

**IN THE MATTER OF PROCEEDINGS FOR DISCIPLINARY ACTION
AGAINST ATTY. WENCESLAO LAURETA, AND OF CONTEMPT
PROCEEDINGS AGAINST EVA MARAVILLA-ILUSTRE IN G. R. NO. 68635
ENTITLED “EVA ...**

G.R. No. 68635. May 14, 1987

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-68635/>

PER CURIAM:

Before us are 1) Atty. Wenceslao Laureta's Motion for Reconsideration of the Per Curiam Resolution of this Court promulgated on March 12, 1987, finding him guilty of grave professional misconduct and suspending him indefinitely from the practice of law; and 2) Eva Maravilla-Ilustre's Motion for Reconsideration of the same Resolution holding her in contempt and ordering her to pay a fine of P1,000.00.

Essentially, Atty. Laureta maintains that the Order of suspension without hearing violated his right to life and due process of law and by reason thereof the Order null and void; that the acts of misconduct imputed to him are without basis; that the charge against him that it was he who had circulated to the press copies of the Complaint filed before the Tanodbayan is unfounded such that, even in this Court's Resolution, his having distributed copies to the press is not stated positively; that the banner headline which appeared in the Daily Express is regrettable but that he was not responsible for such misleading headline"; that he "did nothing of the sort" being fully conscious of his responsibilities as a law practitioner and officer of the Court; that as a former newspaperman, he would not have been satisfied with merely circulating copies of the Complaint to the press in envelopes where his name appears; "he himself would have written stories about the case in a manner that sells newspapers; even a series of juicy articles perhaps, something that would have further subjected the respondent justices to far worse publicity"; that, on the contrary, the press conference scheduled by Ilustre was cancelled through his efforts in order to prevent any further adverse publicity resulting from the filing of the complaint before the Tanodbayan; that, as a matter of fact, it was this Court's Resolution that was serialized in the Bulletin Today, which newspaper also made him the subject of a scathing editorial but that he "understands the cooperation because after all, the Court rendered a favorable judgment in the Bulletin union case last year"; that he considered it "below his dignity to plead for a chance to present his side" with the Editor, Mr. Ben Rodriguez, "a long-time personal friend" since he "can afford to be the sacrificial lamb if only to help the Honorable Court uphold its integrity"; that he was called by a reporter of DZRH and was asked to comment on the case filed before the Tanodbayan but that his remarks were confined to the filing of the case by Ilustre herself, and that the judgment of the trial Court had attained its finality long ago; that he is not Ilustre's counsel before the Tanodbayan and did not prepare the complaint filed before it, his professional services having been terminated upon the final dismissal of Ilustre's case before this Court; that similarities in the language and phraseology used in the Ilustre letters, in pleadings before this Court and before the Tanodbayan do not prove his authorship since other lawyers "even of a mediocre caliber" could very easily have reproduced them; that the discussions on the merits in the Per Curiam Resolution are "more properly addressed to the Tanodbayan, Justice Raul M. Gonzales being competent to deal with the case before him"; that he takes exception to the accusation that he has manifested lack of respect for and exposed to public

ridicule the two highest Courts of the land, all he did having been to call attention to errors or injustice committed in the promulgation of judgments or orders; that he has "not authorized or assisted and/or abetted and could not have prevented the contemptuous statements, conduct, acts and malicious charges of Eva Maravilla Ilustre who was no longer his client when these alleged acts were done; that "he is grateful to this Court for the reminder on the first duty of a lawyer which is to the Court and not to his client, a duty that he has always impressed upon his law students;" and finally, that "for the record, he is sorry for the adverse publicity generated by the filing of the complaint against the Justices before the Tanodbayan".

In her own Motion for Reconsideration, Eva Maravilla-Ilustre also raises as her main ground the alleged deprivation of her constitutional right to due process. She maintains that as contempt proceedings are commonly treated as criminal in nature, the mode of procedure and rules of evidence in criminal prosecution should be assimilated, as far as practicable, in this proceeding, and that she should be given every opportunity to present her side. Additionally, she states that, with some sympathetic lawyers, they made an "investigation" and learned that the Resolution of the First Division was arrived at without any deliberation by its members; that Court personnel were "tight-lipped about the matter, which is shrouded mystery" thereby prompting her to pursue a course which she thought was legal and peaceful; that there is nothing wrong in making public the manner of voting by the Justices, and it was for that reason that she addressed identical letters to Associate Justices Andres Narvasa, Ameurfina M. Herrera, Isagani Cruz and Florentino Feliciano; that "if the lawyers of my opponents were not a Solicitor General, and member of the Supreme Court and a Division Chairman, respectively, the resolution of May 14, 1986 would not have aroused my suspicion"; that instead of taking the law into her own hands or joining any violent movement, she took the legitimate step of making a peaceful investigation into how her case was decided, and brought her grievance to the Tanodbayan "in exasperation" against those whom she felt had committed injustice against her "in an underhanded manner".

We deny reconsideration in both instances.

