

**PHILIPPINE ISLAND KIDS INTERNATIONAL FOUNDATION, INC.
(PIKIFI), COMPLAINANT, VS. ATTY. ALEJANDRO JOSE C. PALLUGNA,
RESPONDENT.**

A.C. No. 11653. November 23, 2021

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PER CURIAM:

Before the Court is a Complaint[1] for disbarment filed by Philippine Island Kids International Foundation, Inc. (PIKIFI), represented by Virgelia V. Demata (Demata),[2] against Atty. Alejandro Jose C. Pallugna (Atty. Pallugna) for violation of Rule 138 of the Rules of Court and the Code of Professional Responsibility (CPR).

The Antecedents

PIKIFI is a non-governmental organization providing both developmental and humanitarian aid to street children suffering from all forms of human abuse.[3] Sometime in April 2012, PIKIFI rescued several female children who were being prostituted in the streets of Divisoria, Cagayan de Oro City.[4] It took the rescued children under its custody in order to protect and provide them assistance. Thereafter, PIKIFI helped one of the victims, then 10-year-old AAA,[5] in filing a complaint against a certain American national named Michael John Collins (Collins) and his alleged accomplice, Sheena "Choy Choy" Maglinte (Maglinte).[6]

On the other hand, Atty. Pallugna was the counsel of Collins and Maglinte.[7]

On June 26, 2012, the National Bureau of Investigation (NBI) submitted their findings to the Office of the City Prosecutor (OCP) of Cagayan de Oro City recommending the prosecution of Collins for Rape under Article 266-A of the Revised Penal Code, as amended by Republic Act No. (RA) 8353;[8] and Maglinte for Qualified Trafficking under RA 9208.[9]

In the Joint Resolution[10] dated September 28, 2012, the OCP recommended the dismissal of the complaint against Maglinte. Nonetheless, it found probable cause to indict Collins for the crime of Rape and recommended that an Information be filed against him before the Regional Trial Court (RTC), Cagayan de Oro City.[11]

On even date, the OCP filed an Information for Rape against Collins before the RTC docketed as Family Court Case No. 2012-511 (NPS Nos. X-06-INV-12F-2284).[12]

Meanwhile, on August 4, 2012, the rescued children ran away from the PIKIFI shelter and proceeded to Gaston Park where Collins' wife, a certain Pretty Mae (Mae), got hold of them. Mae then brought the girls to Gusa, Cagayan de Oro City where Collins was staying. Afterwards, they transferred the girls to a house in Lumbia, Cagayan de Oro City and did not allow them to leave.[13] On August 5, 2012, the children, through sheer luck, escaped and returned to the PIKIFI premises.[14]

The foregoing incident was the first of many attempts made to hide AAA and prevent her from attending the court hearings.[15] Then, on November 30, 2012, Maglinte and two unidentified women took AAA by force and convinced her to go to the residence of a certain "attorney." Fortunately, a PIKIFI social worker rescued AAA in

front of Flamenco Cafe & Bar,[16] owned by Atty. Pallugna, located along Burgos St. to Gomez St., Cagayan de Oro City.[17]

For the personal safety of AAA, PIKIFI applied for AAA's admission to the Witness Protection Program of the Department of Justice (DOJ). However, the DOJ denied the application as the hearing did not push through considering that Collins was still at large.[18]

Meanwhile, AAA remained under the custody of PIKIFI where she participated in various educational activities and counseling interventions. By the end of 2015, she was reintegrated with her family.[19]

Sometime in early 2016, Collins was apprehended in Ozamiz City.[20] Subsequently, the RTC set the case for hearing on April 12, 2016.[21]

Sometime in February 2016, Maglinte again brought AAA to Flamenco Cafe & Bar to meet Atty. Pallugna. Thereat, Atty. Pallugna told AAA, being the complainant in the rape case against Collins, not to appear in the April 12, 2016 court hearing in exchange for the amount of P600.00 plus P250.00 each time she would not appear in court. AAA, who was then 15 years old, accepted the P600.00 and agreed not to attend the court hearings of the rape case.[22]

However, on April 12, 2016, AAA attended the hearing accompanied by a PIKIFI social worker.[23] She was terrified when she learned of Atty. Pallugna's outrage when she broke the agreement.[24] PIKIFI convinced AAA to stay at their shelter to ensure her safety, but she refused because she felt safer staying with her family.[25]

