EN BANC

[A.C. No. 10770. July 08, 2025]

ROSSINIE FERRER-SPJUTH AND FOLKE HARRY SPJUTH, COMPLAINANTS, VS. ATTY. JOSELITO C. FRIAL, RESPONDENT.

D E C I S I O N

PER CURIAM:

Lawyers shall serve their clients with utmost competence, diligence, commitment, and skill, regardless of the nature and the number of the legal proceedings or issues involved.[1] Their negligence in any legal matter their clients entrust to them shall render them administratively liable under the Code of Professional Responsibility and Accountability.[2]

Before this Court is a disbarment Complaint[3] filed by complainants Rossinie Ferrer-Spjuth (Rossinie) and Folke Harry Spjuth (Folke) (collectively, the Spjuth spouses) against Atty. Joselito C. Frial (Atty. Frial) for gross negligence in handling two of their civil cases.

The Spjuth spouses alleged that sometime in 1999, they engaged the services of Atty. Frial in a civil case for cancellation of real estate mortgage, docketed as Civil Case No. R-4747, before Branch 39 of the Regional Trial Court, Calapan City, Oriental Mindoro.[4] This civil case was an offshoot of another civil case from which a judgment award had been imposed and later assigned to Rossinie. The defendant-obligors had fraudulently executed three deeds of real estate mortgage over a parcel of land, which was later auctioned and from which Rossinie emerged as the highest bidder.[5]

Subsequently, Rossinie issued a special power of attorney (SPA) authorizing her husband, Folke, to file and to testify in Civil Case No. R-4747 against the defendant-obligors.[6] During the proceedings, Atty. Frial presented Folke as the sole witness. However, the defendants' counsel moved to disqualify him in view of the marital disqualification rule.[7]

On May 24, 2001, the trial court ruled to strike Folke's testimony from the record since no SPA was shown, making him a disqualified witness.[8] Atty. Frial moved for reconsideration, but this was denied for failure to attach the SPA.[9] Aggrieved, Atty.

Frial filed a petition before this Court, which referred the case to the Court of Appeals.[10]

In the meantime, the defendants in Civil Case No. R-4747 filed a demurrer to evidence for the plaintiffs failure to present any evidence in support of the complaint. On October 8, 2001, the trial court granted the demurrer and dismissed the complaint for lack of evidence.[11]

Atty. Frial eventually filed a petition for *certiorari* before the Court of Appeals, seeking to annul the trial court's rulings disqualifying Folke as a witness. However, the Court of Appeals denied the petition, noting that the trial court had already dismissed the complaint. For failing to file an appeal, the order of dismissal attained finality, rendering the petition moot.[12]

The Spjuth spouses further alleged that they also engaged the services of Atty. Frial in another civil case for cancellation of auction sale, docketed as Civil Case No. R-4899, before Branch 40 of the Regional Trial Court, Calapan City, Oriental Mindoro.[13] Rossinie later discovered that this case had been dismissed for failure to prosecute, and that a certificate of finality had been issued since no appeal was timely made. Worse, Atty. Frial filed his withdrawal of appearance as counsel without securing Rossinie's conformity.[14]

The Spjuth spouses contended that the dismissal of Civil Case Nos. R-4747 and R-4899 showed Atty. Frial's gross negligence in handling their cases, which resulted in significant damage totaling PHP 1,377,671.00. Thus, according to them, Atty. Frial should be disbarred.[15]

For his part, Atty. Frial denied handling the Spjuth spouses' cases with gross negligence. In Civil Case No. R-4747, he described the trial court's disqualification of Folke as a witness and the denial of the motion for reconsideration as a series of unfavorable rulings, potentially influenced by local bias. He said that he had advised the Spjuth spouses to hire a lawyer based in Calapan, but they did not heed his advice.[16]

In Civil Case No. R-4899, Atty. Frial claimed that he had counseled Folke, who had confided in him that he and Rossinie were having marital problems owing to the latter's infidelity. This supposedly led Atty. Frial to not confer with Rossinie and to withdraw his appearance.[17]

According to Atty. Frial, the real reason behind the disbarment case was not the dismissal of the civil cases, but his refusal to renew his law firm's accreditation with the Bureau of Immigration (Bureau).[18]

