

**TEOFISTA G. FLORES VDA. DE CHENG, COMPLAINANT, VS.  
BENJAMIN O. CARLOS, RESPONDENT.**

*Adm. Case No. 1660. June 29, 1982*

Ponente: AQUINO, J.

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**AQUINO, J.:**

Teofista G. Flores Vda. de Cheng in a verified complaint dated August 26, 1976 prayed that disciplinary action be taken against lawyer Benjamin O. Carlos (admitted to the bar in 1957) for not having complied with his commitment made in January, 1976 to work for the reacquisition of complainant's Philippine citizenship notwithstanding the fact that he had already been paid his professional fee of P1 ,500.

Respondent Carlos in his answer alleged that with Mrs. Cheng's consent he delegated to his associate, Arturo C. Zialcita, the task of working for her repatriation papers and Zialcita alle-gedly performed that task but was not able to complete the work because of his death. Carlos manifested that he was willing to finalize the proceedings for Mrs. Cheng's repatriation.

The case was referred to the Solicitor General for investigation, report and recommendation. The investigator set the case for hearing several times but no hearing was held.

On May 5, 1977, Mrs. Cheng, assisted by counsel, submitted an affidavit of desistance wherein she stated that her complaint resulted from a misunderstanding and that she and Carlos had patched up their differences.

In view of that desistance, the complainant rendered it impossible for this Court to take any disciplinary action against the respondent. There is no evidence in the record that he had committed any wrongdoing justifying his disbarment or suspension.

WHEREFORE, this case is dismissed and considered closed.

**SO ORDERED.**

Barredo, (Chairman), Concepcion, Jr., Guerrero, Abad Santos, De Castro, and Escolin, JJ.,concur.

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