On May 17, 2016, PIKIFI received the subpoena for the next hearing scheduled on May 31, 2016.[26]

PIKIFI got in touch with AAA, but they could no longer locate her. AAA's family informed PIKIFI that she went to Iligan City for work and left no information regarding the identity and address of her employer.[27] PIKIFI attempted to locate her through her cellphone and Facebook account, but the efforts failed. PIKIFI also sent someone to Iligan City and coordinated with the police authorities. However, PIKIFI's efforts proved futile.[28]

Apparently, on May 19, 2016, Maglinte was able to contact AAA and her boyfriend, BBB, a former PIKIFI beneficiary and working as a parking attendant in the Divisoria Area, Cagayan de Oro City. Maglinte told AAA and BBB that Atty. Pallugna wanted to see them at the Flamenco Cafe & Bar. Thereat, Atty. Pallugna asked BBB if he was interested to work for him as a security guard with a weekly salary of P2,500.00 on the condition that he would bring along AAA and that their whereabouts should remain undisclosed until AAA'S case is dismissed. Atty. Pallugna also told AAA not to disclose to anyone her whereabouts, with a promise to give her P30,000.00 as soon as the case would be dismissed.[29]

When BBB and AAA accepted the offer, Atty. Pallugna gave them P250.00 and instructed them to report the next day to the Quimpo Pallugna Pallugna Law Office so that Atty. Pallugna could give them P1,000.00 to buy a cellphone.[30]

On May 21, 2016, Atty. Pallugna told AAA and BBB that they would leave on May 23, 2016 for Maramag, Bukidnon, with the instruction to deceive everyone by saying that they were going to Iligan City.[31]

On May 23, 2016, Noel Magto[32] of Black Water Security Agency (Black Water), a security agency owned and operated by Atty. Pallugna, picked up AAA and BBB from Flamenco Bar and brought them to Black Water's office.[33] The office representative gave them P1,000.00 for their trip, issued a security guard uniform to BBB, and thereafter escorted them with the assistance of Elvis Dajis, a manager at Black Water, to the Agora Bus Terminal. The office representative made sure that both AAA and BBB will go to Maramag, Bukidnon where a certain "Romy" was waiting for them. Upon the arrival of AAA and BBB in Maramag, Bukidnon, Romy

introduced himself to them as a security guard for Black Water. Romy brought them to their "job-assignment" area, which turned out to be an isolated large piece of land with no electricity. In the middle of the property was a small house where AAA and BBB stayed together with the other security guards.[34]

Consequently, AAA was unable to attend the hearing on May 31, 2016.[35] She also failed to attend the hearings held on August 16 and 23, 2016. PIKIFI manifested to the Court that they could no longer locate her. Despite knowing that AAA's non-appearance was due to his own machinations, Atty. Pallugna still protested AAA's non-appearance in court and insisted that her continued absence in the hearings warranted the dismissal of the case.[36]

Meanwhile, BBB did not receive the promised weekly salary of P2,500.00. Thus, he told Atty. Pallugna through text that they wanted to go home already, but Atty. Pallugna threatened him that the NBI will arrest his parents. Feeling threatened, BBB agreed to remain in Maramag, Bukidnon.[37]

On September 11, 2016, AAA posted a status on her Facebook account, viz.:

"GUSTO NAKO MO ULI SA CAGAYAN LORD!!!"[38]

Upon seeing AAA's Facebook post, PIKIFI monitored her account and communicated with her. Then, on September 19, 2016, AAA sent a message and gave BBB's phone number to Pamela Idnay, a PIKIFI social worker.[39]

On September 20, 2016, AAA again failed to attend the hearing of the case. The RTC then gave PIKIFI an ultimatum that the non-appearance of AAA on the next scheduled hearing will cause the dismissal of the case against Collins.[40]

Demata kept calling the number given by AAA. Luckily, she was able to get through when a man answered the call. She pretended to be AAA's older sister, CCC, who was seeking post-pregnancy assistance from AAA. Upon getting hold of the phone, AAA immediately recognized Demata's voice, but she hesitated to disclose their location because the guards were listening to their conversation. On the other hand, BBB told Demata that he was working in a trucking company delivering chickens to Bukidnon, but their location cannot be easily found.[41]

