



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **16 March 2022** which reads as follows:*

“A.C. No. 10848 (Maricor M. Bustamante vs. Attys. Donabelle V. Gonzalez, Aileen Marie S. Gutierrez and Tomas Ken D. Romaquin, Jr.). – Before the Court is an administrative complaint¹ for disbarment filed by complainant Maricor M. Bustamante against respondents Assistant City Prosecutor Donabelle V. Gonzalez, City Prosecutor Aileen Marie S. Gutierrez, and Senior Assistant City Prosecutor Tomas Ken D. Romaquin, Jr., all of Muntinlupa City, for grave abuse of discretion, grave misconduct, grave abuse of authority, serious dishonesty, and violation of Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees. The charges are based on the Resolution dated 15 June 2015 issued by respondents that dismissed a criminal complaint for attempted murder, grave threats, and obstruction of justice filed by herein complainant for insufficiency of evidence.

Upon assiduous scrutiny of the records of the case, the Court resolves to **ADOPT** and **APPROVE** the findings of fact, conclusions of law, and recommendations of the Integrated Bar of the Philippines (IBP) Investigating Commissioner in his Report and Recommendation dismissing the administrative complaint, which the IBP Board of Governors likewise adopted and approved.

As correctly found by the IBP Investigating Commissioner, there is nothing on record to show that the 15 June 2015 Resolution of the prosecutors which gave rise to the instant administrative complaint was in any way tainted with bad faith, dishonesty or other similar ill motive.

¹ *Rollo*, pp. 1-6.


Clearly, respondents were only performing their official duty when they determined that there was insufficiency of evidence to support the charges against the accused. In the exercise of their powers and in the discharge of their functions and responsibilities, prosecutors enjoy the presumption of regularity.² This presumption of regularity includes the public officer's official actuations in all the phases of his [or her] work.³

WHEREFORE, the Court resolves to **ADOPT** and **APPROVE** the findings of fact, conclusions of law, and recommendations of the Investigating Commissioner in the attached Report and Recommendation which the Integrated Bar of the Philippines Board of Governors likewise adopted and approved. The Complaint against Assistant City Prosecutor Donabelle V. Gonzalez, City Prosecutor Aileen Marie S. Gutierrez, and Senior Assistant City Prosecutor Tomas Ken D. Romaquin, Jr., now Executive Judge of the Regional Trial Court, City of Biñan, Laguna,⁴ is therefore **DISMISSED**.

Accordingly, the case is considered **CLOSED** and **TERMINATED**.

SO ORDERED."

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court *7/21*
21 JUL 2022

² *Yagong vs. Magno*, A.C. No. 10333, November 6, 2017.

³ *Id.*

⁴ Supreme Court Administrative Order No. 283 (2020).

*MARICOR M. BUSTAMANTE (reg)

Complainant

Sitio Mapalad Camp Sampaguita

Brgy. Poblacion Muntinlupa City

and/or

c/o 13 Freedom Hills Subdivision

Putatan, Muntinlupa City

*CRUZ AND CAPULE LAW OFFICES (reg)

(ATTY. KRISTINE MAE B. QUINIVISTA)

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**ATTY. RICO A. LIMPINGCO (reg)

Investigating Commissioner

INTEGRATED BAR OF THE PHILIPPINES (reg)

Doña Julia Vargas Avenue

Ortigas Center, 1605 Pasig City

THE BAR CONFIDANT (x)

Supreme Court, Manila

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OFFICE OF THE REPORTER (x)

PHILIPPINE JUDICIAL ACADEMY (x)

Supreme Court, Manila

*with copies of the Report and Recommendation dated April 22, 2017

**For this resolution only

Please notify the Court of any change in your address.

AC10848. 3/16/2022(73)URES

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