

ROUEL YAP PARAS, COMPLAINANT, VS. ATTY. JUSTO P. PARAS, RESPONDENT.*A.C. No. 7348. September 27, 2016*Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-c-no-7348/>**PER CURIAM:**

Through this administrative Complaint[1] directly filed before this Court, Rouel Yap Paras (Rouel) charges his father Atty. Justo J. Paras (Atty. Paras) with violation of his lawyer's oath and the Code of Professional Responsibility.[2] Atty. Paras allegedly voluntarily offered properties he did not own nor possess to the Department of Agrarian Reform for coverage under the Comprehensive Agrarian Reform Program.[3] Atty. Paras has been previously disciplined twice upon complaint of his wife.[4]

In September 2006, Rouel found out that a listing of possible beneficiaries for the Department of Agrarian Reform's Comprehensive Agrarian Reform Program was being made by a certain Edna Mijares and Tomas Visitacion.[5] On the same month, he received at their residence in Negros Oriental[6] a copy of a Notice of Coverage[7] dated September 8, 2006 from the Department of Land Reform. The Notice of Coverage was addressed to Atty. Paras and was signed by Provincial Agrarian Reform Officer Grace B. Fua. Five (5) of the six (6) properties listed in the Notice of Coverage were those subject of Civil Case No. 02-028-BY pending before Branch 45 of the Regional Trial Court of Bais City, Negros Oriental.[8] Civil Case No. 02-028-BY is based on a Complaint[9] filed by Rouel against Atty. Paras for annulment of Original Certificates of Title of the properties.

Rouel referred the matter to his counsel, who wrote Provincial Agrarian Reform Officer Grace B. Fua.[10] In the letter dated October 9, 2006, his counsel requested a copy of all documents pertaining to the September 8, 2006 Notice of Coverage addressed to Atty. Paras.[11] Rouel's counsel also informed the Department of Agrarian Reform that: (1) the real properties were subject of a pending case;[12] (2) Atty. Paras was suspended by this Court for unlawfully "having the said properties titled in his name;"[13] (3) the properties were titled in the name of Atty. Paras only for free patent title coverage;[14] (4) Atty. Paras did not possess the properties;[15] and (5) Rouel was the real owner and in possession of the properties.[16]

The Department of Agrarian Reform granted the request and furnished Rouel with all documents related to the Notice of Coverage.[17] Among these documents were: (1) Atty. Paras' October 20, 2004 letter[18] to Provincial Agrarian Reform Officer Stephen M. Leonidas; (2) an authorization letter[19] by Atty. Paras for Edna R. Mijares; and (3) an October 9, 2006 Certification[20] by Provincial Agrarian Reform Officer Grace B. Fua.[21]

On October 25, 2006, Rouel Yap Paras filed this Complaint before this Court and alleged:

1. That respondent, ATTY. JUSTO J. PARAS, had violated the LAWYER'S OATH and the Code of Professional Responsibility, thus:
 - a) Section 27, Rule 138 of the Rules of Court, thus:
 1. Deceit
 2. Violation of Oath of Office
 3. Willful disobedience of any lawful order of a superior court;

b) The Code of Professional Responsibility in Canon 1, "A lawyer shall uphold the Constitution, obey the laws of the land, and promote respect for law and legal processes"; Canon 3, "a lawyer in making known his legal services shall use only true, honest, fair, dignified and objective information or statement of facts; Canon 7, "a lawyer shall at all times uphold [sic] the integrity and dignity of the legal profession[.]"; Canon 10 that "a lawyer owes candor, fairness and good faith to the court"; Canon 8, "a lawyer shall conduct himself with courtesy, fairness and candor towards his professional colleagues...";

2. That the respondent engaged in an unlawful, dishonest and deceitful conduct when he deliberate[ly] represented himself as "LANDOWNER", and voluntarily offered real properties to the DAR for CARP coverage, when he knew fully well that he is NOT THE OWNER OF THE SUBJECT REAL PROPERTIES;

.....

