

**\*\*Title:\*\***

\*Jose Topacio Nueno, Complainant vs. Pascual Santos, Respondent\*

**\*\*Facts:\*\***

Judge Anacleto Diaz was appointed as a special investigator for conditions in the Manila city government. Jose Topacio Nueno, a member of the Municipal Board of Manila, filed a complaint against Pascual Santos, another board member, alleging his involvement with prohibited gambling games. Santos responded by denying the charges.

A series of hearings were held, with numerous witnesses providing testimony. At the conclusion of these hearings, Judge Diaz submitted a report recommending Santos' removal from office and referring the case to the Supreme Court. Diaz claimed Santos violated his oath and deceived the court in Criminal Case No. E-87890 involving Iñigo Hernandez.

The Supreme Court referred the case to the Attorney-General, giving Santos five days to state whether he wanted to present additional evidence or explain why he should not face disbarment based on Diaz's findings. Santos requested the opportunity to present his defense, and an investigation ensued.

During the Attorney-General's investigation, it was clarified that Santos was charged with consenting to a false plea of guilty by Hernandez, knowing Hernandez was innocent of the charges. Santos called Hernandez as a witness and testified on his behalf. Although Santos' counsel raised concerns about the evidence from Judge Diaz's hearings, the Solicitor-General still recommended disciplinary action.

**\*\*Issues:\*\***

1. Whether the evidence from Judge Diaz's investigation should be considered in the case against Attorney Pascual Santos.
2. Whether Attorney Pascual Santos violated his oath by consenting to a false plea of guilty on behalf of Iñigo Hernandez.

**\*\*Court's Decision:\*\***

1. **\*\*Consideration of Judge Diaz's Evidence:\*\***

The court found it appropriate to consider the evidence collected by Judge Diaz along with the additional evidence presented to the Solicitor-General. The court reasoned that Santos was fully aware of the charges and the nature of the evidence against him.

## 2. **Violation of Oath:**

The court concluded that Santos clearly violated his lawyer's oath by consenting to a false plea, thereby deceitfully misleading the court. While acknowledging political factors and the time elapsed since the incident, the court determined that Santos' act of allowing an innocent individual to plead guilty warranted disciplinary action.

### **Doctrine:**

The case reiterates the doctrine that an attorney's deliberate deceit and falsehood in court constitute serious violations of their professional oath and ethics, warranting disciplinary measures ranging from suspension to disbarment, depending on the circumstances.

### **Class Notes:**

#### - **Key Elements:**

- Professional misconduct by an attorney.
- Violation of a lawyer's oath.
- Consent to false statements in court proceedings.
- Disciplinary measures for attorneys.
- **Relevant Statutes/Provisions:**

- **Rule 138, Section 27 of the Rules of Court (Philippines):** Grounds for disbarment or suspension of a lawyer include deceit, malpractice, and gross misconduct.

- **Lawyer's Oath:** The commitment not to consent to falsehood in court.

#### - **Application/Interpretation:**

The Supreme Court applied these principles stringently, verifying the facts and acknowledging factors that could mitigate the severity of the disciplinary action. Suspensions can reflect the court's disapproval while affording the lawyer a chance for rehabilitation.

### **Historical Background:**

The case reflects a period in the Philippines when integrity within the legal profession was under scrutiny, and the government took active measures to address unethical behavior. The decision underscores the judiciary's commitment to uphold legal ethics and professional integrity during a time of increasing political and legal reforms in the country.