The argument premised on lack of hearing and due process, is not impressed with merit. What due process abhors is absolute lack of opportunity to be heard (*Tajonera vs. Lamaroza, et al*, 110 SCRA 438 [1981]). The word "hearing" does not necessarily connote a "trial-type" proceeding. In the show-cause Resolution of this Court, dated January 29, 1987, Atty. Laureta was given sufficient opportunity to inform this Court of the reasons why he should not be subjected to disciplinary action. His Answer, wherein he prayed that the disciplinary action against him be dismissed contained twenty-two (22) pages, double spaced. Eva Maravilla-Ilustre was also given a like opportunity to explain her statements, conduct, acts and charges against the Court and/or the official actions of the Justices concerned. Her Compliance Answer, wherein she prayed that the contempt proceeding against her be dismissed, contained nineteen (19) pages, double spaced. Both were afforded ample latitude to explain matters fully. Atty. Laureta denied having authored the letters written by lustre, his being her counsel before the Tanodbayan, his having circularized to the press copies of the complaint filed before said body, and his having committed acts unworthy of his profession. But the Court believed otherwise and found that those letters and the charges levelled against the Justices concerned, of themselves and by themselves, betray not only their malicious and contemptuous character, but also the lack of respect for the two highest Courts of the land, a complete obliviousness to the fundamental principle of separation of powers, and a wanton disregard of the cardinal doctrine of independence of the Judiciary. *Res ipsa loquitur*. Nothing more needed to have been said or proven. The necessity to conduct any further evidentiary hearing was obviated (see *People vs. Hon. Valenzuela, G. R. Nos. 63950-60, April 19, 1985, 135 SCRA 712*). Atty Laureta and Ilustre were given ample opportunity to be heard, and were, in fact, heard.

(1)

In his Motion for Reconsideration, Atty. Laureta reiterates his allegations in his Answer to the show-cause Resolution that his professional services were terminated by Ilustre after the dismissal of the main petition by this Court; that he had nothing to do with the contemptuous letters to the individual Justices; and that he is not Ilustre's counsel before the Tanodbayan.

Significantly enough, however, copy of the Tanodbayan Resolution dismissing Ilustre's Complaint was furnished Atty. Laureta as "counsel for the complainant" at his address of record. Of note, too, is the fact that it was he who was following up the Complaint before the Tanodbayan and, after its dismissal, the Motion for Reconsideration of the Order of dismissal.

Of import, as well, is the report of Lorenzo C. Bardel, a process server of this Court, that after having failed to serve Copy of the Per Curiam Resolution of March 12, 1987 of this Court on Ilustre personally at her address of record, "101 F. Manalo St., Cubao, Quezon City," having been informed that she is "not a resident of the place", he proceeded to the residence of Atty. Laureta where the latter's wife "voluntarily received the two copies of decision for her husband and for Ms. Maravilla-Ilustre" (p. 670, Rollo, Vol. II).

That Ilustre subsequently received copy of this Court's Resolution delivered to Mrs. Laureta is shown by the fact that she filed, as of March 27, 1987, a "Petition for Extension of Time to File Motion for Reconsideration" and subsequently the Motion for Reconsideration. In that Petition Ilustre acknowledged receipt of the Resolution on March 12, 1987, the very same date Mrs. Laureta received copy thereof. If, indeed, the lawyer-client relationship between her husband and Ilustre had been allegedly completely severed, all Mrs. Laureta had to do was to return to the Sheriff the copy intended for Ilustre. As it was, however, service on Atty. Laureta proved to be service on Ilustre as well. The close tie-up between the co-respondents is heightened by the fact that three process servers of this Court failed to serve copy of this Court's Per Curiam Resolution on Ilustre personally.

Noteworthy, as well, is that by Atty. Laureta's own admission, he was the one called by a "reporter" of DZRH to comment on the Ilustre charges before the Tanodbayan. If, in fact, he had nothing to do with the complaint, he would not have been pinpointed at all. And if his disclaimer were the truth, the logical step for him to have taken was to refer the caller to the lawyer/s allegedly assisting Ilustre, at the very least, out of elementary courtesy and propriety. But he did "nothing of the sort". He gave his comment with alacrity.

The impudence and lack of respect of Atty. Laureta for this Court again surfaces when he asserts in his Motion for Reconsideration that he "understands the cooperation" of the Bulletin Today as manifested in the serialized publication of the Per Curiam Resolution of this Court and his being subjected to a scathing editorial by the same newspaper "because after all, the Court rendered a favorable judgment in the Bulletin union case last year". The malice lurking in that statement is most unbecoming of an officer of the Court and is an added reason for denying reconsideration.

Further, Atty. Laureta stubbornly contends that discussions on the merits in the Court's Per Curiam Resolution are more properly addressed to the Tanodbayan, forgetting, however, his own discourse on the merits in his Answer to this Court's Resolution dated January 29, 1987. He thus incorrigibly insists on subordinating the Judiciary to the executive notwithstanding the categorical pronouncement in the Per Curiam Resolution of March 12, 1987, that Article 204 of the Revised Penal Code has no application to the members of a collegiate Court; that a charge of violation of the Anti-Graft and Corrupt Practices Act on the ground that a collective decision is "unjust" cannot prosper; plus the clear and extended dissertation in the same Per Curiam Resolution on the fundamental principle of separation of powers and of checks and balances, pursuant to which it is this Court "entrusted exclusively with the judicial power to adjudicate with finality all justiciable disputes, public and private. No other department or agency may pass upon its judgments or declare them 'unjust' upon controlling and irresistible reasons of public

policy and of sound practice".