Still, Demata kept calling the phone number until a certain "Bataan" answered.[42] Apparently, Bataan was a security guard who replaced the previous guards that kept an eye on AAA and BBB. Bataan told Demata that he knew about the case of AAA and believed that Atty. Pallugna was doing an injustice to her by keeping her hidden at Maramag, Bukidnon. Bataan agreed to set AAA and BBB free on the condition that it should appear that they were able to escape and that PIKIFI would not bring in the police.[43]

On September 20, 2016, PIKIFI immediately proceeded with the rescue plan and alerted the police authorities at Camp Alagar in order to coordinate with the police station in Maramag, Bukidnon. After the rescue of AAA and BBB, the rescuing police officers brought AAA and BBB to the Regional Prosecution Office at Carmen, Cagayan de Oro City for their safety and for them to avail themselves of the Witness Protection Program.[44]

On September 27, 2016, AAA appeared in the scheduled hearing. At the hearing, Collins appeared in court without his counsel, Atty. Pallugna.[45]

During the last week of September 2016, while AAA and BBB were under the Witness Protection Program, Maglinte went to AAA's house and asked her sister, CCC, if she had seen AAA. CCC told her that she had no idea as to the whereabouts of AAA.[46] Maglinte then convinced CCC to talk to Atty. Pallugna. When the two met, Atty. Pallugna offered CCC P30,000.00 to find AAA and hide the latter in Dumaguete. He then gave CCC P3,000.00 and instructed her to accompany Maglinte in searching for her sister in various shelters in Cagayan de

Oro City. From October 2016 to April 2017, CCC searched for AAA. In the process, Atty. Pallugna would give her P1,000.00 or P2,000.00 for food and transportation expenses.[47]

The foregoing antecedents prompted PIKIFI to file the instant complaint against Atty. Pallugna.[48] In addition, they filed complaints for Obstruction of Justice and Serious Illegal Detention against Atty. Pallugna before the DOJ. On March 2, 2017, the DOJ issued a Resolution[49] recommending the dismissal of the Serious Illegal Detention case but found probable cause to indict Atty. Pallugna for Obstruction of Justice, viz.:

WHEREFORE, it is recommended that the corresponding Information for violation of Presidential Decree No. 1829 or "Penalizing Obstruction Of Apprehension And Prosecution Of Criminal Offenders" be filed against respondents Atty. Alejandro Jose C. Pallugna, Noel Magto, Elvis Dajis, Romy Doe A.K.A "Maldito" and Sheena Maglinte A.K.A. "Choy-choy" before the RTC-Family Court, this city, with a recommended bailbond in the amount of PhP12,000.00 each. It is further recommended that the complaint for Serious Illegal Detention be DISMISSED for lack of jurisdiction. The complaint against Bataan Joe, Virgilio Calderon, JR, Roger Maranas, Rodell Galla and Cristoval Cabutaje is also recommended DISMISSED for lack of probable cause.[50]

In addition to the circumstances surrounding AAA's case, PIKIFI likewise alleged in its complaint that Atty. Pallugna was also the counsel of Collins in another criminal case filed in 2010 for sexual abuse of a minor, DDD.[51] The latter claimed that sometime in March 2012, she failed to attend the court hearings in her case against Collins because Atty. Pallugna sent her to Davao City for her to refrain from appearing in court.[52]

Respondents Position

For his part, Atty. Pallugna described the allegations against him as a conclusion of fiction and a mere assumption without basis.[53] He averred that his lawyering for Collins is a "past attorney-client relationship" despite the absence of a notice of withdrawal of appearance submitted to the RTC.[54]

However, Atty. Pallugna admitted being a part-owner of Black Water. He also admitted having met AAA and BBB on May 29, 2016 but only because Maglinte referred them to him for a job. He offered BBB a job in Maramag, Bukidnon as a security guard to which the latter agreed. It was BBB who asked him if he could bring AAA, his girlfriend, to Maramag. He agreed but denied ever telling AAA and BBB to lie as to their whereabouts.[55]