3. That RESPONDENT, ATTY. JUSTO J. PARAS, ... with manifest bad faith and inexcusable negligence, proceeded to present himself to the DAR, and offered the subject properties, even with his full knowledge of the pending litigations involving the said properties;

4. That in spite of the pendency of the "PETITION FOR annulment of OCT NOS. 32360, 32361, 32362, and 33476 and DAMAGES" proceedings, which is pending before the Regional Trial Court Branch 45, Bais City, respondent, ATTY. JUSTO J. PARAS, had instigated the VOLUNTARY OFFER OF COVERAGE TO THE DAR, to dispossess the complainant, his mother, and the members of the YAP family of their property rights, as it is very clear that ATTY. JUSTO J. PARAS was fully aware that the subject real properties WERE NOT OWNED BY HIM, and he DID NOT HAVE ANY ACTUAL PHYSICAL POSSESSION of the subject real properties;

5. That the AUTHORIZATION issued to EDNA MIJARES by respondent, is a GROSS MISREPRESENTATION, and this had caused innocent barrio folks of Barangay Matobato, Bindoy, Negros Oriental to pay P500.00 to Edna Mijares, in view of the false promise that they will be included as DAR beneficiaries, even if they were not tenants or residing in the subject property;

....

7. THAT RESPONDENT HAD THE SOLE INTENT OF DISPOSSESSING THE UNDERSIGNED, HIS LEGITIMATE SON, OF HIS PROPERTY RIGHTS, USING HIS LEGAL PROFESSION, AS HIS WEAPON OF VENGEANCE, TO UNDERMINE THE CONSTITUTIONAL RIGHTS OF THE UNDERSIGNED, HIS MOTHER, ROSA YAP PARAS, AND MEMBERS OF THE YAP FAMILY OF BINDOY, NEGROS ORIENTAL[.][22] (Emphasis and underscoring in the original)

Complainant prayed that respondent be disbarred as respondent had already been suspended by this Court in two (2) previous administrative cases.[23]

On February 22, 2007, respondent filed his Comment.[24] He alleged that the present Complaint is "identical in subject-matter, principal parties involved, issues and persecutory intent"[25] with A.C. No. 7349[26] filed against him by Rosa Yap-Paras, complainant's mother.[27] However, respondent admitted that:

the properties subject-matter of the instant [administrative] complaint ... [are] subject of a pending trial court proceedings [sic] before RTC, Branch 45, Bais City: Civil Case No. 02-028-BY, entitled: ROUEL YAP PARAS vs. JUSTO J. PARAS and Register of Deeds of Negros Oriental, for "Annulment of OCT Nos. 32360, 32350, 32361, 32362 and 33476 and damages.["] [28]

On the allegation of voluntary offer of properties, respondent claimed:

4. That under ... [the] Comprehensive Agrarian Reform Law . . . the implementation of the law under C[omprehensive] A[graria]n R[eform] P[rogram] on private properties is under two (2) modes, namely:

1) Compulsory Acquisition by DAR (Sec. 16, CARL), or 2) Voluntary Offer of Sale (VOS, under Sees. 19 & 20, RA 6657). Under Mode 1, DAR on its own initiative listing and documentation compulsorily covers usually big real properties owned by a single landowner in a given community thru service of its "NOTICE OF COVERAGE". The other Mode 2 covers properties offered for sale under VOS by landowner. The pursuit of whichever mode of acquisition is left to the discretion of DAR unless offer is made.

Respondent's CARP coverage is thru the COMPULSORY MODE. This is evidenced by ... a "NOTICE OF COVERAGE" of DAR- sent by DAR to Respondent informing him of the extent of coverage of compulsory acquisition by DAR with listing (initial) of his real properties covered. In fact Respondent had been informed that following or subsequent "NOTICE OF COVERAGE" shall include or involve properties not covered by titles or under tax declarations only, real properties which respondent owned in Bindoy as well as in the neighboring municipalities of Ayungon and Mabinay, all in the province of Negros Oriental.

It being a compulsory coverage process initiated, pursued and documented primarily by DAR, the listing of all real properties titled, covered only by tax declarations or possessed by Respondent are all the workings of DAR. Respondent never submitted to DAR a listing of his properties.[29]

Respondent prayed for the dismissal of this case.[30]

On April 11, 2007, this Court referred the case to the Integrated Bar of the Philippines for investigation, report, and recommendation.[31]

On August 22, 2007, a mandatory conference was set for October 26, 2007 at 2:00 p.m.[32] Counsel of complainant appeared for complainant, while respondent appeared for himself.[33] The conference ended with both parties submitting their issues to Investigating Commissioner Salvador B. Hababag (Commissioner Hababag) of the Commission on Bar Discipline.[34]

