



Republic of the Philippines
Supreme Court
 Manila

SECOND DIVISION

ATTY. ESTHER GERTRUDE D. BILIRAN,*
Complainant,

A.C. No. 8451
 (Formerly CBD Case No. 13-3982)

Present:

PERLAS-BERNABE, J.,
 Chairperson,
 HERNANDO,
 INTING,
 DELOS SANTOS, and
 BALTAZAR-PADILLA,** JJ.

- versus -

ATTY. DANILO A. BANTUGAN,
Respondent.

Promulgated:

SEP 30 2020

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DECISION

DELOS SANTOS, J.:

The Case

Before the Court is a Letter-Complaint¹ dated August 24, 2009 filed by complainant Atty. Esther Gertrude D. Biliran² (complainant) against respondent Atty. Danilo A. Bantugan (Atty. Bantugan) for violation of Rule 1.01 and Rule 7.03 of the Code of Professional Responsibility (CPR) for alleged misuse of funds and property. In a Report and Recommendation³ dated September 1, 2016, Investigating Commissioner Rico A. Limpingco (Investigating Commissioner) recommended the dismissal of the complaint

* Also referred to as “Ester Gertrudes Biliran” in some parts of the *rollo*.

** On leave.

¹ *Rollo*, Vol. I, pp. 1-3.

² Per OBC Report and Recommendation dated August 26, 2010, the correct name of complainant is “Esther Gertrude Biliran,” as appearing in the Roll of Attorneys; *id.* at 22.

³ *Rollo*, Vol. III, pp. 499-508.

without prejudice to its re-filing with sufficient evidence. In a Resolution⁴ dated March 1, 2017, the Integrated Bar of the Philippines-Board of Governors (IBP-BOG) reversed the findings of the Investigating Commissioner and recommended the penalty of suspension from the practice of law for two years.

The Facts

Complainant is a member of the IBP-Bohol Chapter (IBP-Bohol). On September 14, 2009, she filed a Letter-Complaint before the Office of the Court Administrator (OCA) charging respondent Atty. Bantugan with misuse of funds and property of the Legal Assistance for Effective Law Enforcement Program (LAELEP) and claiming that the IBP-Bohol failed to file the appropriate criminal and/or administrative action against Atty. Bantugan.

Atty. Bantugan is a member of the IBP-Bohol and LAELEP. LAELEP is a joint project of the Provincial Government of Bohol and the IBP-Bohol aimed at assisting police officers in the performance of their functions through litigation and education.⁵ Subsequently, this project was extended to benefit *barangay tanods*, firemen, jail officers, and provincial jail guards. The provincial government provides for the funds while the IBP-Bohol implements the project.

On April 19 and 20, 2002, the LAELEP held live-in seminars which incurred expenses for food and accommodation. Complainant alleged that Atty. Bantugan took a check payable to cash in the amount of ₱27,500.00 from LAELEP/IBP-Bohol staff which was intended for JJ's Seafood Village as payment. Atty. Bantugan undertook to pay the establishment and such payment was recorded in LAELEP's accounting books as paid. However, no payment was effected and demands were made by the owner of JJ's Seafood Village. Thus, during the succeeding administration of IBP-Bohol (2005-2007), a Special Committee⁶ was formed to investigate LAELEP and Atty. Bantugan, and make recommendations therefor.

On December 19, 2006, the Special Committee recommended "*the filing of administrative, civil and/or criminal action to the person/persons concerned, if evidence so warrants.*"⁷ During the course of their investigation, the Special Committee discovered that in addition to the non-payment to JJ's Seafood Village, there were other instances of

⁴ Id. at 498.

⁵ *Rollo*, Vol. I, p. 1.

⁶ The Special Committee constituted by IBP-Bohol is composed of Chairman Atty. Boler Binamira and members Retired Judges Felicisimo Maisog, Jr. and Gervasio Lopena.

⁷ *Rollo*, Vol. I, p. 13.

misappropriation which involved Atty. Bantugan. For reference, the Special Committee's Final Report/Recommendation⁸ is quoted as follows:

1. COMBAT PAY DEDUCTIONS

The committee believes that all money collected is a public fund hence, there must be a proper liquidation to be prepared and submitted to the LAELEP Office.

2. BALANCE IN JJ'S [SEAFOOD VILLAGE]

Although the account is now fully paid but we cannot comprehend why personal checks [were] issued and eventually dishonored by the bank. Payment was only effected after the investigation was conducted and upon demands made by the restaurant owner.

