, are admissible as the best evidence of their contents, as provided for under Section 7 of Rule 130 of the Rules of Court, to wit: Sec. 7. *Evidence admissible when original document is a public record*. – When the original of a document is in the custody of a public officer or is recorded in a public office, its contents may be proved by a certified copy issued by the public officer in custody thereof. Moreover, the certified xerox copies of the marriage certificates, other than being admissible in evidence, also clearly indicate that respondent contracted the second marriage while the first marriage is subsisting. By itself, the certified xerox copies of the marriage certificates would already have been sufficient to establish the existence of two marriages entered into by respondent. The certified xerox copies should be accorded the full faith and credence given to public documents. For purposes of this disbarment proceeding, these Marriage Certificates bearing the name of respondent are competent and convincing evidence to prove that he committed bigamy, which renders him unfit to continue as a member of the Bar.

APPEARANCES OF COUNSEL

Carmelo Z. Lasam for complainant.

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D E C I S I O N

PER CURIAM:

Before us is a Petition for Disbarment[1] dated January 8, 2002 filed by complainant Rose Bunagan-Bansig (*Bansig*) against respondent Atty. Rogelio Juan A. Celera (*respondent*) for Gross Immoral Conduct.

In her complaint, Bansig narrated that, on May 8, 1997, respondent and Gracemarie R. Bunagan (*Bunagan*), entered into a contract of marriage, as evidenced by a certified xerox copy of the certificate of marriage issued by the City Civil Registry of Manila.[2] Bansig is the sister of Gracemarie R. Bunagan, legal wife of respondent.

However, notwithstanding respondent's marriage with Bunagan, respondent contracted another marriage on January 8, 1998 with a certain Ma. Cielo Paz Torres Alba (*Alba*), as evidenced by a certified xerox copy of the certificate of marriage issued by the City Registration Officer of San Juan, Manila.[3]

Bansig stressed that the marriage between respondent and Bunagan was still valid and in full legal existence when he contracted his second marriage with Alba, and that the first marriage had never been annulled or rendered void by any lawful authority.

Bansig alleged that respondent's act of contracting marriage with Alba, while his marriage is still subsisting, constitutes grossly immoral and conduct unbecoming of a member of the Bar, which renders him unfit to continue his membership in the Bar.

In a Resolution[4] dated February 18, 2002, the Court resolved to require respondent to file a comment on the instant complaint.

Respondent failed to submit his comment on the complaint, despite receipt of the copy of the Court's Resolution, as evidenced

[1] *Rollo*, pp. 1-2.

[2] *Id.* at 4.

[3] *Id.* at 5.

[4] *Id.* at 6.

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by Registry Return Receipt No. 30639. Thus, the Court, in a Resolution[5] dated March 17, 2003, resolved to require respondent to show cause why he should not be disciplinarily dealt with or held in contempt for failing to file his comment on the complaint against him.[6]

On December 10, 2002, Bansig filed an Omnibus *Ex Parte* Motion[7] praying that respondent's failure to file his comment on the complaint be deemed as a waiver to file the same, and that the case be submitted for disposition.

On May 4, 2003, in a Motion, respondent claimed that while it appeared that an administrative case was filed against him, he did not know the nature or cause thereof since other than Bansig's Omnibus Motion, he received no other pleading or any processes of this Court. Respondent, however, countered that Bansig's Omnibus Motion was merely a ploy to frighten him and his wife from pursuing the criminal complaints for falsification of public documents they filed against Bansig and her husband. He also explained that he was able to obtain a copy of the Court's Show Cause Order only when he visited his brother who is occupying their former residence at 59-B Aguho St., Project 3, Quezon City. Respondent further averred that he also received a copy of Bansig's Omnibus Motion when the same was sent to his law office address.

