

OCA CIRCULAR NO. 36-2013, March 06, 2013

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TO : THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A CIRCUIT COURTS, THE OFFICE OF THE CHIEF STATE PROSECUTOR, PUBLIC ATTORNEY'S OFFICE AND THE INTEGRATED BAR OF THE PHILIPPINES

SUBJECT:

DISBARMENT OF ATTY. SERGIO E. BERNABE

For your information and guidance, quoted hereunder is the dispositive portion of the Decision of the Court En Banc dated 24 August 2010, in A.C. No. 6258, entitled "Luzviminda R. Lustestica vs. Atty. Sergio E. Bernabe", to wit:

WHEREFORE, premises considered, the Court resolves to:

1. NOTE the letter dated October 8, 2009 of respondent Atty. Sergio E. Bernabe to the Office of the Bar Confidant.
2. ADOPT the findings and recommendations of the IBP Commission on Bar Discipline with MODIFICATION on the administrative penalty imposed.
3. DECLARE respondent Atty. Sergio E. Bernabe liable for gross negligence, in the performance of his duties as notary public, and for his deceitful and dishonest attestation, in the course of administering the oath taken before him. Respondent Atty. Sergio E. Bernabe is hereby DISBARRED from the practice of law and his name is ORDERED STRICKEN from the Roll of Attorneys. He is also PERPETUALLY DISQUALIFIED from being commissioned as a notary public.
4. DENY the request for clearance to practice law and to apply for notarial commission of respondent Atty. Sergio E. Bernabe."

In a Resolution, dated 7 December 2010, the Court further DENIED with FINALITY the respondent's motion for reconsideration there being no substantial arguments to warrant the reversal of the questioned decision.

6 March 2013

(SGD.) JOSE MIDAS P. MARQUEZ

Court Administrator

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