3. PNP HANDBOOK

We found out that this was fully paid on December 03, 2002 and until now, the PNP [H]andbook is not yet delivered. Presently, the draft is under proof reading by Atty. Cristifil Baluma, who promised to complete the job by early [January of] 2007.

4. LAPTOP

The [laptop] was borrowed by Atty. Danilo A. Bantugan on December 15, 2005 and returned on October 31, 2006 after written and oral demands were made by the Investigating Committee.

The Committee recommends that any property of the LAELEP before it can be taken out by any borrower should accomplish a borrower's card indicating the date it was borrowed and the date to be returned which must not exceed two days and must be duly approved by the IBP President countersigned by the LAELEP Chairman.

5. TRIP TO SINGAPORE

The Committee believes that this expenditure must also be subject to liquidation, as this also involves public funds. During the IBP Board Meeting on Sept. 14, 2006, Atty. Danilo Bantugan committed to submit documents to support the liquidation but until now, he has not yet complied.

Despite these findings, complainant claimed that the succeeding administrations of IBP-Bohol ignored the Special Committee's recommendation to file charges against Atty. Bantugan. In view of the aforementioned acts, complainant charged Atty. Bantugan for violating the CPR, in particular, Rule 1.01⁹ for engaging in unlawful, dishonest, or

⁸ Id. at 12-13.

⁹ Rule 1.01 - A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

deceitful conduct, as well as Rule 7.03¹⁰ for engaging in conduct that adversely reflects on his fitness to practice law.

The OCA endorsed the Letter-Complaint to the Office of the Bar Confidant (OBC) for whatever action it deemed appropriate.¹¹ The Court directed the IBP-Bohol and Atty. Bantugan to file their respective Comments.¹² Considering the seriousness of the allegations imputed against Atty. Bantugan, the OBC recommended that the case be referred to the IBP-Commission on Bar Discipline (IBP-CBD) for investigation and recommendation.¹³ Meanwhile, receipt of evidence for the case was delegated to the President of IBP-Bohol.

In his Comment¹⁴ and Position Paper,¹⁵ Atty. Bantugan denied the charges against him. He stated that he was a City Councilor of Tagbilaran City, Bohol from 2001-2010; during which time he concurrently held the following positions in LAELEP: (a) technical committee member from 2001-2003; (b) pioneer committee member from 2003-2005; and (c) committee member from 2005-2007 and 2007-2009. As regards the alleged misuse of LAELEP funds, he claims that this issue was pursued by then IBP-Bohol President Atty. Salvador Diputado (2005-2007) as an election issue because he was seeking a seat in the Provincial Board of Bohol and campaigned for Atty. Antonio Amora, Jr., who was a rival candidate of Atty. Diputado in the IBP-Bohol elections. He claimed that complainant could have submitted this purported issue to the Supreme Court as early as 2002 or thereabouts, yet sent the Letter-Complaint not long after he acted as legal counsel for one Nemesio Barafon¹⁶ in filing a Complaint for disbarment against complainant in 2009. In fine, he averred that the filing of the Letter-Complaint was an act of retaliation and a form of barratry on the part of complainant.

Further, Atty. Bantugan alleged that the accountability for LAELEP funds is to the Provincial Government of Bohol. He underscored that had there been anything irregular or unliquidated, the provincial government would not have regularly and continuously released funds since 2002. As regards the Philippine National Police (PNP) combat pay, he claims that the Special Committee ignored the affidavit of PNP Provincial Director Superintendent Sancho Bernales which he submitted to them for

¹⁰ Rule 7.03 - A lawyer shall not engage in conduct that adversely reflects on his fitness to practice law, nor shall he, whether in public or private life, behave in a scandalous manner to the discredit of the legal profession.

¹¹ *Rollo*, Vol. I, p. 15-A.

¹² See Resolutions dated November 15, 2010 and March 21, 2012; *id.* at 26-27 and 48-49, respectively.

¹³ OBC Report and Recommendation dated April 26, 2013, *id.* at 62-64. See also Resolution dated July 3, 2013, *id.* at 65-66.

¹⁴ *Id.* at 50-52.

¹⁵ *Rollo*, Vol. III, pp. 328-337.