Respondent pointed out that having been the family's erstwhile counsel and her younger sister's husband, Bansig knew his law office address, but she failed to send a copy of the complaint to him. Respondent suspected that Bansig was trying to mislead him in order to prevent him from defending himself. He added that Bansig has an unpaid obligation amounting to ₱2,000,000.00 to his wife which triggered a sibling rivalry. He further claimed that he and his wife received death threats from unknown persons; thus, he transferred to at least two (2) new residences, *i.e.*, in

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[5] *Id.* at 14.

[6] *Id.* at 8.

[7] *Id.* at 10-13.

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Sampaloc, Manila and Angeles City. He then prayed that he be furnished a copy of the complaint and be given time to file his answer to the complaint.

In a Resolution[8] dated July 7, 2003, the Court resolved to (a) require Bansig to furnish respondent with a copy of the administrative complaint and to submit proof of such service; and (b) require respondent to file a comment on the complaint against him.

In compliance, Bansig submitted an Affidavit of Mailing to show proof that a copy of the administrative complaint was furnished to respondent at his given address which is No. 238 Mayflower St., Ninoy Aquino Subdivision, Angeles City, as evidenced by Registry Receipt No. 2167.[9]

On March 17, 2004, considering that respondent failed anew to file his comment despite receipt of the complaint, the Court resolved to require respondent to show cause why he should not be disciplinarily dealt with or held in contempt for such failure.[10]

On June 3, 2004, respondent, in his Explanation,[11] reiterated that he has yet to receive a copy of the complaint. He claimed that Bansig probably had not complied with the Court's Order, otherwise, he would have received the same already. He requested anew that Bansig be directed to furnish him a copy of the complaint.

Again, on August 25, 2004, the Court granted respondent's prayer that he be furnished a copy of the complaint, and required Bansig to furnish a copy of the complaint to respondent.[12]

On October 1, 2004, Bansig, in her Manifestation,[13] lamented the dilatory tactics allegedly undertaken by respondent in what

[8] *Id.* at 17.

[9] *Id.* at 18.

[10] *Id.* at 23.

[11] *Id.* at 24-25.

[12] *Id.* at 27.

[13] *Id.* at 28-31.

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was supposedly a simple matter of receipt of complaint. Bansig asserted that the Court should sanction respondent for his deliberate and willful act to frustrate the actions of the Court. She attached a copy of the complaint and submitted an Affidavit of Mailing stating that again a copy of the complaint was mailed at respondent's residential address in Angeles City as shown by Registry Receipt No. 3582.

On May 16, 2005, the Court anew issued a Show Cause Order to respondent as to why he should not be disciplinarily dealt with or held in contempt for failure to comply with the Resolution dated July 7, 2003 despite service of copy of the complaint by registered mail.[14]

On August 1, 2005, the Court noted the returned and unserved copy of the Show Cause Order dated May 16, 2005 sent to respondent at 238 Mayflower St., Ninoy Aquino Subd. under Registry Receipt No. 55621, with notation "RTS-Moved." It likewise required Bansig to submit the correct and present address of respondent.[15]

On September 12, 2005, Bansig manifested that respondent had consistently indicated in his correspondence with the Court No. 238 Mayflower St., Ninoy Aquino Subdivision, Angeles City as his residential address. However, all notices served upon him on said address were returned with a note "moved" by the mail server. Bansig averred that in Civil Case No. 59353, pending before the Regional Trial Court (*RTC*), Branch 1, Tuguegarao City, respondent entered his appearance as counsel with mailing address to be at "Unit 8, Halili Complex, 922 Aurora Blvd., Cubao, Quezon City."[16]

On February 13, 2006, the Court resolved to resend a copy of the Show Cause Order dated May 16, 2005 to respondent at his new address at Unit 8, Halili Complex, 922 Aurora Blvd., Cubao, Quezon City.[17]

[14] *Id.* at 39.

[15] *Id.* at 42.

[16] *Id.* at 43-44.

[17] *Id.* at 46.