Complainant's counsel submitted the following issues for resolution:

1. Whether or not the respondent should be liable for misrepresenting himself as owner of the subject real properties when in truth an[d] in fact, he is not;
2. Whether or not the respondent violated the Code of Professional Responsibility which requires a lawyer to observe honesty, candor, integrity and in the pleadings filed therein;
3. Whether or not the respondent is bound by the findings of the Supreme Court in Administrative Case No. 4947 the fact that respondent committed deceit and falsehood in having applied for pre-patent [sic] of the lands owned by another over which he had no actual physical possession being aware of the fact that the same was previously transferred in the name of Aurora Yap and which act reflected his fitness to practice law in violation of Rule 7.03[,] Canon 7 of the Code of Professional Responsibility.[35]

Respondent, on the other hand, submitted the following Issues for resolution:

1. Whether or not the previously filed and pending Civil Case No. 02-028-BY filed by the complainant and seeking annulment of free-patent titles is a prejudicial question to this case;
2. Whether or not complainant has successfully identified his quitclaimed acquired properties as to be related to the three (3) free- patented titles of the respondent.[36]

Both parties were ordered to submit position papers.[37]

On November 23, 2007, complainant filed his Position Paper.[38] He reiterated the circumstances and grounds for respondent's disbarment and emphasized respondent's October 20, 2004 letter to Provincial Agrarian Reform

Officer Stephen M. Leonidas, stating:

[C]ontrary to the misrepresentations of the respondent, he offered the subject real properties for VOLUNTARY ACQUISITION with the DAR as shown in his letter....

....

IT IS VERY CLEAR THAT THE RESPONDENT HAD THE DELIBERATE AND MALICIOUS INTENT TO DEPRIVE THE COMPLAINANT OF OWNERSHIP RIGHTS TO THE SUBJECT REAL PROPERTIES, USING HIS LEGAL KNOWLEDGE TO CIRCUMVENT THE JUDICIAL PROCESSES BY USING THE DAR, INSPITE OF THE DECISION OF THE SUPREME COURT SUSPENDING HIM FOR ONE YEAR FOR "HIS DECEIT AND FALSEHOOD IN THE APPLICATION FOR A FREE PATENT OVER SAID PROPERTIES.["] NOW HE HAS DEFIED AGAIN THE SUPREME COURT BY VOLUNTARILY OFFERING THIS LAND FOR COMPENSATION BY DAR BY FALSELY CLAIMING AS THE OWNER OF SAID PROPERTIES[;]

THAT IT WAS ONLY IN 2006, THAT THE DAR GAVE NOTICE OF THE COMPULSORY ACQUISITION, AND INSPITE OF THE POSSESSION OF COMPLAINANT, THE RESPONDENT HAD CONTINUED TO PURSUE THE DAR ACQUISITION, BY CONDUCTING MEETINGS WITH HIS ["DAR BENEFICIARIES", AS PROOF OF HIS .BENEVOLENCE, SINCE HE IS GIVING AWAY ALL THE TITLED PROPERTIES, IN HIS NAME, KNOWING THAT HE IS NOT THE TRUE OWNER/POSSESSOR THEREOF;

THAT RESPONDENT WAS FOLLOWING UP THE RELEASE OF THE CHECKS REPRESENTING THE DAR PAYMENT FOR THE SUBJECT REAL PROPERTIES, TO BE IN HIS NAME, THUS, THE INTENT TO "CASH IN", IS SO GROSS AND UNJUST, AND SHOWS THAT RESPONDENT DOES NOT DESERVE TO BE AN OFFICER OF THE COURT AND A MEMBER OF THE BAR[.][39] (Emphasis in the original)

On December 18, 2007, respondent filed his Position Paper.[40] He claimed that (1) the pendency of Civil Case No. 02-028-BY is a prejudicial question to the present case;[41] and that (2) complainant "failed to identify [the] four (4) quitclaim-acquired properties as the same as those gratuitously given by Government to Respondent by way of free patent titles." [42] To prove his second claim, respondent compared the size of properties in the quitclaim to complainant as against the size of free patent titled properties he acquired.[43]

On January 14, 2008, complainant filed his Reply.[44] He restated his claims and added that "while respondent claims ownership over real properties located in Bindoy, Negros [O]riental, he has not paid any of REAL TAXES over the subject real properties[.]" [45]