¹⁶ *Rollo*, Vol. I, p. 50.

consideration, which attested to the following facts: (1) he was designated as a Training Director and conducted a series of trainings; (2) he was tasked to manage the expenditures from the trainings, with the approval of the PNP Provincial Director; (3) to support the trainings, the PNP consented to a deduction from their personnel's combat pay, and thus, these money was purely a PNP Fund; and (4) he recommended that the excess combat pay deductions be given to LAELEP. With regard to the non-payment to JJ's Seafood Village, he claimed that he had a separate account with the establishment which was co-mingled by the Special Committee. As regards the trip to Singapore, he stated that he was one of the members of the IBP-Bohol delegation and questioned why he was singled out when the trip was fully documented and liquidated to the provincial government. As to the laptop, he denied possession of the same.

In its Comment¹⁷ the IBP-Bohol averred that contrary to complainant's claim, its previous administrations had acted upon the investigation involving Atty. Bantugan. The IBP-Bohol Board of Officers for 2009-2011 adopted Resolution No. 17, Series of 2009¹⁸ which endorsed the Special Committee's Final Report/Recommendation to the Provincial Government of Bohol for action under the premise that the funds allegedly misused were government funds. Likewise, the IBP-Bohol Board of Officers for 2011-2013 issued Resolution No. 5, Series of 2011¹⁹ following up on the investigation conducted by the provincial government and requesting a copy of the results of the audit. However, no definite action was taken by the provincial government. The present administration of IBP-Bohol adopted the position of its previous administrations to the effect that it is the provincial government who should file the proper charges. In consideration, however, of the fact that IBP-CBD now possessed the records of the case, the IBP-Bohol submitted the resolution of the investigation on Atty. Bantugan to its sound judgment.

*Report and Recommendation of the
Investigating Commissioner*

In his Report and Recommendation²⁰ dated September 1, 2016, the Investigating Commissioner recommended the dismissal of the complaint without prejudice to its re-filing with supporting evidence. After examining the records of the case, he found that complainant failed to meet the

¹⁷ *Rollo*, Vol. III, pp. 78-80.

¹⁸ *Id.* at 83-84; *see* Board Resolution No. 17, Series of 2009 entitled, "A Resolution Endorsing the Special Committee to the Provincial Government [Through] the Governor and *Sangguniang Panlalawigan* of Bohol for their Appropriate Action," dated September 25, 2009.

¹⁹ *Id.* at 81-82; *see* Board Resolution No. 5, Series of 2011 entitled, "A Resolution Requesting the Office of the Governor Through the Internal Audit Service (IAS) of the Provincial Government of Bohol to Provide the Integrated Bar of the Philippines-Bohol Chapter a Copy of the Official Result of the Audit Conducted on the LAELEP Funds that was Subject of the Investigation," dated June 15, 2011.

²⁰ *Supra* note 3.

quantum of proof of preponderance of evidence before Atty. Bantugan could be held administratively liable. He determined that the Special Committee's Final Report/Recommendation and the Minutes of the Joint Meeting of the IBP-Bohol Board of Officers and LAELEP, unsupported by documentary or any other evidence, cannot sustain a finding of misconduct. In fine, while the accusations against Atty. Bantugan portrayed him in a negative light, these were unfounded. Finally, the Investigating Commissioner underscored that while the IBP-BOG requested the submission of affidavits of the members of the Special Committee, relevant witnesses whom the Special Committee obtained evidence from or those with personal knowledge of the facts, as well as supporting documents as to the acts attributed to Atty. Bantugan, these were not complied with despite receipt of evidence for both parties being delegated to the current President of IBP-Bohol.

Recommendation of the IBP-BOG

On March 1, 2017, the IBP-BOG issued Resolution No. XXII-2017-839,²¹ which reversed the recommendation of the Investigating Commissioner, thus:

RESOLVED to REVERSE the recommendations of the Investigating Commissioner and IMPOSE the penalty of SUSPENSION from the practice of law for two (2) years.

RESOLVED FURTHER, to direct CIBD Assistant Director Juan Orendain P. Buted to prepare an extended resolution explaining the Board's action.

In its Extended Resolution²² dated July 5, 2018, the IBP-BOG ratiocinated that Atty. Bantugan was administratively liable for violation of Rules 1.01 and 7.03 of the CPR for the following reasons: (a) he acted with dishonesty when he failed to deliver the check for payment to JJ's Seafood Village for food and accommodation expenses and thereafter, attempted to pay the same by the issuance of a personal check which was subsequently dishonored; (b) he failed to contest substantially the allegations of misappropriation of funds pertaining to the PNP combat pay deduction, unliquidated checks, PNP Handbook, trip to Singapore, and his failure to return a laptop to IBP-Bohol; and (c) he failed to uphold the integrity and dignity of the legal profession and discredited the IBP-Bohol when the aforementioned acts were publicized in two local newspapers in Tagbilaran City.