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On June 30, 2008, due to respondent's failure to comply with the Show Cause Order dated May 16, 2005, for failure to file his comment on this administrative complaint as required in the Resolution dated July 7, 2003, the Court resolved to: (a) IMPOSE upon Atty. Celera a FINE of ₱1,000.00 payable to the court, or a penalty of imprisonment of five (5) days if said fine is not paid, and (b) REQUIRE Atty. Celera to COMPLY with the Resolution dated July 7, 2003 by filing the comment required thereon.[18]

In a Resolution[19] dated January 27, 2010, it appearing that respondent failed to comply with the Court's Resolutions dated June 30, 2008 and July 7, 2003, the Court resolved to: (1) DISPENSE with the filing by respondent of his comment on the complaint; (2) ORDER the arrest of Atty. Celera; and (3) DIRECT the Director of the National Bureau of Investigation *(NBI)* to (a) ARREST and DETAIN Atty. Celera for non-compliance with the Resolution dated June 30, 2008; and (b) SUBMIT a report of compliance with the Resolution. The Court likewise resolved to REFER the complaint to the Integrated Bar of the Philippines for investigation, report and recommendation.[20]

However, the Return of Warrant[21] dated March 24, 2010, submitted by Atty. Frayn M. Banawa, Investigation Agent II, Anti-Graft Division of the NBI, showed that respondent cannot be located because neither Halili Complex nor No. 922 Aurora Blvd., at Cubao, Quezon City cannot be located. During surveillance, it appeared that the given address, *i.e.,* No. 922 Aurora Blvd., Cubao, Quezon City was a vacant lot with debris of a demolished building. Considering that the given address cannot be found or located and there were no leads to determine respondent's whereabouts, the warrant of arrest cannot be enforced.

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[18] *Id.* at 48.

[19] *Id.* at 50-51.

[20] *Id.* at 49-53.

[21] *Id.*

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The Integrated Bar of the Philippines, meanwhile, in compliance with the Court's Resolution, reported that as per their records, the address of respondent is at No. 41 Hoover St., Valley View Royale Subd., Taytay, Rizal.

Respondent likewise failed to appear before the mandatory conference and hearings set by the Integrated Bar of the Philippines, Commission on Bar Discipline *(IBP-CBD),* despite several notices. Thus, in an Order dated August 4, 2010, Commissioner Rebecca Villanueva-Maala, of the IBP-CBD, declared respondent to be in default and the case was submitted for report and recommendation. The Order of Default was received by respondent as evidenced by a registry return receipt. However, respondent failed to take any action on the matter.

On January 3, 2011, the IBP-CBD, in its Report and Recommendation, recommended that respondent Atty. Celera be suspended for a period of two (2) years from the practice of law.

RULING

A disbarment case is *sui generis* for it is neither purely civil nor purely criminal, but is rather an investigation by the court into the conduct of its officers.[22] The issue to be determined is whether respondent is still fit to continue to be an officer of the court in the dispensation of justice. Hence, an administrative proceeding for disbarment continues despite the desistance of a complainant, or failure of the complainant to prosecute the same, or in this case, the failure of respondent to answer the charges against him despite numerous notices.

In administrative proceedings, the complainant has the burden of proving, by substantial evidence, the allegations in the complaint. Substantial evidence has been defined as such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. For the Court to exercise its disciplinary powers, the case against the respondent must be established by

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[22] *In re Almacen,* No. L-27654, February 18, 1970, 31 SCRA 562.

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clear, convincing and satisfactory proof. Considering the serious consequence of the disbarment or suspension of a member of the Bar, this Court has consistently held that clear preponderant evidence is necessary to justify the imposition of the administrative penalty.[23]

In the instant case, there is a preponderance of evidence that respondent contracted a second marriage despite the existence of his first marriage. The first marriage, as evidenced by the certified xerox copy of the Certificate of Marriage issued on October 3, 2001 by the City Civil Registry of Manila, Gloria C. Pagdilao, states that respondent Rogelio Juan A. Celera contracted marriage on May, 8, 1997 with Gracemarie R. Bunagan at the Church of Saint Augustine, Intramuros, Manila; the second marriage, however, as evidenced by the certified xerox copy of the Certificate of Marriage issued on October 4, 2001 by the City Civil Registry of San Juan, Manila, states that respondent Rogelio Juan A. Celera contracted marriage on January 8, 1998 with Ma. Cielo Paz Torres Alba at the Mary the Queen Church, Madison St., Greenhills, San Juan, Metro Manila.