He claimed that his law firm's accreditation with the Bureau was Folke's idea so the latter could refer his fellow foreigners and tenants at his lodging house. Folke even

convinced him to appoint Ernesto Blancaver (Blancaver) as the law firm's liaison officer with the Bureau since he was experienced in processing visa extensions and other travel documents.[19]

However, Atty. Frial said that the Spjuth spouses, together with Blancaver, took advantage of his accreditation by secretly and illegally putting up their own business of processing visa extension and other travel documents. When Atty. Frial discovered these activities, he said, he decided not to renew his accreditation, which prompted the Spjuth spouses to file the present disbarment Complaint.[20]

Atty. Frial further argued that, even if he was negligent in handling the cases, the Spjuth spouses' long silence without valid justification constitutes abandonment of their cause of action under the principle of laches.[21]

On February 24, 2016, this Court referred this case to the Office of the Bar Confidant for investigation, report, and recommendation.[22] Later, as recommended by the Office of the Bar Confidant,[23] this Court referred the case to the Integrated Bar of the Philippines.[24]

On June 23, 2017, the Integrated Bar of the Philippines conducted a mandatory conference/hearing.[25] The parties filed their Position Papers on November 10, 2017[26] and December 7, 2017.[27]

In a January 24, 2024 Report and Recommendation,[28] Commissioner Alissa Ann T. Lim (Commissioner Lim) of the Integrated Bar of the Philippines Commission on Bar Discipline found Atty. Frial liable for gross negligence due to the series of procedural infirmities and his inaction in handling the Spjuth spouses' cases.[29]

For Civil Case No. R-4747, Commissioner Lim found that Atty. Frial committed inexcusable negligence when he misplaced the SPA of his lone witness, failed to move for reconsideration, and failed to timely appeal the dismissal of the case.[30] For Civil Case No. R-4899, she found that Atty. Frial again failed to file an appeal and even improperly withdrew as counsel due to Rossinie's lack of conformity.[31] Additionally, his reappearance in the same case months later undermined his claim of conflict of interest.[32]

Commissioner Lim also found no evidence that the Spjuth spouses were involved in Blancaver's illegal activities. The evidence on record includes a letter and an interception report from the Bureau, which stated that Blancaver was caught transacting with the Bureau using an expired Bureau ID as a liaison officer for Atty. Frial's law office, JC Frial & Associates Law Office. However, these documents do not indicate any involvement of the Spjuth spouses.[33]

Commissioner Lim pointed out that while the Spjuth spouses did not raise Blancaver's illegal activities, Atty. Frial, as his employer, had a responsibility to protect the public from his liaison officer's further unlawful acts. Merely forfeiting his law firm's accreditation fell short of the duty to report dishonest, deceitful, and misleading conduct under Canon II of the Code of Professional Responsibility and Accountability.[34]

In recommending the penalty, Commissioner Lim noted Atty. Frial's previous administrative liability in 2008 for grave misconduct and infidelity in the custody of properties in *custodia legis*, for which he was suspended for one year.[35] Finding this as an aggravating circumstance, Commissioner Lim recommended that Atty. Frial be meted with a penalty of two years' suspension from the practice of law.[36]

In its March 9, 2024 Resolution, the Board of Governors of the Integrated Bar of the Philippines approved and adopted the findings and recommendation of Commissioner Lim.[37]

The issues for this Court's resolution are:

First, whether respondent Atty. Joselito C. Frial violated the Code of Professional Responsibility and Accountability; and

Second, whether the penalty of suspension of two years from the practice of law is proper.

This Court agrees with the findings of fact of Commissioner Lim. However, we deem it apt to impose a more severe penalty than mere suspension.

At the outset, we emphasize that the principle of laches is not applicable in disciplinary proceedings against lawyers. As aptly explained in *Laurel v. Delute*:[38]

> Suffice it to say that "[t]he Court's disciplinary authority cannot be defeated or frustrated by a mere delay in filing the complaint, or by the complainant's motivation to do so. The practice of law is so intimately affected with public interest that it is both a right and a duty of the State to control and regulate it in order to promote the public welfare." Hence, prescription or laches cannot be said to apply in disciplinary proceedings against erring lawyers, as in this case.[39] (Citations omitted)

The Code of Professional Responsibility and Accountability mandates that a lawyer professionally handling a client's cause shall, to the best of their ability, observe competence, diligence, commitment, and skill consistent with the fiduciary nature of the lawyer-client relationship, regardless of the nature of the legal matter or issues involved, and whether for a fee or *pro bono*.[40]

