

NBI AGENT TEODORICO F. LARA, COMPLAINANT, VS. PEDRO M. BARRETTO, RESPONDENT.

A.C. No. 1699. February 20, 1984

Ponente: ABAD SANTOS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-c-no-1699/>

ABAD SANTOS, J.:

Investigating Agent Teodorico F. Lara of the National Bureau of Investigation seeks the disbarment of Atty. Pedro M. Barretto. It is alleged that the respondent committed falsification of a public document.

The spouses Dionisio Arena and Restituta Arandela owned a parcel of coconut land in Gumaca, Quezon. Dionisio died in 1975 and was survived by his widow and seven children, namely: Florentina, Senen, Emerenciana, Tiburcio, Lita, Rosa and Gaspar.

A power line of the National Power Corporation traversed the family property, causing damage to coconut and other fruit trees. To collect compensation from the National Power Corporation it was deemed expedient to execute a power of attorney in favor of Tiburcio. Restituta, the widow, and the children, except Florentina, signed the power of attorney. Lita signed for Florentina because her mother needed money to pay the debts incurred in connection with the burial of Dionisio.

Atty. Pedro M. Barretto was the notary public who formalized the power of attorney. The specific complaint against him is that he stated in the acknowledgment that Florentina personally appeared before him and exhibited her residence certificate when in fact nothing of the sort occurred.

It appeared that Florentina refused to sign the power of attorney because she was estranged from her family. When she discovered that her family had collected compensation through a power of attorney where her signature was forged she complained to the NBI and the consequences were a criminal complaint for falsification of public document against Restituta, Lita and Atty. Barreto plus the instant disbarment complaint against Atty. Barretto.

Atty. Barretto does not deny that Florentina did not appear before him. In fact, he admits that only Gaspar and Senen personally appeared before him; the other principals did not because for one thing Restituta was sick and, moreover, the "fact that the instrument is a simple power of attorney wherein the parties merely empowered Tiburcio Arena to collect for them such amount that the National Power Corporation may pay to them, without any of them waiving any right nor interest in the amount that may be collected."

The complaint for disbarment was referred to the Solicitor General for investigation, report and recommendation. By agreement of the parties who resided in Quezon, the Provincial Fiscal of that province was commissioned to conduct the investigation. The Provincial Fiscal reported in part as follows:

"Considering the close blood ties of the complainant and the respondents, being mother and daughters, with the exception of Pedro M. Barretto, the undersigned investigator, having in mind the preservation of family solidarity, tried to effect a reconciliation among the parties.

"After a protracted conference among the members of the Arandela-Arena family, which was marked by

emotional outbursts and outpouring of years of accumulated grievances and recriminations, an atmosphere of peace and reconciliation finally descended upon the family.

"Florentina Arena de Empleo, the principal accuser, executed on 6 July 1978, a document affirming and confirming the contents of the Special Power of Attorney and further requesting the Office of the Provincial Fiscal of Quezon to allow her to withdraw her complaint against Atty. Pedro M. Barretto, her mother Restituta Arandela, and her sister Lita Arena. Because of lack of interest and hostility of the complainant Florentina Arena de Empleo, the complaint for falsification of public document was dismissed.

"Considering that no damage has been suffered by the complainant, who had already validated the Special Power of Attorney by a document confirming its contents, it is respectfully recommended that the administrative complaint for disbarment against Atty. Pedro M. Barretto be dismissed with an admonition that he should be more circumspect in the performance of his duties as notary public in the future."

The Solicitor General concurs with the recommendation of the Provincial Fiscal.

WHEREFORE, finding the recommendation to be well-taken, Atty. Pedro M. Barretto is hereby reprimanded for acknowledging the special power of attorney without the presence of all the signatories thereto and warned that repetition of the same will be dealt with more severely.

SO ORDERED.

Makasiar, Aquino, Concepcion, Jr., Guerrero, De Castro, and Escolin, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.