In his Report and Recommendation[46] dated January 5, 2008, Commissioner Hababag found respondent guilty of violating his lawyer's oath and the Code of Professional Responsibility, thus:[47]

Respondent has been deplorably lacking in the candor required of him as member of the bar in his acts of applying for the issuance of a free patent over the properties in issue despite knowledge that the same had already been sold by his mother to complainant's aunt. This fact, respondent even admitted in the comment, he committed deceit and falsehood in his application for free patent over the said properties when he manifested under oath that he had been in the actual possession and occupation of the said lands despite the fact these were continuously in the possession and occupation of complainant's family, as evidenced no less by respondent's own statements in the pleadings filed before the IBP in Adm. Case No. 4947.

The practice of law is not a right but merely a privilege bestowed by the State upon those who show that they possess, and continue to possess, the qualifications required by law for the conferment of such privilege. . . . One of those requirements is the observance of honesty and candor.

The facts and evidence obtaining in the instant case indubitably reveal respondent's failure to live up to his duties as lawyer in consonance with the strictures of the lawyer's oath and the Code of Professional Responsibility, he has shown no remorse nor reformation thereby occasioning sanction for his stubbornness.[48]

The penalty of a one (1)-year suspension from the practice of law was recommended.[49]

In Resolution No. XVIII-2008-42[50] dated January 17, 2008, the Integrated Bar of the Philippines Board of Governors adopted and approved Commissioner Hababag's Report and Recommendation. However, the Board of Governors modified the penalty and reduced respondent's suspension from one (1) year to six (6) months.[51]

On April 25, 2008, complainant moved for reconsideration[52] of the January 17, 2008 Resolution, praying that the penalty of suspension be reconsidered and a penalty of disbarment be imposed instead. On January 3, 2013, the Motion for Reconsideration was denied in the Board of Governors' Resolution No. XX-2013-07.[53]

The sole issue for this Court's resolution is whether respondent violated his lawyer's oath and the Code of Professional Responsibility when he voluntarily offered property that he neither owned nor possessed for coverage under the Comprehensive Agrarian Reform Program.

We confirm the guilt of respondent. However, we modify the penalty imposed.

In deciding this case, this Court takes judicial notice of two (2) administrative cases filed by Rosa Yap Panis against respondent.

In *Paras v. Atty. Paras*,[54] respondent was found guilty of falsifying Rosa Yap-Paras' signature in bank loan documents and other related instruments; and of immorality, concubinage, and abandonment of his own family.[55] Respondent was meted the penalty of a six (6)-month suspension from the practice of law for the first offense, and a one (1)-year suspension for the second offense.[56]

In *Yap-Paras v. Atty. Paras*,[57] respondent was found guilty of violating his lawyer's oath and the Code of Professional Responsibility when he "[applied] for the issuance of a free patent over the properties in issue despite his knowledge that the same had already been sold by his mother to complainant's sister." [58] This Court also found that:

[He] committed deceit and falsehood in his application for free patent over the said properties when he manifested under oath that he had been in the actual possession and occupation of the said lands despite the fact that these were continuously in the possession and occupation of complainant's family, as evidenced no less by respondents own statements in the pleadings filed before the IBP.[59]

Respondent was suspended from the practice of law for one (1) year.[60]

Both *Yap-Paras* and this case involve the same real properties. Both likewise refer to respondent's deceit and misrepresentation as basis for his administrative sanction.

In this case, one of the complainant's claims was that:

[R]espondent engaged in an unlawful, dishonest and deceitful conduct when he deliberate[ly] represented himself as "LANDOWNER," and voluntarily offered real properties to the DAR for CARP coverage, when he knew fully well that he is NOT THE OWNER OF THE SUBJECT REAL PROPERTIES[.][61] (Emphasis in the original)

Respondent's violation of his lawyer's oath and of the Code of Professional Responsibility, by misrepresenting himself as the owner of the properties, has already been decided in *Yap-Paras*:

