

LILY LANGBID, COMPLAINANT, VS. ATTY. FELIX TIANGCO, RESPONDENT.

Adm. Case No. 1251. July 29, 1983

Ponente: ESCOLIN, J.

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ESCOLIN, J.:

Lilia Langbid, in her verified complaint, seeks the disbarment of Atty. Felix Tiangco on grounds of "grave misconduct", "gross immoral conduct" and "violation of his oath as a lawyer."

Langbid alleged that Tiangco was the defense Counsel of her mother, Regina Langbid, in several estafa cases; that as such counsel, he asked "as payment of his professional services . . . to have illicit relations with me (complainant)"; that "he promised to rent a house wherein I can stay as his paramour for him to visit once every day"; that "he told me that he would find ways and means to kill his wife so that he could marry me legally"; and that "my mother was influenced by respondent Tiangco into agreeing with him that I have illicit relations with respondent as payment for his professional services . . . and I had to sleep in the house of one Luz Abellanos . . . so that I cannot be compelled to live as a paramour of Atty. Tiangco."

In his answer, respondent Tiangco denied the truth of the averments of the complaint, claiming that these charges have been instigated by the complainant's paramour, one Eugenio Adolfo, an employee of the Cebu School of Arts and Trades, who was facing Administrative and criminal charges for immorality and falsification of public document, wherein he (Tiangco) was the counsel for the complainants.

The case was referred to the Solicitor General for investigation, report and recommendation. The Solicitor General set the hearing of the case on December 18, 1980, and notice thereof was served upon the parties by the chief of police of Cebu. For failure of the complainant to appear on the said date, the hearing was reset on January 14, 1981, with notice to the parties served by the chief of police of Cebu. Again, complainant failed to appear.

It appears that, at the instance of Eugenio Adolfo, respondent Tiangco had been charged with the crime of libel before the Court of First Instance of Cebu for having written and published a letter dated December 20, 1973 addressed to the Secretary (now Minister) of Education and Culture administratively charging Adolfo with the offense of falsification of official document. In the decision rendered by the Court of Appeals in CA-G.R. No. 19638-CR, promulgated on January 12, 1978, entitled "People vs. Felix Tiangco", Tiangco was acquitted of the crime charged. Certain findings of the Court of Appeals in said decision constitute the bases of the Solicitor General's recommendation for dismissal of this disbarment case, to wit:

"(a) The un rebutted testimony of Regina Langbid (t.s.n., p. 3, February 6, 1975 and pp. 29, 31-32, December 12, 1974), mother of Lily Langbid, is that Lily is the paramour or common-law wife of Eugenio Adolfo and that there is no truth to the allegation that the accused-appellant (Tiangco) made advances to Lily Langbid.

"(b) The letter (Exhibit '8', p. 1, Folder of Exhibits for Accused) of Lily Langbid, addressed to her mother, Regina, and her sisters shows that it is the complainant (Adolfo) and not the accused-appellant (Tiangco), who is living with Lily Langbid. The letter also reveals Lily's remorse for what she had done to her family.

Parenthetically, the trial court's refusal to admit in evidence Exhibit '8' simply because the court interpreter's English translation (Exhibit '8') is in the vernacular; translation in English, p. 3, Folder of Exhibits for Accused is marked as Exhibit '8-C' was not certified is reversible error since Lily Langbid, the author of the letter herself admitted that she wrote the same (t.s.n., p. 42, November 8, 1974; Sec. 2, Rule 129, Revised Rules of Court) and that the 'Genio' there referred to was complainant Eugenio Adolfo.

"(c) The testimony of Lily Langbid that the accused-appellant Tiangco courted her should be viewed in the light of the repeated revelations of Exhibit '8'(i) that complainant, Eugenio Adolfo, exerted such overwhelming influence and control over her that she could not even leave their house alone and (ii) that complainant is crazy. Coming as it does from the very lips of the principal prosecution witness who admittedly is beholden to the complainant, the statements should be given more weight than what the trial court gave.

"(d) The testimony of Lily's sister, Fe Langbid Malonga corroborating Regina's denial that appellant Tiangco courted Lily."

Finding the recommendation of the Solicitor General to be in order, the instant administrative case is hereby dismissed and considered closed.

SO ORDERED.

Makasiar (Chairman), Aquino, Concepcion Jr., Guerrero and Abad Santos, JJ., concur.
De Castro, J., on sick leave.

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