Moreover, Atty. Pallugna denied having offered money to AAA and BBB in consideration for AAA's non-appearance in the hearings of her rape case. He argued that BBB's employment as a security guard was never conditioned on AAA's non-appearance in the rape case. Further, he asserted that he did not threaten to have BBB's parents arrested if AAA and BBB would leave Maramag, Bukidnon and return to Cagayan de Oro City.[56]

IBP Report and Recommendation

In his Report and Recommendation[57] dated June 8, 2018, Investigating Commissioner Abelardo P. De Jesus (Investigating Commissioner) found Atty. Pallugna's allegation that Maglinte introduced BBB to him for a job application unbelievable and contrary to human experience. He reasoned as follows: first, it is questionable that Maglinte, a co-accused in the rape case, suddenly took an interest in helping the rape victim's boyfriend to look for a job; and second, if Atty. Pallugna intended to help BBB by giving him a job, he could have assigned him to a nearby establishment in Cagayan de Oro City and not in an isolated and heavily guarded "job assignment" area in Maramag, Bukidnon.[58] The Investigating Commissioner further found that Atty. Pallugna's baseless allegations seriously impaired his credibility,[59] and thus, he concluded that Atty. Pallugna and Maglinte used BBB as a link to AAA that enabled them to devise a way to exculpate Collins from the rape case filed against him and Maglinte.[60]

Consequently, the Investigating Commissioner recommended that Atty. Pallugna be suspended from the practice of law for a period of one (1) year for violation of Canon 1, Rules 1.01, 1.02, and 1.03; and two (2) years for multiple violations of Canon 7, Rule 7.03; Canon 10, Rule 10.03; Canon 12, Rule 12.07; and Canon 19, Rule 19.01.[61] Thus:

WHEREFORE, foregoing premises considered, at [sic] is respectfully recommended to the Board of Governors of the Integrated Bar of the Philippines the imposition of the following penalties:

Offense

*Recommended Penalty

1.

Canon 1, Failure to Obey law of the Land and respect for Law and legal processes (Rules 1.01, 1.02, and 1.03)

Suspension 1 year

2.

Multiple Violations of Canon 7, Rule 7.03, Canon 10, Rule 10.03, Canon 12, Rule 12.07, and Canon 19, Rule 19.01

Suspension 2 years

(6 months per violation of
each Canon)

x x x x

It is further suggested that the recommended penalties be served one at a time in consideration of the aggravating circumstances above-cited.[62]

In the Resolution[63] dated July 12, 2018, the Integrated Bar of the Philippines (IBP) Board of Governors adopted the findings of fact and recommendation of the Investigating Commissioner. It recommended that the penalty of suspension from the practice of law for a period of three (3) years be imposed upon Atty. Pallugna.

Aggrieved, Atty. Pallugna moved for a reconsideration of the IBP Resolution, but the IBP Board of Governors denied it in the Resolution[64] dated June 17, 2019.

Issue

Whether the IBP Board of Governors correctly found Atty. Pallugna liable for lawyering beyond the bounds of

the Lawyer's Oath and the CPR.

The Court's Ruling

The Court adopts the findings and recommendation of the IBP Board of Governors but modifies the imposed penalty.

Needless to state, laws are designed to protect the rights of individuals, especially the weak, helpless, and vulnerable. Lawyers, on the other hand, are duty-bound to obey it.[65] As officers of the court and as guardians of truth, lawyers are mandated to uphold the rule of law and to assist in the speedy and efficient administration of justice. To this end, lawyers must abstain from any conduct or activity which might lessen in any degree the trust and confidence reposed by the people in the integrity of the legal profession. A lawyer may be suspended or even disbarred if he or she fails to observe this duty, or if he or she violates his or her oath or the CPR.[66]

In relation to the foregoing, Canon 1, Rules 1.01 to 1.03 of the CPR states:

CANON 1 — A lawyer shall uphold the constitution, obey the laws of the land and promote respect for law and legal processes.

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

Rule 1.02 — A lawyer shall not counsel or abet activities aimed at defiance of the law or at lessening confidence in the legal system.

Rule 1.03 — A lawyer shall not, for any corrupt motive or interest, encourage any suit or proceeding or delay any man's cause.

On the other hand, Canon 7, Rule 7.03 of the CPR reads:

CANON 7 — A lawyer shall at all times uphold the integrity and dignity of the legal profession and support the activities of the Integrated Bar.

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.

