

OCA CIRCULAR NO. 25-2009, March 16, 2009

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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, 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 ONE (1) YEAR OF ATTY. DANIEL B. RAFAEL PENUELA

For your information and guidance, quoted hereunder is the dispositive portion of the Resolution of the Second Division dated 22 September 2008, in Administrative Case No. 7904, entitled "Rhodora B. Yutuc vs. Atty. Daniel Rafael B. Penuela", to wit:

"WHEREFORE, Atty. Daniel Rafael B. Penuela is adjudged GUILTY of misconduct, negligence, and lack of candor in the performance of his responsibilities to his client in violation of Canon 15, Canon 16, and Rule 18.03, Canon 18 of the Code of Professional Responsibility. He is hereby SUSPENDED from the practice of one (1) year effective upon receipt of this Resolution. He is also ordered to return to complainant Rhodora B. Yutuc, the amount of Php 25, 000 with legal interest of six (6) percent per annum from the time of his receipt of the money on November 22, 2005 up to finality of this Resolution and twelve (12) percent per annum from finality thereof until paid."

The respondent's Motion for Reconsideration of the Resolution dated 22 September 2008 which suspended him from the practice of law for one (1) year was DENIED with FINALITY, as no substantial matter were raised to warrant reconsideration thereof pursuant to the Resolution of the Second Division dated 14 January 2009.

March__16__,2009.

JOSE P. PEREZ

Court Administrator

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