

RE: SUBPOENA DUCES TECUM DATED JANUARY 11, 2010 OF ACTING DIRECTOR ALEU A. AMANTE, PIAB-C, OFFICE OF THE OMBUDSMAN.

A.M. No. 10-1-13-SC. March 20, 2012

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PER CURIAM:

We resolve the separate successive letter-petitions[1] of Atty. Oliver O. Lozano, addressed to the Supreme Court en banc, for the lifting of the indefinite suspension from the practice of law imposed by the Court in its Resolution of June 15, 2010.

In our Resolution of June 15, 2010, we found Atty. Lozano and Atty. Evangeline Lozano-Endriano guilty of grave professional misconduct when they misquoted or misused constitutional provisions in their pleadings[2] in order to impute unjust acts to members of this Court. Subsequently, we have reinstated Atty. Lozano-Endriano in our August 23, 2011 Resolution, because of circumstances indicating lesser culpability on her part.

Professional misconduct involving the misuse of constitutional provisions for the purpose of insulting Members of this Court is a serious breach of the rigid standards that a member of good standing of the legal profession must faithfully comply with. Thus, the penalty of indefinite suspension was imposed. However, in the past two years during which Atty. Lozano has been suspended, he has repeatedly expressed his willingness to admit his error, to observe the rules and standards in the practice of law, and to serve the ends of justice if he should be reinstated. And in these two years, this Court has not been informed of any act that would indicate that Atty. Lozano had acted in any unscrupulous practices unsuitable to a member of the bar.

While this Court will not hesitate to discipline its erring officers, it will not prolong a penalty after it has been shown that the purpose for imposing it had already been served. From Atty. Lozano's letters-petitions, we discern that his suspension had already impressed upon him the need for care and caution in his representations as an officer of this Court.

Under these circumstances, this Court decides to grant Atty. Lozano's letters-petitions with the expectation that he shall now avoid going to the extreme of employing contortions of and misusing legal provisions and principles to justify his positions, and instead focus his energies and talents towards a lawyer's primary aim of promoting the speedy and efficient administration of justice.

WHEREFORE, premises considered, we hereby LIFT the indefinite suspension from the practice of law of Atty. Oliver Lozano and REINSTATE him to the status of a member in good standing in so far as the suspension imposed him by this Court is concerned.

SO ORDERED.

Corona, C.J., Carpio, Velasco, Jr., Leonardo-De Castro, Brion, Peralta, Bersamin, Abad, Villarama, Jr., Perez, Mendoza, Sereno, Reyes, and Perlas-Bernabe, JJ., concur.
Del Castillo, J., on leave.

[1] Letters-Petitions of Oliver Lozano, addressed to the Supreme Court En Banc, dated February 20, 2012, December 2, 2011, September 27, 2011, June 27, 2011 and May 30, 2011.

[2] A criminal complaint before the Office of the Ombudsman, entitled “Oliver Lozano et al. v. Hilario Davide Jr., et al.,” OMB-C-C-09-0527, against Retired Chief Justice Hilario G. Davide and Retired Justice Alicia Austria-Martinez; and the Complaint for Impeachment filed before the House of Representatives, entitled “Lawyers League of the Philippines v. Supreme Court Chief Justice Reynato S. Puno,” dated September 8, 2009.

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