In the instant case, it is clear to the Court that respondent violated his lawyer's oath as well as the Code of Professional Responsibility which mandates upon each lawyer, as his duty to society and to the courts, the obligation to obey the laws of the land and to do no falsehood nor consent to the doing of any in court. Respondent has been deplorably lacking in the candor required of him as a member of the Bar and an officer of the court in his acts of applying for the issuance of a free patent over the properties in issue despite his knowledge that the same had already been sold by his mother to complainant's sister. This fact, respondent even admitted in the comment that he filed before this Court when he alleged that the said properties were public land under the Forestal Zone "when the mother of the respondent ceded to Aurora Yap some portions of entire occupancy of the Parases." Moreover, respondent committed deceit and falsehood in his application for free patent over the said properties when he manifested under oath that he had been in the actual possession and occupation of the said lands despite the fact that these were continuously in the possession and occupation of complainants family, as evidenced no less by respondent's own statements in the pleadings filed before the IBP.[62] (Emphasis supplied, citation omitted)

Commissioner Hababag likewise found respondent guilty of the same offense in this case:

Respondent has been deplorably lacking in the candor required of him as member of the bar in his acts of applying for the issuance of a free patent over the properties in issue despite knowledge that the same had already been sold by his mother to complainant's aunt. This fact, respondent even admitted in the comment, he committed deceit and falsehood in his application for free patent over the said properties when he manifested under oath that he had been in the actual possession and occupation of the said lands despite the fact these were continuously in the possession and occupation of complainant's family, as evidenced no less by respondent's own statements in the pleadings filed before the IBP in Adm. Case No. 4947.[63] (Emphasis supplied)

Although respondent's violation in this case was not squarely addressed by Commissioner Hababag's Report and Recommendation, the records of the case reveal that respondent's voluntary offer of properties was motivated by ill will, for which he should be sanctioned.

Prior to respondent's voluntary offer of properties, he was sanctioned by the Board of Governors in Resolution No. XVI-2004-120 dated February 27, 2004.[64] The Board of Governors adopted the recommendation of Investigating Commissioner Lydia A. Navarro, thus:

[R]espondent committed deceit and falsehood in having applied for free patent over lands owned by another over which he had no actual physical possession being aware of the fact that the same was previously transferred in the name of Aurora Yap[.].[65]

Despite the issuance of the Resolution and the full knowledge that the properties were subject of a pending civil case,[66] respondent submitted in August 2004 to the Department of Agrarian Reform of Bantayan, Dumaguete City a list of landholdings he allegedly owned for voluntary offer under Comprehensive Agrarian Reform Program coverage.[67] He even wrote a letter dated October 20, 2004 addressed to Provincial Agrarian Reform Officer Stephen M. Leonidas requesting that the list of properties he submitted be covered under the Compulsory Acquisition Scheme instead, as he could not get his spouse's conformity for voluntary offer.[68]

The existence of the letter was contrary to his claim in his Comment that he had no hand in the Compulsory Acquisition scheme:

It being a compulsory coverage process initiated, pursued and documented primarily by DAR, the listing of all real properties titled, covered only by tax declarations or possessed by Respondent are all the workings of DAR. Respondent never submitted to DAR a listing of his properties.[69] (Emphasis supplied)

He further contradicted himself when he admitted the October 20, 2004 letter during the mandatory conference:

ATTY. YAP:

The existence of the Letter of the Respondent, Atty. Justo J. Paras dated October 20, 2004 to Stephen M. Leonidas, Provincial Agrarian Reform Officer of the Department of Agrarian Reform, Bantayan, Dumaguete City which is in [sic] filed with the Department of Agrarian Reform, Negros Oriental?

COMM. HABABAG:

Any comment?

ATTY. PARAS:

We admit that.[70]

Eight (8) months after this Court promulgated its Resolution in Yap- Paras,[71] which confirmed the Board of Governors' Resolution No. XVI-2004-120, respondent authorized Edna R. Mijares, Chair of the Domolog Tagaytay Multi-Purpose Cooperative, to come up with a list of beneficiaries for the properties he requested to be covered under the Compulsory Acquisition Scheme of the Department of Agrarian Reform.[72]

By authorizing Edna R. Mijares, respondent pushed for the inclusion of his alleged properties for Comprehensive Agrarian Reform Program coverage. He did this notwithstanding the Resolution finding him guilty of "commit[ing] deceit and falsehood in his application for free patent over the said properties when he manifested under oath that he had been in the actual possession and occupation of the said lands despite the fact that these were continuously in the possession and occupation of complainants family[.]"[73]