Canon IV on Competence and Diligence provides:

> SECTION 1. *Competent, efficient and conscientious service*. — A lawyer shall provide legal service that is competent, efficient, and conscientious. A lawyer shall be thorough in research, preparation, and application of the legal knowledge and skills necessary for an engagement.
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> . . . .
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> SECTION 3. *Diligence and punctuality*. — A lawyer shall diligently and seasonably act on any legal matter entrusted by a client.
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> A lawyer shall be punctual in all appearances, submissions of pleadings and documents before any court, tribunal or other government agency, and all matters professionally referred by the client, including meetings and other commitments.
>
> SECTION 4. *Diligence in all undertakings*. — A lawyer shall observe diligence in all professional undertakings, and shall not cause or occasion delay in any legal matter before any court, tribunal, or other agency.
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> A lawyer shall appear for trial adequately familiar with the law, the facts of the case, and the evidence to be presented. A lawyer shall also be ready with the object and documentary evidence, as well as the judicial affidavits of the witnesses, when required by the rules or the court.

Further, Canon II on Propriety provides:

> A lawyer shall, at all times, act with propriety and maintain the appearance of propriety in personal and professional dealings, observe honesty, respect and courtesy, and uphold the dignity of the legal profession consistent with the highest standards of ethical behavior.
>
> . . . .
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> SECTION 12. *Duty to Report Dishonest, Deceitful, or Misleading Conduct*. — A lawyer shall immediately inform a court, tribunal, or other government agency of any dishonest, deceitful or misleading conduct related to a matter being handled by said lawyer before such court, tribunal, or other government agency.

A careful review of the records would show that respondent failed to faithfully uphold such duties.

As determined by Commissioner Lim, in Civil Case No. R-4747, respondent not only misplaced and failed to submit the sole witness's SPA, but also neglected to timely appeal the order granting the demurrer to evidence, ultimately leading to the case's dismissal due to insufficient evidence.[41] Respondent also failed to obtain Rossinie's written conformity before withdrawing as her counsel and again neglected to timely appeal in Civil Case No. R-4899, which the trial court eventually dismissed for failure

to prosecute.[42]

Likewise, Commissioner Lim found that respondent's failure to report the dishonest, deceitful, and misleading activities of his liaison officer with the Bureau as another violation of the Code.[43]

In *Cabas v. Atty. Sususco*,[44] this Court defined what constitutes gross negligence:

> Gross neglect of duty or gross negligence refers to negligence characterized by the want of even slight care, or by acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to the consequences, insofar as other persons may be affected. It is the omission of that care that even inattentive and thoughtless men never fail to give to their own property. It denotes a flagrant and culpable refusal or unwillingness of a person to perform a duty. In cases involving public officials, gross negligence occurs when a breach of duty is flagrant and palpable.[45] (Citation omitted)

This Court has ruled that a lawyer's unreasonable failure to file a required pleading, such as an appeal, amounts to gross negligence in violation of their fundamental duty to their clients.[46] Worse, resorting to a wrong remedy, belatedly filing an appeal, unnecessarily delaying a complaint's filing, or failing to attend court hearings shows inexcusable negligence, warranting an administrative penalty.[47]

In *Dayos v. Atty. Buri*,[48] the counsel, after receiving the appeal bond and stating that she was preparing the appeal, failed to file it, which caused the decision to become final and executory.[49] Her failure to do so without any justification is a blatant violation of Rules 18.03 and 18.04 of Canon 18 of the Code of Professional Responsibility, now Section 1, 3, and 4 of Canon IV of the Code of Professional Responsibility and Accountability.[50]

Similarly, respondent's failure to appeal the dismissal orders of Civil Case No. R-4747 and Civil Case No. R-4899, without any justifiable reason, constitutes gross negligence. Respondent's flagrant lack of competence and diligence in handling complainants' cases demands administrative sanction.

Canon III, Section 53 of the Code of Professional Responsibility and Accountability provides:

> SECTION 53. *Termination of engagement by the Lawyer*. — A lawyer shall terminate the lawyer-client engagement only for good cause and upon written notice, in any of the following cases:
>
> (a) When the client pursues an illegal or immoral course of conduct in connection with the engagement;

(b) When the client insists that the lawyer pursue conduct that is violative of these Canons and rules;

(c) When the lawyer's inability to work with a co-counsel will not promote the best interest of the client;

(d) When the moral predisposition or the mental or physical condition of the lawyer renders it difficult to carry out the engagement effectively;

(e) When the client deliberately fails to pay the fees for the lawyer's services, fails to comply with the retainer agreement, or can no longer be found despite diligent efforts;

(f) When the lawyer is elected or appointed to public office;

(g) Other similar cases.