²¹ *Rollo*, Vol. III, pp. 541-542.

²² *Id.* at 509-517. Penned by Atty. Franklin B. Calpito, Deputy Director of the Committee on Integrity and Bar Discipline.

On September 21, 2018, Atty. Bantugan filed a Motion for Reconsideration²³ and a Second Motion for Reconsideration with Leave to Admit Delayed Pleadings²⁴ dated September 30, 2019, both of which were opposed by complainant.

On December 6, 2018, the IBP-BOG issued a Resolution²⁵ denying the Motion for Reconsideration for failure to raise new matters which would otherwise convince the IBP-BOG to reverse its earlier ruling.

The Issue

The essential issue in this case is whether Atty. Bantugan should be held administratively liable for violating Rules 1.01 and 7.03 of the CPR.

The Court's Ruling

The Court adopts the findings and recommendation of the Investigating Commissioner to dismiss the complaint against Atty. Bantugan, without prejudice to its re-filing with sufficient evidence.

At the onset, it bears to emphasize that the quantum of proof in administrative cases against members of the legal profession is substantial evidence, and not preponderance of evidence as stated by both the Investigating Commissioner and the IBP-BOG. This matter has been settled in the case of *Reyes v. Atty. Nieva*,²⁶ thus:

Besides, the evidentiary threshold of substantial evidence – as opposed to preponderance of evidence – is more in keeping with the primordial purpose of and essential considerations attending this type of cases. As case law elucidates, “[d]isciplinary proceedings against lawyers are *sui generis*.” Neither purely civil nor purely criminal, they do not involve a trial of an action or a suit, but is rather an investigation by the Court into the conduct of one of its officers. Not being intended to inflict punishment, it is in no sense a criminal prosecution. Accordingly, there is neither a plaintiff nor a prosecutor therein. It may be initiated by the Court *motu proprio*. **Public interest is its primary objective, and the real question for determination is whether or not the attorney is still a fit person to be allowed the privileges as such.** x x x (Emphases supplied)

²³ Id. at 518-521.

²⁴ Id. at 574-577.

²⁵ Id. at 539-540.

²⁶ 794 Phil. 360, 379 (2016).

This was the same conclusion in the recent case of *Spouses Nocuencia v. Atty. Bensi*,²⁷ further citing *Reyes* and *Dela Fuente Torres v. Dalangin*²⁸ which stated that substantial evidence, or “that amount of relevant evidence which a reasonable mind might accept as adequate to support a conclusion” is the evidentiary threshold in administrative cases.

In this case, Atty. Bantugan was charged with violations of Rules 1.01 and 7.03 of the CPR which stemmed from his alleged misuse of LAELEP funds and property. According to the Special Committee, Atty. Bantugan committed the following acts:²⁹ (1) received ₱150,000.00 as combat pay fee deductions; (2) paid LAELEP’s obligation with JJ’s Seafood Village with the issuance of a personal check which was dishonored, but now fully satisfied; (3) failed to liquidate a total amount of ₱197,960.00 consisting of two checks in his name for a trip to Singapore; (4) based on oral information from different personalities, Atty. Bantugan was in prolonged possession of a laptop belonging to IBP-Bohol; and (5) unduly retained possession of the PNP Handbook whose reproduction was forestalled despite full payment. The alleged commission of these acts were primarily established by the complainant through the presentation of the Special Committee’s Final Report/Recommendation and Minutes of the Joint Meeting by the IBP Board of Officers and the LAELEP. It bears to note however that the aforementioned acts were not supported by any other evidence, documentary or otherwise.

In administrative proceedings, the burden of proof lies upon the complainant. For the Court to exercise its disciplinary powers, the case against a respondent must be established by convincing and satisfactory proof.³⁰ As aptly found by the Investigating Commissioner, the evidence presented by complainant does not sufficiently establish the facts from which her Letter-Complaint is based, to wit:

Scrutiny of the records of this case show that while the minutes of IBP Bohol Chapter meetings and the final report of the Special Committee, which paint an unflattering portrait of Atty. Bantugan and concluded that he is guilty of the fiscal misdeeds attributed to him, were indeed forwarded to the IBP-CBD, there is an unfortunate absence of evidence to support these findings. There is not a single dishonored check, demand letter, or any kind of documentary or other evidence to buttress the finding of the Special Committee that respondent Atty. Bantugan had failed to make a proper accounting or liquidation of funds, refused to return LAELEP equipment, appropriated for his personal use a check intended for payment to a restaurant, etc.³¹ (Underscoring supplied)

²⁷ A.C. No. 12609, February 10, 2020.