By his own admission, Atty. Pallugna secretly met with AAA at his Flamenco Cafe & Bar through his client, Maglinte, who was involved in the rape case against Collins and also charged with Qualified Trafficking of AAA. The fact that the defense counsel secretly met with the child victim in his bar, in the absence of the child victim's lawyer, and without the knowledge of the child victim's parents, is utterly unethical and highly deplorable. As the pieces of evidence on hand will bear it out, Atty. Pallugna persuaded AAA, with the offering of money on at least three occasions, to hide and not attend the court hearings of the rape case against Collins.[67] At that time, AAA had just completed a grade one level in the Alternative Learning School of the Department of Education;[68] stated otherwise, she had little knowledge or understanding of the legal processes and the possible implications of her non-appearance in the court hearings.

Evidently, Atty. Pallugna's acts are an outright manipulation and exploitation of the weak and vulnerable. His conduct is so shameful that it not only delayed AAA's quest for justice but also discredited the entire legal profession.

After AAA attended the first hearing with the assistance of PIKIFI, Atty. Pallugna made sure that PIKIFI would no longer be able to assist AAA by luring the latter and BBB to hide in Maramag, Bukidnon, in the guise of his offer to hire BBB as a security guard of Black Water, a security agency he owned, and his promise of P30,000.00 to AAA once the rape case against his client, Collins, is dismissed. As a result, PIKIFI could not locate AAA for

the latter to appear during the hearings on the rape case against Collins. Worse, Atty. Pallugna moved, despite his own machinations, for the dismissal of the rape case on the ground of violation of Collin's right to speedy trial because of AAA's continued absence during the hearings. In doing so, Atty. Pallugna made a mockery of the court and misused the rules of procedure in order to defeat the administration of justice, in violation of Canon 10, Rule 10.01, Rule 10.03, Canon 12, Rule 12.07, Canon 15, Rule 15.07, Canon 19, and Rule 19.01 of the CPR, viz.:

CANON 10 — A lawyer owes candor, fairness and good faith to the court.

Rule 10.01 — A lawyer shall not do any falsehood, nor consent to the doing of any in Court; nor shall he mislead, or allow the Court to be misled by any artifice.

Rule 10.03 — A lawyer shall observe the rules of procedure and shall not misuse them to defeat the ends of justice.

CANON 12 — A lawyer shall exert every effort and consider it his duty to assist in the speedy and efficient administration of justice.

Rule 12.07 — A lawyer shall not abuse, browbeat or harass a witness nor needlessly inconvenience him.

CANON 15 — A lawyer shall observe candor, fairness and loyalty in all his dealings and transactions with his clients.

Rule 15.07 — A lawyer shall impress upon his client compliance with the laws and the principles of fairness.

CANON 19 — A lawyer shall represent his client with zeal within the bounds of the law.

Rule 19.01 — A lawyer shall employ only fair and honest means to attain the lawful objectives of his client and shall not present, participate in presenting or threaten to present unfounded criminal charges to obtain an improper advantage in any case or proceeding.

Atty. Pallugna owes good faith, fairness, and candor to the court.

While he is given the liberty to defend his client's cause with utmost zeal, this obligation, however, is not without reasonable limitations. His responsibility to protect and advance the interests of his client must not be pursued at the expense of truth and the administration of justice.[69] Atty. Pallugna should know this by heart considering that the Court had previously suspended him from the practice of law for abusing and misusing the rules of procedure.[70]

In *Ramos v. Atty. Pallugna*,[71] the Court reminded Atty. Pallugna that "[a] lawyer's responsibility to protect and advance the interests of his client does not warrant a course of action propelled by ill motives and malicious intentions against the other party." [72]

Yet, in the present case, Atty. Pallugna unrighteously championed the cause of his client, Collins, by depriving AAA of her day in court with his machinations and illicit acts.

To iterate, this is not the only instance when Atty. Pallugna used the scheme to suppress the truth and defeat the ends of justice. In another criminal case filed against Collins, the child victim therein asserted that she was unable to attend the court hearings in her case because Atty. Pallugna sent her to Davao City to avoid the case.[73] To this imputation, Atty. Pallugna opted to remain silent. Hence, the Court, in line with recent jurisprudence,[74] has no choice but to consider his silence as an implied admission of the charge made against him.