Even if a lawyer is justified in ending their services and has secured their client's written consent, they cannot simply abandon their client. In *Orcino v: Atty. Gaspar*,[51] this Court expounded on the importance of proper withdrawal:

> Assuming, nevertheless, that respondent was justified in terminating his services, he, however, cannot just do so and leave complainant in the cold unprotected. The lawyer has no right to presume that his petition for withdrawal will be granted by the court. Until his withdrawal shall have been approved, the lawyer remains counsel of record who is expected by his client as well as by the court to do what the interests of his client require. He must still appear on the date of hearing for the attorney-client relation does not terminate formally until there is a withdrawal of record.[52] (Citations omitted)

In this case, not only did respondent fail to provide a valid cause for his withdrawal, but he also failed to obtain the written conformity of his client before his withdrawal.[53] As he himself admitted, he failed to inform Rossinie of his withdrawal as counsel in Civil Case No. R-4899.[54] This constitutes a clear violation of Canon III, Section 53.

Meanwhile, Canon II, Section 12 of the Code of Professional Responsibility and Accountability requires lawyers to promptly notify a court, tribunal, or government agency of any dishonest, deceitful, or misleading conduct related to a matter they are handling. This obligation applies to all lawyers without exception. Thus, neglecting to report dishonest, deceitful, or misleading conduct warrants disciplinary action.

In *Office of the Court Administrator v. Del Rosario*,[55] this Court defined simple neglect of duty or simple negligence as the failure "to give proper attention to a task expected of him or her, signifying a 'disregard of a duty resulting from carelessness or

indifference.'"[56]

Here, while Commissioner Lim did not categorically declare respondent guilty of simple negligence, she found that respondent's failure to report the dishonest, deceitful, and misleading activity of his liaison officer violated the Code of Professional Responsibility and Accountability.[57] We agree with this finding.

Although complainants did not raise the issue of his liaison officer's illegal activities, respondent voluntarily disclosed this information in his Comment/Answer.[58] Respondent was also cross-examined during the hearing before the Commission on Bar Discipline regarding this issue.[59]

His failure to report the illegal activities of Blancaver reveals his carelessness and indifference, a blatant disregard for the duties expected of him as a lawyer. His inaction, coupled with the nonrenewal of his law firm's accreditation with the Bureau, falls short of the clear duty outlined in Canon II, Section 12. Thus, we find respondent guilty of simple negligence.

In recommending a penalty, Commissioner Lim grouped all of respondent's infractions under a single offense of gross negligence, resulting in only one penalty.[60] We modify.

Canon VI, Section 40 of the Code of Professional Responsibility and Accountability provides for the proper penalty in cases of multiple offenses:

> SECTION 40. *Penalty for multiple offenses*. — If the respondent is *found liable for more than one (1) offense arising from separate acts or omissions in a single administrative proceeding, the Court shall impose separate penalties for each offense*. Should the aggregate of the imposed penalties exceed five (5) years of suspension from the practice of law or P1,000,000.00 in fines, the respondent may, in the discretion of the Supreme Court, be meted with the penalty of disbarment.
>
> If a single act or omission gives rise to more than one (1) offense, the respondent shall still be found liable for all such offenses, but shall, nonetheless, only be meted with the appropriate penalty for the most serious offense. (Emphasis supplied)

To recall, we found respondent liable for the following: (1) gross negligence for failing to file an appeal in Civil Case No. R-4747; (2) gross negligence for failing to file an appeal in Civil Case No. R-4899; (3) termination of legal services absent good cause and written notice in Civil Case No. R-4899; and (4) simple negligence for failure to report the dishonest, deceitful, and misleading conduct of his liaison officer.