²⁸ 822 Phil. 80 (2017).

²⁹ *Rollo*, Vol. I, pp. 10-11 and 14.

³⁰ *Villatuya v. Atty. Tabalingcos*, 690 Phil. 381, 396 (2012).

³¹ *Rollo*, Vol. III, pp. 551-552.

The Court finds no cogent reason to depart from this finding considering that our own review of the records of the case leads us to the same conclusion. The Special Committee's Final Report/Recommendation³² and the Minutes of the Joint Meetings of the IBP Board of Officers and the LAELEP Special Committee dated January 15, 2007³³ and January 23, 2007³⁴ alone cannot substantiate complainant's allegations of misappropriation against Atty. Bantugan. The Special Committee's Final Report/Recommendation does not cite any basis for its findings and conclusions, considering the fact that what is involved in this controversy are dishonored checks, demands for payment, liquidation, and accounting. Moreover, in the Court's assessment, a plain reading of the Minutes of the Joint Meetings even weaken the case of complainant. In response to a query as to why the Special Committee's recommendation was to file an administrative, civil and/or criminal action, but qualified it with the statement, "*if evidence so warrants*;" a member of the Special Committee replied that they were not making a conclusion on the investigation, but were leaving it to the Board to decide.³⁵ Similarly, the Special Committee also refrained from giving a categorical assessment on the sufficiency of the evidence on hand to substantiate Atty. Bantugan's misconduct.³⁶

The paucity of the evidence against Atty. Bantugan is further underscored by the fact that IBP-BOG requested the submission of affidavits by the members of the Special Committee and all the other relevant witnesses which the Special Committee may have received evidence from, or who may have personal knowledge of the facts, as well as supporting documents relating to the acts attributed to Atty. Bantugan.³⁷ Records show that the reception of evidence for this disciplinary case was referred to the President of IBP-Bohol; hence, the convenience in obtaining these documents yet for some reasons, this was not accomplished.³⁸ Lastly, it bears pointing out that complainant was neither a member of the IBP Board of Officers or LAELEP, nor does she appear to have attended the Joint Meetings to provide insight as to the deliberations of its members and the context of their statements. Otherwise stated, she has no personal knowledge of the facts relating to Atty. Bantugan's alleged misuse of LAELEP funds and the investigation conducted, save from what she gleaned from the Final Report/Recommendation of the Special Committee and the Minutes of the Joint Meetings between the IBP Board of Officers and the LAELEP.

³² Supra note 8.

³³ *Rollo*, Vol. I, pp. 4-6.

³⁴ *Id.* at 7-9.

³⁵ See letter G, sub-item 1 of the Minutes of the Joint Meeting of the IBP Board of Officers and LAELEP Special Committee dated January 23, 2007, *id.* at 9.

³⁶ *Id.*

³⁷ *Rollo*, Vol. III, p. 508.

³⁸ *Id.* at 508 and 513.

The burden of proof in disbarment and suspension proceedings always rests on the complainant. While administrative cases call for the lowest standard of proof, it cannot be overemphasized that mere allegation is not evidence, nor is it equivalent to proof.³⁹ The Court's disquisitions, in the case of *BSA Tower Condominium Corporation v. Atty. Reyes II*⁴⁰ is instructive:

The Court has consistently held that an attorney enjoys the legal presumption that he is innocent of the charges against him until the contrary is proved, and that as an officer of the court, he is presumed to have performed his duties in accordance with his oath. Burden of proof, on the other hand, is defined in Section 1 of Rule 131 as the duty of a party to present evidence on the facts in issue necessary to establish his claim or defense by the amount evidence required by law.

