

OCA CIRCULAR NO. 21-2014, January 30, 2014

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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. MARCELITO M. MILLO

For your information and guidance, quoted hereunder is the dispositive portion of the Decision of the First Division dated 19 March 2013, in Administrative Case No. 9612, entitled "Johnny M. Pesto v. Atty. Marcelito M. Millo," to wit:

WHEREFORE, the Court FINDS and HOLDS Atty. MARCELITO M. MILLO guilty of violating Canon 18, Rule 18.03 of the Code of Professional Responsibility and the Lawyer's Oath; SUSPENDS him from the practice of law for a period of six months effective from notice, with the STERN WARNING that any similar infraction in the future will be dealt with more severely; ORDERS him to return to the heirs of Johnny and Abella Pesto within ten days from notice the sum of 610,000.00, plus legal interest of 6% per annum reckoned from the finality of this decision until full payment; and DIRECTS him to promptly submit to this Court written proof of his compliance within thirty days from notice of this decision.

In a Resolution dated 31 July 2013, the Court DENIED with FINALITY the respondent's motion for reconsideration for lack of substantial argument to warrant a modification of the Court's Decision. The Resolution dated 31 July 2013, which denied respondent's motion for reconsideration, was received on 25 November 2013 by respondent, as shown in the Registry Return Receipt No. 11751.

30 January 2014

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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