Section 27, Rule 138 of the Rules of Court imposes the penalty of disbarment or suspension for deceitful and dishonest acts, as follows:

SEC. 27. Disbarment or suspension of attorneys by Supreme Court; grounds therefor. — A member of the bar may be removed or suspended from his office as attorney by the Supreme Court for any deceit, malpractice, or other gross misconduct in such office, grossly immoral conduct, or by reason of his conviction of a crime involving moral turpitude, or for any violation of the oath which he is required to take before the admission to practice, or for a wilfull disobedience of any lawful order of a superior court, or for corruptly or willful appearing as an attorney for a party to a case without authority so to do. The practice of soliciting cases at law for the purpose of gain, either personally or through paid agents or brokers, constitutes malpractice. (*Italics supplied.*)

While it is settled that the Court will not automatically disbar a lawyer if it finds that a lesser penalty will suffice to accomplish the desired end,[75] the Court, however, does not hesitate to impose the penalty of disbarment when the guilty party has become a repeat offender.[76]

Considering Atty. Pallugna's: (a) clear violations of his Lawyer's Oath and the Canons of the CPR through his dishonest, deceitful and fraudulent conduct and (b) his previous suspension from the practice of law where he was warned by the Court that the commission of a similar future transgression shall be dealt with more severely,[77] respondent deserves no less than the ultimate penalty of disbarment.

WHEREFORE, respondent Atty. Alejandro Jose C. Pallugna, having clearly violated the Lawyer's Oath and the Canons of the Code of Professional Responsibility, is **DISBARRED** from the practice of law. His name is **ORDERED STRICKEN** from the Roll of Attorneys, effective immediately.

Let copies of this Decision be furnished to the Office of the Bar Confidant to be appended to the records of respondent Atty. Alejandro Jose C. Pallugna, and to the Integrated Bar of the Philippines and the Office of the Court Administrator for circulation and dissemination to all courts concerned.

SO ORDERED.

Gesmundo, C.J., Perlas-Bernabe, Leonen, Caguioa, Carandang, Lazaro-Javier, Inting, Zalameda, M. Lopez, Gaerlan, Rosario, J. Lopez, Dimaampao, and Marquez, JJ., concur.
Hernando, J., on official leave.

[*] Philippine Island Kids International Foundation, Inc. in some parts of the rollo.

[1] Rollo, pp. 1-19.

[2] In Board Resolution No. 2017-003, the Board of Trustees of the Philippine Island Kids International Foundation Inc. (PIKIFI), in a Board Meeting held on February 25, 2017, designated Virgelia V. Demata as official representative and signatory of PIKIFI in the complaint for disbarment against Atty. Jose S. Pallugna, *id.* at 21.

[3] *Id.* at 1; see also Island Kids Philippines <<https://en.islandkids.ch/>> (last accessed on November 3, 2021).

[4] *Id.* at 2.

[5] The identity of the victim or any information to establish or compromise their identity, as well as those of their immediate family or household members, shall be withheld pursuant to Republic Act No. (RA) 7610, "An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation and For Other Purposes;" RA 9262, "An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and For Other Purposes;" Section 40 of Administrative Matter No. 04-10-11-SC, known as the "Rule on Violence

against Women and Their Children," effective November 15, 2004; *People v. Cabalquinto*, 533 Phil. 703 (2006); and Amended Administrative Circular No. 83-2015 dated September 5, 2017, Subject: Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Names/Personal Circumstances.

[6] Rollo, pp. 1-2. Sheena Maglinti and Choy-Choy in some parts of the rollo.

[7] See Entry of Appearance as Counsel for Respondent with Counter-Affidavit of the Respondents Attached dated August 6, 2012, *id.* at 27-29.

[8] The Anti-Rape Law of 1997, approved on September 30, 1997.

[9] " Anti-Trafficking in Persons Act of 2003, approved on May 26, 2003; rollo, Vol. I, pp. 23-24.

[10] *Id.* at 30-32; rendered by Prosecutor II Julieta S. Buhat-Pilaton with the recommending approval of Prosecutor III Macaurog G. Maunting and approved by City Prosecutor Fidel A. Macaayag.

[11] *Id.* at 32.

[12] *Id.* at 3.