In administrative proceedings, the quantum of proof necessary for a finding of guilt is substantial evidence, which is that amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion. Further, **the complainant has the burden of proving by substantial evidence the allegations in his complaint. The basic rule is that mere allegation is not evidence and is not equivalent to proof.** Likewise, charges based on mere suspicion and speculation cannot be given credence. (Emphases supplied)

A member of the Bar may be so removed or suspended from office as an attorney for any deceit, malpractice or misconduct in his office.⁴¹ The word "conduct" used in the rules is not limited to conduct exhibited in connection with the performance of the lawyers' professional duties, but it also refers to any misconduct, although not connected with his professional duties that would show him to be unfit for the office and unworthy of the privileges from which his license and the law confer upon him.⁴² Thus, lawyers must conduct themselves beyond reproach at all times, whether they are dealing with their clients or the public at-large, and a violation of the high moral standards of the legal profession justifies the imposition of the appropriate penalty, including suspension and disbarment.⁴³ It cannot be gainsaid that the accusations against Atty. Bantugan certainly portray him in a negative light. Neither can his defenses be characterized as sufficient to wholly exculpate him from any liability insofar as he primarily proffered the defenses of denial, ill motive on the part of complainant, mere mismanagement of his affairs insofar as the matter of issuance of a personal check for the balance of JJ's Seafood Village is concerned and finally, as proof of his proper accounting and non-misuse of funds, the continued

³⁹ *Atty. Dela Fuente Torres v. Atty. Dalangin*, 822 Phil. 80, 101 (2017), citing *Cabas v. Atty. Sususco*, 787 Phil. 167, 174 (2016).

⁴⁰ A.C. No. 11944, June 20, 2018, 867 SCRA 12, 18-19.

⁴¹ RULES OF COURT, Rule 138, Sec. 27.

⁴² *Orbe v. Atty. Adaza*, 472 Phil. 629, 633 (2004).

⁴³ *Velasco v. Atty. Doroin*, 582 Phil. 1, 8-9 (2008).

release by the provincial government of funding for LAELEP's projects. However, under the circumstances of this case, the Court finds that the weakness of Atty. Bantugan to substantially contest the charges against him does not evince his guilt as to warrant the imposition of disciplinary action.

It has been held that charges meriting disciplinary action against a member of the Bar generally involve the motives that induced him to commit the acts or acts charged, and that, to justify disbarment or suspension, the case against him must be clear and free from doubt, not only as to the acts charged, but as to his motive.⁴⁴ As punishment by disbarment or suspension will deeply affect a lawyer's professional life, neither should be imposed unless the case against him is free from doubt not only as to the acts charged, but as to his motive.⁴⁵ Taking together the plausibility of the defenses put forth by Atty. Bantugan coupled with the absence of any substantial evidence as to characterize his acts as willful and committed with wrongful intent, the Court cannot discount the possibility that these stem from a mere error of judgment. Indeed, while the Court will not hesitate to mete out the proper disciplinary punishment upon lawyers who have failed to live up to their sworn duties, neither will it hesitate to extend its protective arm to them when the accusation against them is not indubitably proven.⁴⁶

Except for complainant's allegations, she failed to present sufficient evidence to substantiate the allegations in her Letter-Complaint. The standard of substantial evidence is satisfied when there is reasonable ground to believe, based on the evidence submitted, that Atty. Bantugan is responsible for the misconduct complained of. It need not be overwhelming or preponderant, as is required in an ordinary civil case or evidence beyond reasonable doubt as is required in criminal cases, but the evidence must be enough for a reasonable mind to support a conclusion. Here, the Court is not satisfied that the evidence presented by complainant has met this threshold as to hold Atty. Bantugan administratively liable and for this reason, dismisses the complaint against him. The Court, however, must clarify that its ruling is limited to the sufficiency of the evidence presented against Atty. Bantugan and is not a final pronouncement as to his innocence of the charges imputed against him.

WHEREFORE, premises considered, the Court **DISMISSES** the Letter-Complaint against respondent Atty. Danilo A. Bantugan for lack of sufficient evidence.

⁴⁴ *Osop v. Atty. Fontanilla*, 417 Phil. 724, 730 (2001).

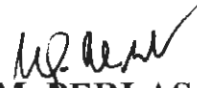
⁴⁵ *Id.*

⁴⁶ *Atty. Guanzon v. Atty. Dojillo*, A.C. No. 9850, August 6, 2018, 876 SCRA 245, 253.


SO ORDERED.


EDGARDO L. DELOS SANTOS
Associate Justice

WE CONCUR:


ESTELA M. PERLAS-BERNABE
Senior Associate Justice
Chairperson


~~**RAMON PAUL L. HERNANDEZ**~~
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice

(On Leave)
PRISCILLA J. BALTAZAR-PADILLA
Associate Justice