Atty. Laureta's protestations that he has done his best to protect and uphold the dignity of this Court are belied by environmental facts and circumstances. His apologetic stance for the "adverse publicity" generated by the filing of the charges against the Justices concerned before the Tanodbayan rings with insincerity. The complaint was calculated precisely to serve that very purpose. The threat to bring the case to "another forum of justice" was implemented to the full. Besides, he misses the heart of the matter. Exposure to the glare of publicity is an occupational hazard. If he has been visited with disciplinary sanctions it is because by his conduct, acts and statements, he has, overall, deliberately sought to destroy the "authenticity, integrity, and conclusiveness of collegiate act", to "undermine the role of the Supreme Court as the final arbiter of all justiciable disputes", and to subvert public confidence in the integrity of the Courts and the Justices concerned, and in the orderly administration of justice.

In fine, we discern nothing in Atty. Laureta's Motion for Reconsideration that would call for a modification, much less a reversal, of our finding that he is guilty of grave professional misconduct that renders him unfit to continue to be entrusted with the duties and responsibilities pertaining to an attorney and officer of the Court.

(2)

Neither do we find merit in Ilustre's Motion for Reconsideration. She has turned deaf ears to any reason or clarification. She and her counsel have refused to accept the untenability of their case and the inevitability of losing in Court. They have allowed suspicion alone to blind their actions and in so doing degraded the administration of justice. "Investigation" was utterly uncalled for. All conclusions and judgments of the Court, be they en banc or by Division, are arrived at only after deliberation. The fact that no dissent was indicated in the Minutes of the proceedings held on May 14, 1986 showed that the members of the Division voted unanimously. Court personnel are not in a position to know the voting in any case because all deliberations are held behind closed doors without any one of them being present. No malicious inferences should have been drawn from their inability to furnish the information Ilustre and Atty. Laureta desired. The personality of the Solicitor General never came into the picture. It was Justice Abad Santos, and not Justice Yap, who was Chairman of the First Division when the Resolution of May 14, 1986 denying the Petition was rendered. Thereafter Justice Yap inhibited himself from any participation. The fact that the Court en banc upheld the challenged Resolutions of the First Division emphasizes the unmeritoriousness of Ilustre's case irrespective of the personalities involved.

Additionally, Ilustre has been trifling with this Court. She has given our process servers the run-around. Three of them failed to serve on her personally her copy of this Court's Per Curiam Resolution of March 12, 1987 at her address of record. Mrs. Laureta informed process server Lorenzo C. Bardel that Ilustre was residing at 17-D, Quezon St., Tondo, Manila. Romeo C. Regala, another process server, went to that address to serve copy of the Resolution but reported:

"4. That in spite of diligent efforts to locate the address of Ms. Eva Maravilla-Ilustre, said address could not be located;

"5. That I even asked the occupants (Cerdan Family) of No. 17 Quezon Street, Tondo, Manila, and they informed that there is no such Ms. Eva Maravilla-Ilustre in the neighborhood and/or in the vicinity;" x x x (p. 672, Rollo, Vol. II).

The third process server, Nelson C. Cablesuela, was also unable to serve copy of this Court's Resolution on Ilustre. He reported:

"2. On March 17, 1987, at about 9:30 A.M., I arrived at the house in the address furnished at the notice of

judgment (101 Felix Manalo St., Cubao, Quezon City), and was received by an elderly woman who admitted to be the owner of the house but vehemently refused to be identified, and told me that she does not know the addressee Maravilla, and told me further that she always meets different persons looking for Miss Maravilla because the latter always gives the address of her house;

"3. That I was reminded of an incident that I also experienced in the same place trying to serve a resolution to Miss Maravilla which was returned unserved because she is not known in the place; x x x " (p. 674, Rollo, Vol. II).

And yet, in her Petition for Extension of Time and in her Motion for Reconsideration she persists in giving that address at 101 Felix Manalo St., Cubao, Quezon City, where our process servers were told that she was not a resident of and that she was unknown thereat. If for her contumacious elusiveness and lack of candor alone, Ilustre deserves no further standing before this Court.

ACCORDINGLY, the respective Motions for reconsideration of Atty. Wenceslao G. Laureta for the setting aside of the order suspending him from the practice of law, and of Eva Maravilla Ilustre for the lifting of the penalty for contempt are DENIED, and this denial is FINAL. Eva Maravilla Ilustre shall pay the fine of P1,000.00 imposed on her within ten (10) days from notice, or, suffer imprisonment for ten (10) days upon failure to pay said fine within the stipulated period.

SO ORDERED.

Tehankee, C.J., Fernan, Narvasa, Melencio-Herrera, Gutierrez, Jr., Cruz, Paras, Feliciano, Gancayco, Padilla, Bidin, Sarmiento, and Cortes, JJ., concur.

Yap, J., no part.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.