Respondent's acts constitute a violation of his lawyer's oath, which states:

I, _____, do solemnly swear that I will maintain allegiance to the Republic of the Philippines; I will support its Constitution and obey the laws as well as the legal orders of the duly constituted authorities therein; I will do no falsehood, nor consent to the doing of any in court; I will not wittingly or willingly promote or sue any groundless, false or unlawful suit, nor give aid nor consent to the same. I will delay no man for money or malice, and will conduct myself as a lawyer according to the best of my knowledge and discretion with all good fidelity as well to the courts as to my clients; and I impose upon myself this voluntary obligation without any mental reservation or purpose of evasion. So help me God. (Emphasis supplied)

His deliberate act of disregarding this Court's ruling is conduct unbecoming of a lawyer and degrades the legal profession. He is likewise guilty of violating Canon 1, Rule 1.01 and Canon 10, Rule 10.01 of the Code of Professional Responsibility:

CANON 1 - A LAWYER SHALL UPHOLD THE CONSTITUTION, OBEY THE LAWS OF THE LAND AND PROMOTE RESPECT FOR LAW OF AND LEGAL PROCESSES.

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

....

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.

In offering to government property that he knew he neither owned nor possessed, respondent committed dishonesty, misrepresentation, and deceit. Although deceit and misrepresentation are present in both Yap-Paras and in this case, the surrounding circumstances are different. In Yap-Paras, deceit and misrepresentation were used to apply for the issuance of a free patent. On the other hand, in this case, they were used for a voluntary offer of land for Comprehensive Agrarian Reform Program coverage. The application for the issuance of a free patent

and the voluntary offer of property for Comprehensive Agrarian Reform Program coverage are distinct from one another and are not prerequisites of each other. His offense in the previous case is separate and distinct from this case, for which he is sanctioned anew.

Respondent has already been sanctioned three (3) times. The dispositive portion of Paras, which was dated October 17, 2000, reads:

In the light of the foregoing, respondent is hereby SUSPENDED from the practice of law for SIX (6) MONTHS on the charge of falsifying his wife's signature in bank documents and other related loan instruments; and for ONE (1) YEAR from the practice of law on the charges of immorality and abandonment of his own family, the penalties to be served simultaneously. Let notice of this decision be spread in respondent's record as an attorney, and notice of the same served on the Integrated Bar of the Philippines and on the Office of the Court Administrator for circulation to all the courts concerned.

SO ORDERED.[74] (Emphasis supplied)

In Yap-Paras, respondent was suspended and warned by this Court:

WHEREFORE, finding respondent Atty. Justo J. Paras guilty of committing a falsehood in violation of It's lawyer's oath and of the Code of Professional Responsibility, the Court Resolved to SUSPEND respondent from the practice of law for a period of one (1) year, with a WARNING that commission of the same or similar offense in the future will result in the imposition of a more severe penalty.

Let copies of this Resolution be furnished the IBP, as well as the Office of the Bar Confidant and the Court Administrator who shall circulate it to all courts for their information and guidance and likewise be entered in the record of respondent as attorney.

SO ORDERED.[75] (Emphasis supplied)

This is respondent's fourth case involving the same properties and his second infraction of an offense of the same nature. The six (6)-month suspension imposed by the Commission on Bar Discipline is too light a penalty. Respondent deserves a graver penalty for his acts of dishonesty, misrepresentation, and deceit.

WHEREFORE, this Court finds respondent Atty. Justo J. Paras

GUILTY of violating the lawyer's oath and Canon 1, Rule 1.01 and Canon 10, Rule 10.01 of the Code of Professional Responsibility. He is hereby DISBARRED from the practice of law and his name stricken from the Roll of Attorneys.

Let copies of this Resolution be furnished to the Office of the Bar Confidant to be appended to respondent's personal record as attorney, to the Integrated Bar of the Philippines, and to the Office of the Court Administrator for dissemination to all courts throughout the country for their information and guidance.

SO ORDERED.

Sereno, C.J., Velasco, Jr., Peralta, Bersamin, Del Castillo, Perez, Mendoza, Perlas-Bernabe, Leonen, Jardeleza, and Caguioa, JJ., concur.

Carpio and Leonardo-De Castro, JJ., on official leave.

Brion and Reyes, JJ., on leave.