Bansig submitted certified xerox copies of the marriage certificates to prove that respondent entered into a second marriage while the latter's first marriage was still subsisting. We note that the second marriage apparently took place barely a year from his first marriage to Bunagan which is indicative that indeed the first marriage was still subsisting at the time respondent contracted the second marriage with Alba.

The certified xerox copies of the marriage contracts, issued by a public officer in custody thereof, are admissible as the best evidence of their contents, as provided for under Section 7 of Rule 130 of the Rules of Court, to wit:

> Sec. 7. *Evidence admissible when original document is a public record*. – When the original of a document is in the custody of a public officer or is recorded in a public office, its contents may be proved by a certified copy issued by the public officer in custody thereof.

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[23] *Ferancullo v. Ferancullo,* 538 Phil. 501, 511 (2006).

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Moreover, the certified xerox copies of the marriage certificates, other than being admissible in evidence, also clearly indicate that respondent contracted the second marriage while the first marriage is subsisting. By itself, the certified xerox copies of the marriage certificates would already have been sufficient to establish the existence of two marriages entered into by respondent. The certified xerox copies should be accorded the full faith and credence given to public documents. For purposes of this disbarment proceeding, these Marriage Certificates bearing the name of respondent are competent and convincing evidence to prove that he committed bigamy, which renders him unfit to continue as a member of the Bar.[24]

The Code of Professional Responsibility provides:

Rule 1.01- A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

Canon 7- A lawyer shall at all times uphold the integrity and dignity of the legal profession, and support the activities of the Integrated Bar.

Rule 7.03- A lawyer shall not engage in conduct that adversely reflects on his fitness to practice law, nor should he, whether in public or private life, behave in a scandalous manner to the discredit of the legal profession.

Respondent exhibited a deplorable lack of that degree of morality required of him as a member of the Bar. He made a mockery of marriage, a sacred institution demanding respect and dignity. His act of contracting a second marriage while his first marriage is subsisting constituted grossly immoral conduct and are grounds for disbarment under Section 27, Rule 138 of the Revised Rules of Court.[25]

This case cannot be fully resolved, however, without addressing rather respondent's defiant stance against the Court as

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[24] See *Villatuya v. Tabalingcos*, A.C. No. 6622, July 10, 2012, 676 SCRA 37.

[25] *Id.* at 53.

demonstrated by his repetitive disregard of its Resolution requiring him to file his comment on the complaint. This case has dragged on since 2002. In the span of more than 10 years, the Court has issued numerous directives for respondent's compliance, but respondent seemed to have preselected only those he will take notice of and the rest he will just ignore. The Court has issued several resolutions directing respondent to comment on the complaint against him, yet, to this day, he has not submitted any answer thereto. He claimed to have not received a copy of the complaint, thus, his failure to comment on the complaint against him. Ironically, however, whenever it is a show cause order, none of them have escaped respondent's attention. Even assuming that indeed the copies of the complaint had not reached him, he cannot, however, feign ignorance that there is a complaint against him that is pending before this Court which he could have easily obtained a copy had he wanted to.

The Court has been very tolerant in dealing with respondent's nonchalant attitude towards this case; accommodating respondent's endless requests, manifestations and prayers to be given a copy of the complaint. The Court, as well as Bansig, as evidenced by numerous affidavits of service, have relentlessly tried to reach respondent for more than a decade; sending copies of the Court's Resolutions and complaint to different locations - both office and residential addresses of respondent. However, despite earnest efforts of the Court to reach respondent, the latter, however conveniently offers a mere excuse of failure to receive the complaint. When said excuse seemed no longer feasible, respondent just disappeared. In a manner of speaking, respondent's acts were deliberate, maneuvering the liberality of the Court in order to delay the disposition of the case and to evade the consequences of his actions. Ultimately, what is apparent is respondent's deplorable disregard of the judicial process which this Court cannot countenance.