Canon VI, Section 33 of the Code of Professional Responsibility and Accountability classifies gross negligence as a serious offense, while Section 34 classifies simple negligence and termination of legal service absent good cause and written notice as less

serious offenses. Meanwhile, Sections 37, 38, and 39 provide for the appropriate sanctions, modifying circumstances, and the manner of imposition:

> SECTION 37. *Sanctions*. —
>
> (a) If the respondent is found guilty of a serious offense, any of the following sanctions, or a combination thereof, shall be imposed:
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> (1) Disbarment;
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> (2) *Suspension from the practice of law for a period exceeding six (6) months*;
>
> (3) Revocation of notarial commission and disqualification as notary public for not less than two (2) years; or
>
> (4) A fine exceeding P100,000.00.
>
> (b) If the respondent is found guilty of a less serious offense, any of the following sanctions, or a combination thereof, shall be imposed:
>
> (1) *Suspension from the practice of law for a period within the range of one (1) month to six (6) months*, or revocation of notarial commission and disqualification as notary public for less than two (2) years;
>
> (2) A fine within the range of P35,000.00 to P100,000.00.
>
> (c) If the respondent is found guilty of a light offense, any of the following sanctions shall be imposed:
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> (1) A fine within the range of P1,000.00 to P35,000.00;
>
> (2) Censure; or
>
> (3) Reprimand.
>
> In addition to the above sanctions in paragraph (c), the respondent may also be required to do community service or service in the IBP legal aid program.
>
> In all instances, when the offense involves money or property owed, which is intrinsically linked to the lawyer-client relationship, the respondent shall be ordered to return the same.
>
> SECTION 38. *Modifying circumstances*. — In determining the appropriate penalty to be imposed, the Court may, in its discretion, appreciate the following mitigating and aggravating circumstances:

(a) Mitigating circumstances:

. . . .

(b) Aggravating Circumstances:

(1) *Finding of previous administrative liability where a penalty is imposed, regardless of nature or gravity*;

. . . .

SECTION 39. *Manner of imposition. — If one (1) or more aggravating circumstances and no mitigating circumstances are present, the Supreme Court may impose the penalties of suspension or fine for a period or amount not exceeding double of the maximum prescribed under this Rule.* The Supreme Court may, in its discretion, impose the penalty of disbarment depending on the number and gravity of the aggravating circumstances.

If one (1) or more mitigating circumstances and no aggravating circumstances are present, the Supreme Court may impose the penalties of suspension or fine for a period or amount not less than half of the minimum prescribed under the CPRA.

If there are both aggravating and mitigating circumstances present, the Supreme Court may offset each other. (Emphasis supplied)

We thus consider respondent's previous administrative cases. First, on September 12, 2008, he was suspended from the practice of law for one year for grave misconduct and infidelity in the custody of properties in *custodia legis*.[61] Second, on October 11, 2023, respondent was suspended from the practice of law for six months for violating Canon III, Sections 3 and 6 of the Code of Professional Responsibility and Accountability with a stern warning that a repetition of the same will be dealt with more severely.[62] Commissioner Lim was not able to consider the second case as it was only recently promulgated.

Given these, respondent should be meted the following penalties: (1) two years' suspension from the practice of law for each count of gross negligence; (2) one year's suspension from the practice of law for termination of legal services absent good cause and written notice; and (3) one year's suspension from the practice of law for simple negligence, considering two aggravating circumstances of previous administrative liabilities and no mitigating circumstances.

However, given the facts and the gravity of respondent's *deliberate* refusal to faithfully perform his duties as a lawyer, this Court finds it appropriate to impose the ultimate penalty of disbarment. Canon VI, Section 40 of the Code of Professional Responsibility and Accountability provides that if the aggregate imposed penalties exceed five years' suspension, this Court may mete out the penalty of disbarment.

Membership in the Bar is a privilege burdened with conditions.[63] Conferred by law through this Court, it may be revoked if clear and recurring circumstances reveal the lawyer's failure to uphold essential qualifications, such as competence and diligence in advocating for their client's interests.

While this Court is cautious in exercising its power to disbar, doing so only for the most compelling reasons,[64] we will "not hesitate to impose the penalty of disbarment when the guilty party has become a repeat offender."[65] When a lawyer no longer deserves the trust and confidence of their clients and the public, this Court not only has the right, but also the duty, to revoke their membership.[66]

ACCORDINGLY, respondent Atty. Joselito C. Frial is **LIABLE** for violating Canon II, Section 12, Canon III, Section 53, and Canon IV, Sections 1, 3, and 4 of the Code of Professional Responsibility and Accountability. He is **DISBARRED** from the practice of law. His name is ordered **STRICKEN OFF** from the Roll of Attorneys.