NOTICE OF JUDGMENT

Sirs/Mesdames:

Please take notice that on September 27, 2016 a Decision/Resolution, copy attached herewith, was rendered by the Supreme Court in the above-entitled case, the original of which was received by this Office on October 24, 2016 at 1:50 p.m.

Very truly yours,

(SGD)
FELIPA G. BORLONGAN-ANAMA
Clerk of Court

[1] Rollo, pp. 1-21.

[2] Id. at 6.

[3] Id.

[4] Id. at 6-10.

[5] Id. at 2.

[6] Id.

[7] Id. at 24-25. See Department of Agrarian Reform, Notices of Coverage <http://www.dar.gov.ph/notive-of-coverage> (visited December 7, 2015). A Notice of Coverage is issued "for CARP-covered private agricultural lands under Compulsory Acquisition that still form part of the Land Acquisition and Distribution (LAD) [Comprehensive Agrarian Reform Program Extension with Reforms] Balance, [and] [o]nce the NOCs have been served/issued to landowners, DAR can initiate the land acquisition and distribution process."

[8] Id. at 26-27.

[9] Id. at 29-36.

[10] Id. at 2.

[11] Id. at 2-4.

[12] Id. at 3.

[13] Id.

[14] Id. at 4.

[15] Id.

[16] Id.

[17] Id. at 4-5.

[18] Id. at 103.

[19] Id. at 104.

[20] Id. at 105.

[21] Id. at 5.

[22] Id. at 6-12.

[23] Id. at 14 and 18, Complaint. The two (2) other administrative cases were *Paras v. Atty. Paras*, 397 Phil. 462 (2000) [Per J. Melo, Third Division] and *Yap-Paras v. Atty. Paras*, 491 Phil. 382 (2005) [Per J. Garcia, Third Division].

[24] Id. at 211-215.

[25] Id. at 211.

[26] Id. at 217-222, Petition for Disbarment and Petition for Contempt of Court. The Petition attached to Atty. Paras' Comment has missing pages.

[27] Id. at 211.

[28] Id. at 211-212.

[29] Id. at 212.

[30] Id. at 215.

[31] Id. at 237.

[32] Id. at 239, Notice of Mandatory Conference.

[33] Id. at 244, Order.

[34] Id. at 244-245, Order.

[35] Id. at 438, Report and Recommendation.

[36] Id.

[37] Id.

[38] Id. at 283-309.

[39] Id. at 298-300.

[40] Id. at 373-381.

[41] Id. at 378.

[42] Id. at 379.

[43] Id.

[44] Id. at 447-456.

[45] Id. at 455.

- [46] Id. at 437-441. The Report and Recommendation was penned by Investigating Commissioner Salvador B. Hababag.
- [47] Id. at 440.
- [48] Id.
- [49] Id.
- [50] Id. at 436.
- [51] Id.
- [52] Id. at 487-500.
- [53] Id. at 504.
- [54] 397 Phil. 462 (2000) [Per J. Melo, Third Division].
- [55] Id. at 474-476.
- [56] Id. at 475-476.
- [57] 491 Phil. 382 (2005) [Per J. Garcia, Third Division].
- [58] Id. at 391.
- [59] Id.
- [60] Id. at 393.
- [61] Rollo, p. 6.
- [62] Yap-Paras v. Atty. Paras, 491 Phil. 382, 391 (2005) [Per J. Garcia, Third Division].
- [63] Rollo, p. 440.
- [64] Yap-Paras v. Atty. Paras, 491 Phil. 382, 388 (2005) [Per J. Garcia, Third Division].
- [65] Id.
- [66] Rollo, pp. 26-28, Notice of Lis Pendens in Civil Case No. 02-028-BY dated June 5, 2003.
- [67] Id. at 103.
- [68] Id.
- [69] Id. at 212.
- [70] Id. at 251, TSN, October 26, 2007, p. 6.
- [71] The Resolution was promulgated on February 14, 2005.
- [72] Rollo, p. 104.
- [73] Yap-Paras v. Atty. Paras, 491 Phil. 382, 391 (2005) [Per J. Garcia, Third Division].
- [74] Paras v. Atty. Paras, 397 Phil. 462, 475-476 (2000) [Per J. Melo, Third Division].
- [75] Yap-Paras v. Atty. Paras, 491 Phil. 382, 393 (2005) [Per J. Garcia, Third Division].

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