Clearly, respondent's acts constitute willful disobedience of the lawful orders of this Court, which under Section 27, Rule 138 of the Rules of Court is in itself alone a sufficient cause for suspension or disbarment. Respondent's cavalier attitude in

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repeatedly ignoring the orders of the Supreme Court constitutes utter disrespect to the judicial institution. Respondent's conduct indicates a high degree of irresponsibility. We have repeatedly held that a Court's Resolution is "not to be construed as a mere request, nor should it be complied with partially, inadequately, or selectively." Respondent's obstinate refusal to comply with the Court's orders "not only betrays a recalcitrant flaw in his character; it also underscores his disrespect of the Court's lawful orders which is only too deserving of reproof."[26]

Section 27, Rule 138 of the Rules of Court provides:

> Sec. 27. *Disbarment or suspension of attorneys by Supreme Court, grounds therefor*. - A member of the bar may be disbarred or suspended from his office as attorney by the Supreme Court for any deceit, malpractice, or other gross misconduct in such office, grossly immoral conduct, or by reason of his conviction of a crime involving moral turpitude or for any violation of the oath which he is required to take before admission to practice, or for a willful disobedience of any lawful order of a superior court, or for corruptly or willfully appearing as an attorney for a party to a case without authority to do so. The practice of soliciting cases for the purpose of gain, either personally or through paid agents or brokers, constitutes malpractice.

Considering respondent's propensity to disregard not only the laws of the land but also the lawful orders of the Court, it only shows him to be wanting in moral character, honesty, probity and good demeanor. He is, thus, unworthy to continue as an officer of the court.

IN VIEW OF ALL THE FOREGOING, we find respondent ATTY. ROGELIO JUAN A. CELERA, guilty of grossly immoral conduct and willful disobedience of lawful orders rendering him unworthy of continuing membership in the legal profession. He is thus ordered **DISBARRED** from the practice of law and his name stricken off the Roll of Attorneys, effective immediately.

Let copies of this Decision be furnished the Office of the Bar Confidant, which shall forthwith record it in the personal

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[26] See *Sebastian v. Bajar,* 559 Phil. 211, 224 (2007).

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file of respondent. All the Courts of the Philippines and the Integrated Bar of the Philippines shall disseminate copies thereof to all its Chapters.

SO ORDERED.

Carpio, Acting C.J., Velasco, Jr., Leonardo-de Castro, Brion, Peralta, Bersamin, Del Castillo, Abad, Villarama, Jr., Perez, Mendoza, Reyes, Perlas-Bernabe, and *Leonen, JJ.,* concur.

Sereno, C.J., on leave.

FIRST DIVISION

[A.C. No. 10135. January 15, 2014]

EDGARDO AREOLA, *complainant, vs.* **ATTY. MARIA VILMA MENDOZA,** *respondent.*

SYLLABUS

1. LEGAL ETHICS; ATTORNEYS; INSTANT ADMINISTRATIVE COMPLAINT FOR GROSS MISCONDUCT AGAINST RESPONDENT PROFOUNDLY LACKS EVIDENCE TO SUPPORT THE ALLEGATIONS CONTAINED THEREIN.— After a judicious examination of the records, the Court finds that the instant Complaint against Atty. Mendoza profoundly lacks evidence to support the allegations contained therein. All Areola has are empty assertions against Atty. Mendoza that she demanded money from his co-detainees. The Court agrees with the IBP that Areola is not the proper party to file the Complaint against Atty. Mendoza. He is not even a client of Atty. Mendoza. He claims that he filed the Complaint on behalf of his co-detainees Seronda, Arca, Mirador and Spouses Perez, but it is apparent that no