Let a copy of this Decision be furnished to the Office of the Bar Confidant, to be entered into respondent's records. Copies shall likewise be furnished to the Integrated Bar of the Philippines and the Office of the Court Administrator for circulation to all courts concerned.

SO ORDERED.

Gesmundo, C.J., Leonen, SAJ., Caguioa, Hernando, Lazaro-Javier, Inting, Zalameda, Gaerlan, J. Lopez, Dimaampao, Marquez, Kho, Jr., and *Villanueva, JJ.*, concur.
Rosario,* *J.*, on wellness leave.
Singh,** *J.*, on leave.

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* On wellness leave.

** On leave.

[1] CODE OF PROF. RESPONSIBILITY & ACCOUNTABILITY, Canon IV.

[2] *See* **Violago v. Atty. Aranjuez, Jr.**, 872 Phil. 414, 423 (2020) [Per J. Gaerlan, Third Division].

[3] *Rollo*, pp. 1-4.

[4] *Id.* at 292.

[5] *Id.*

[6] *Id.*

[7] *Id.*

[8] *Id.* at 293.

[9] *Id.*

[10] *Id.*

[11] *Id.*

[12] *Id.*

[13] *Id.*

[14] *Id.* at 293-294.

[15] *Id.* at 294.

[16] *Id.*

[17] *Id.*

[18] *Id.*

[19] *Id.* at 295.

[20] *Id.*

[21] *Id.*

[22] *Id.* at 66.

[23] *Id.* at 67.

[24] *Id.* at 76.

[25] *Id.* at 79-111.

[26] *Id.* at 174-186.

[27] *Id.* at 240-252.

[28] *Id.* at 292-307.

[29] *Id.* at 307.

[30] *Id.* at 298-299.

[31] *Id.* at 299-301.

[32] *Id.* at 301.

[33] *Id.* at 303-304.

[34] *Id.* at 304-305.

[35] *Id.* at 307, *citing* **Atty. Salomon, Jr. v. Atty. Frial**, 586 Phil. 580 (2008) [Per J. Velasco, Jr., Second Division].

[36] *Id.*

[37] *Id.* at 290.

[38] 880 Phil. 474 (2020) [Per Curiam, *En Banc*].

[39] *Id.* at 483-484.

[40] CODE OF PROF. RESPONSIBILITY & ACCOUNTABILITY, Canon IV.

[41] *Rollo*, p. 303.

[42] *Id.* at 301, 303.

[43] *Id.* at 304-305.

[44] 787 Phil. 167 (2016) [Per J. Peralta, Third Division].

[45] *Id.* at 173-174.

[46] **Violago v. Atty. Aranjuez, Jr.**, 872 Phil. 414, 424 (2020) [Per J. Gaerlan, Third Division].

[47] *Id.*

[48] 934 Phil. 958 (2023) [*Per Curiam, En Banc*].

[49] *Id.* at 965.

[50] *Id.* at 966.

[51] 344 Phil. 792 (1997) [Per J. Puno, Second Division].

[52] *Id.* at 800-801.

[53] *Rollo*, p. 300.

[54] *Id.*

[55] 884 Phil. 18 (2020) [*Per Curiam, En Banc*].

[56] *Id.* at 30. (Citation omitted)

[57] *Rollo*, pp. 304-305.

[58] *Id.* at 294-295.

[59] *Id.* at 117-238.

[60] *Id.* at 303.

[61] *See* **Atty. Salomon, Jr. v. Atty. Frial**, 586 Phil. 580, 587 (2008) [Per J. Velasco, Jr., Second Division].

[62] *See* **Spjuth v. Frial, A.C. No. 10769**, October 11, 2023 [Unsigned Resolution, Third Division].

[63] **Dayos v. Atty. Buri**, 934 Phil. 958, 961 (2023) [*Per Curiam, En Banc*].

[64] *See* **Genato v. Atty. Mallari**, 865 Phil. 247, 260 (2019) [*Per Curiam, En Banc*].

[65] **Philippine Island Kids International Foundation, Inc. v. Atty. Pallugna**, 916

Phil. 157, 172 (2021) [*Per Curiam, En Banc*]. (Citation omitted)

[66] *See* **Francisco v. Atty. Real**, 880 Phil. 545, 558-559 (2020) [*Per Curiam, En Banc*].

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