

OCA CIRCULAR NO. 2-2008, January 11, 2008

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TO:

THE COURT OF APPEALS, SANDAGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARIA DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARIA 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 TWO (2) YEARS OF ATTY. JERRY BANARES

For your information and guidance, quoted hereunder is the dispositive portion of the decision of the Court En Bane dated February 21, 2007, in Administrative Case No. 7021 entitled, "Melvin D. Small vs. Atty. Jerry Banares", to wit:

"WHEREFORE, we find respondent Atty. Jerry Banares GUILTY of violating Canons 16 and 18 and Rules 16.01, 16.03, and 18.04 of the Code of Professional Responsibility. Accordingly, we SUSPEND respondent from the practice of law for two years effective upon finality of this Decision. We ORDER respondent to RETURN, within 30 days from notice of this decision, complainant's P80,000, with interest at 12% per annum from the date of promulgation of this decision until full payment. We DIRECT respondent to submit to the Court proof of payment within fifteen days from payment of the full amount."

Copy of the decision was received by respondent on 15 June 2007 per Registry Return Receipt No. 27835. Respondent's motion for reconsideration was denied with finality on 5 June 2007.

January __11__, 2008. Untitled Document

ZANAIDA N. ELEPAÑO

Court Administrator

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