[13] *Id.*

[14] *Id.*

[15] *Id.*

[16] Referred to as Flamingo Restaurant/Bar in some parts of the rollo.

[17] See Police Blotter dated November 30, 2012, rollo, Vol. I, p. 34.

[18] *Id.* at 3-4.

[19] *Id.* at 4.

[20] *Id.*

[21] *Id.*

[22] *Id.* at 231-232.

[23] *Id.* at 4.

[24] *Id.* at 233.

[25] *Id.* at 4.

[26] *Id.* at 5.

[27] *Id.*

[28] See Incident Record Form, *id.* at 37-38.

[29] *Id.* at 5-6, 233-234 and 243-244.

[30] *Id.* at 6, 244.

[31] *Id.* at 6.

[32] Spelled as Magtu in some parts of the rollo.

[33] Rollo, pp. 6, 246.

[34] Id. at 6-7 and 246-247.

[35] Id. at 7.

[36] Id. at 7-8.

[37] Id.

[38] Id. at 8.

[39] Id.

[40] Id.

[41] Rollo, pp. 652-653.

[42] Id.

[43] Id. at 653.

[44] Id. at 653-654.

[45] Id. at 654.

[46] Id.

[47] Id. at 655.

[48] See Complaint dated March 10, 2017, rollo, pp. 1-19.

[49] Rollo, pp. 467-474.

[50] Id. at 474.

[51] See Information docketed as FC Criminal Case No. 2010-354, id. at 447.

[52] See Judicial Affidavit of DDD, id. at 764-770.

[53] Id. at 953.

[54] Id.

[55] Id. at 953-954.

[56] Id.

[57] Id. at 945-966.

[58] Id. at 962.

[59] In particular, Atty. Pallugna claimed that his relationship with Collins is a past attorney-client relationship and that he only met AAA on May 19, 2016 despite evidence to the contrary; id. at 963.

[60] Id.

[61] Id. at 965-966.

[62] Id.

[63] Id. at 944.

[64] Id. at 1033.

[65] Section 20(a), Rule 138, Rules of Court provides:

SEC. 20. Duties of attorneys. — It is the duty of an attorney:

(a) To maintain allegiance to the Republic of the Philippines and to support the Constitution and obey the laws of the Philippines;

[66] Section 27, Rule 138, Rules of Court.

SEC. 27. Disbarment or suspension of attorneys by Supreme Court; grounds therefor. — A member of the bar may be disbarred or suspended from his office as attorney by the Supreme Court for any deceit, malpractice, or other gross misconduct in such office, grossly immoral conduct, or by reason of his conviction or a crime involving moral turpitude, or for any violation of the oath which he is required to take before admission to practice, or for a wilful disobedience of any lawful order of a superior court, or for corruptly or willfully appearing as an attorney for a party to a case without authority so to do. The practice of soliciting cases at law for the purpose of gain, either personally or through paid agents or brokers, constitutes malpractice.

[67] In the first occasion, AAA was given P600.00, and in the subsequent two (2) occasions, P250 each time, rollo, p. 657.

[68] Id. at 660.

[69] Ramos v. Atty. Pallugna, 484 Phil. 184, 191-192 (2004), citing Garcia v. Atty. Francisco, 292-A Phil. 644, 647 (1993).

[70] Atty. Pallugna was previously suspended from the practice of law for a period of three (3) months for violating Canon 10, and Rule 10.03 of the CPR, id. at 193.

[71] 484 Phil. 184 (2004).

[72] Id. at 192, citing Lt. Villafior v. Sarita, 367 Phil. 399, 408 (1999).

[73] Rollo, pp. 764 -770.

[74] Domingo-Agaton v. Atty. Cruz, A.C. No. 11023, May 4, 2021, citing Grefaldeo v. Judge Lacson, 355 Phil. 266, 271 (1998), held that: "[i]t is totally against our human nature to just remain reticent and say nothing in the face of false accusations. Hence, silence in such cases is almost always construed as implied admission of the truth thereof."

[75] Sebastian v. Atty. Bajar, 559 Phil. 211, 227 (2007)

[76] Flores v. Atty. Mayor, 767 Phil. 687, 694 (2015).

[77] Ramos v. Atty. Pallugna, supra note 69 at 193. See also Montinola III v. Atty. Robrico, A.C. No. 10904, July 14, 2021.

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