

IN RE: ATTY. TRANQUILINO ROVERO, RESPONDENT.

A.C. No. 126. December 29, 1980

Ponente: CONCEPCION, JR., J.

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CONCEPCION, JR., J.:

Petition of respondent Tranquilino Rovero for rein-statement in the Roll of Attorneys.

The record shows that on October 24, 1952, the Court, upon a finding that the respondent Tranquilino Rovero had been found guilty by a competent court of a violation of Section 2703 of the Revised Administrative Code, as amended, (Smuggling) and sentenced to pay a fine of P2,500.00, ordered his disbarment and the surrender of the lawyer's certificate issued to him.[1] Almost four (4) years thereafter, or on July 7, 1956, the said respondent filed a petition for rein-statement, claiming, among others, that his disbarment had caused him untold misery and mental anguish, and that he had been granted an absolute and unconditional pardon for his crime and restored to full civil and political rights, and pledged, "on bended knees", "not to commit the same or similar mistake in the future nor to involve himself further in any transaction which might tend to drag down his name as lawyer and as an ordinary dignified citizen." [2] The Court, however, denied his petition.[3]

Not one to be disheartened, on March 10, 1958, the respondent Tranquilino Rovero again implored the Court to be readmitted to the practice of law,[4] but the Court turned a deaf ear to his plea.[5]

Once more, the respondent Tranquilino Rovero, "now in his twilight years (71 years old)" asks humbly and earnestly of the Court to be reinstated in the Roll of Attorneys "before crossing the bar to the great beyond." [6]

To be reinstated to the practice of law, it is necessary that the respondent must, like any other candidate for admission to the bar, satisfy the Court that he is a person of good moral character – a fit and proper person to practice law.[7]

In the instant case, it appears that since his dis-barment in 1952, the respondent Tranquilino Rovero has honor-ably dealt with his fellow citizens. He had demonstrated his moral rehabilitation and reformation as to be fit, once more, to engage in the practice of law. Mr. Rovero has been active in several civic and educational organizations. He was appointed the secretary of the Provincial Board of Aklan when that province was organized. He had also been the duly accredited delegate of the Aklan Chapter of the Philippine National Red Cross to its Second Biennial National Convention held in Manila on August 23 to 26, 1957.[8] He was president of the Quezon City Central Lions Club which he helped organize,[9] and for a time, he was president of the Board of Trustees of the Northwestern Visayan Colleges in Kalibo, Aklan.[10]

Mr. Rovero has also held high positions of trust in commercial establishments. He had been elected the president of the Filipino Industrial Corporation; the vice-president of the Meteor Company, Inc., and the president of the Rural Bank of Hermosa (Bataan), a position which he holds up to the present.[11]

Testimonials have been presented regarding the high esteem accorded him in the community to which he belongs.[12] His good conduct is certified to by the president of the Aklan Bar Association[13] and the parish

priest of Christ the King Church who stated that Mr. Rovero "is a devoted parishioner who always gets voluntarily involved in the various charitable activities of the parish," and "is cooperative and responsible and gets along fine with his fellow parishioners." [14] His conduct has also merited the approval of the late Pres. Ramon Magsaysay who granted him an absolute and unconditional pardon for his crime. [15]

An absolute pardon not only blots out the crime committed, but removes all disabilities resulting from the conviction. In the case of *In re Marcelino Lontok*, [16] the Court, in dismissing the disbarment proceeding against the respondent therein, who had been convicted of bigamy, a crime involving moral turpitude, upon the ground that the respondent had been granted plenary pardon for his crime, applied the rule that "a person reaches both the punishment prescribed for the offense and the guilt of the offender; and when the pardon is full, it releases the punishment and blots out of existence the guilt, so that in the eye of the law the offender is as innocent as if he had never committed the crime," and, "if granted before conviction, it prevents any of the penalties and disabilities, and restores him to all his civil rights; it makes him, as it were, a new man and gives him a new credit and capacity."

Under the circumstances, and considering that more than 28 years had already passed since he was disbarred, the respondent Tranquilino Rovero has been sufficiently punished and disciplined. [17]

WHEREFORE, the order of disbarment is lifted and Attorney Tranquilino Rovero is hereby reinstated in the legal profession and restored to the practice of law. The Clerk of Court is directed to return to him his lawyer's diploma, his certificate of admission to the Bar, and any other certificate issued to him relative to his admission to the Bar.

Barredo, Makasiar, Aquino, Fernandez, Guerrero, Abad Santos, De Castro, and Melencio-Herrera, JJ., concur. Fernando, C.J., and Teehankee, J., in the result.

[1] Rollo, p. 32; also 92 Phil. 128.

[2] *Id.*, p. 48.

[3] *Id.*, p. 53.

[4] *Id.*, p. 57.

[5] *Id.*, p. 67.

[6] *Id.*, p. 68.

[7] *Cui vs. Cui*, 120 Phil. 725.

[8] Rollo, p. 63.

[9] *Id.*, p. 71.

[10] *Id.*, p. 64.

[11] *Id.*, p. 69.

[12] *Id.*, pp. 61, 64, 65.

[13] *Id.*, p. 66.

[14] *Id.*, p. 75.

[15] *Id.*, pp. 52, 70.

[16] 43 Phil. 293; See also: In re Atty. Saturnino Parcasio, Adm. Case No. 1000, Feb. 18, 1976, 69 SCRA 336, and In re Gregorio D. Yaranon, SBC No. 629, March 18, 1980.

[17] Royo vs. Oliva, 107 Phil. 313.

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