

OCA CIRCULAR NO. 38-2011, March 01, 2011

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TO :

THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A CIRCUIT COURTS, THE OFFICE OF THE CHIEF STATE PROSECUTOR, PUBLIC ATTORNEY'S OFFICE AND THE INTEGRATED BAR OF THE PHILIPPINES

SUBJECT :

SUSPENSION FROM THE PRACTICE OF LAW FOR SIX (6) MONTHS OF ATTY. RAMIL E. MACALALAD

For your information and guidance, quoted hereunder is the dispositive portion of the Decision of the Second Division dated 24 February 2010, in Administrative Case No. 8158, entitled "Atty. Elmer C. Solidon vs. Atty. Ramil E. Macalalad", to wit:

"WHEREFORE, premises considered, we hereby AFFIRM WITH MODIFICATION Resolution No. XVIII-2008-336 dated July 17, 2008 of the Board of Governors of the IBP Commission on Bar Discipline. We impose on Atty. Ramil E. Macalalad the penalty of SIX (6) MONTHS SUSPENSION from the practice of law for violations of Rule 16.03 and Rule 18.03 of the Code of Professional Responsibility, effective upon finality of this Decision. Atty. Macalalad is STERNLY WARNED that a repetition of the same or similar acts will be dealt with more severely.

Atty. Macalalad is also ORDERED to RETURN to Atty. Elmer C. Solidon the amount of Fifty Thousand Pesos (₱50,000.00) with interest of twelve percent (12%) per annum from the date of promulgation of this Decision until the full amount is returned."

The Court, in a Resolution dated 21 July 2010, DENIED the respondent's motion for reconsideration for lack of merit. Further, the Court, in a Resolution dated 10 January 2011, DENIED for lack of merit, respondent's second motion for reconsideration for being a prohibited pleading under Section 2, Rule 52 in relation to Section 4, Rule 56 of the 1997 Rules of Civil Procedure, as amended. The Court further resolved that no further pleadings or motions shall be entertained in this case."

March 1, 2011.

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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