

**ROLITO GO Y TAMBUNTING, PETITIONER, VS. THE COURT OF APPEALS, THE HON. BENJAMIN V. PELAYO PRESIDING JUDGE, BRANCH 168 TRIAL COURT, NCJR, PASIG, METRO-MANILA AND PEOPLE OF THE PH...**

*G.R. No. 106087. January 11, 1995*

Ponente: ROMERO, J.

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**ROMERO, J.:**

In the Resolution of the Court dated April 7, 1993, which denied with finality the Motion for Reconsideration filed by petitioners of this Court's Resolution dated September 23, 1992, denying petitioner's Petition and affirming the Decision and Resolution promulgated on March 9, 1992 and June 26, 1992, respectively, of the Court of Appeals in C.A. G.R. SP No. 26305, counsel for petitioner Attys. Raymundo A. Armovit, Miguel R. Armovit and Rafael R. Armovit were ordered to pay a fine of P500.00 each in exercise of the Court's power of disciplining members of the Bar due to their use of language that is highly derogatory, offensive and contemptuous.

The dispositive portion further added “a stern warning that a repetition of this or similar act and language will be dealt with more severely. Let a copy of this Resolution be attached to their records.”

Instead of complying with the Court's order, counsel filed a motion on May 3, 1993 to declare void ab initio their “administrative conviction and punishment - incorporated in the decision of 7 April 1993” and for hearing before the Court En Banc. This was followed by a “Motion for Leave (in humble plea for understanding)” filed on January 17, 1994. As of November 10, 1994 or one year and seven months after the April 7, 1993 Order, petitioner's counsel have not complied with the Court's Order, as certified to by the Cashier.

In the face of such contumacy and defiance of authority, this Court finally passed a Resolution on November 28, 1994 ordering the issuance of a “warrant of arrest against said counsels and for their detention for a period of five (5) days addressed to the Director of the National Bureau of Investigation on December 9, 1994.”

In their Omnibus Motion of December 25, 1994, the counsel for petitioners moved for the “recall/quashal of the warrants of arrest” above-mentioned attaching a receipt for their payment of the P1,500.00 fine.

In view of such compliance, the motion of counsel for petitioners for the recall of the warrants of arrest is granted but for their contumacious conduct in refusing to comply with the Court's order for almost two years, they are sternly REPRIMANDED and WARNED that a repetition of such defiant conduct will be dealt with more severely.

Let a copy of this Resolution be attached to their records.

**SO ORDERED.**

Feliciano, (Chairman), Bidin, Melo, and Vitug, JJ., concur.

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