



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

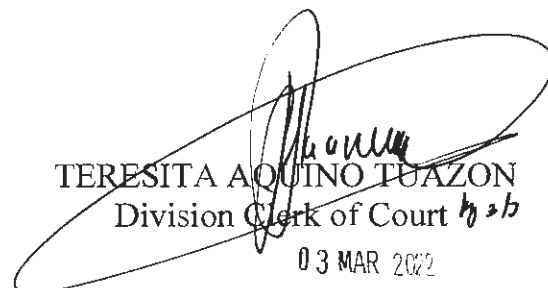
*Please take notice that the Court, Second Division, issued a Resolution dated **14 February 2022** which reads as follows:*

“**A.C. No. 11034 (Milagros Marcaida Villanueva v. Atty. Edward John Domens Marcaida)**. – After a judicious examination of complainant Milagros Marcaida Villanueva’s (complainant) allegations, the Court resolves to **DISMISS** the administrative complaint¹ against respondent Atty. Edward John Domens Marcaida (respondent) for lack of a *prima facie* case against him.

In disbarment proceedings, the quantum of proof is substantial evidence and the burden of proof is on the complainant to establish the allegations in his complaint.² Jurisprudence states that an attorney enjoys the legal presumption that he is innocent of the charges against him until the contrary is proved, and that as an officer of the Court, he is presumed to have performed his duties in accordance with his oath.³ Reliance on mere allegations, conjectures and supposition of an attorney’s alleged acts cannot be given credence absent any proof by substantial evidence.⁴ Thus, complainant’s failure to discharge the burden of proof requires no other conclusion than that which stays the hand of the Court from meting out a disbarment or suspension order, as in this case. Here, a review of the records would show that complainant failed to present a *prima facie* case considering that her allegations were not substantiated by corroborating evidence.

SO ORDERED.”

By authority of the Court:


TERESITA AQUINO TUZON
Division Clerk of Court *h 2/b*
03 MAR 2022

¹ *Rollo*, pp. 1-10.

² See *Tan v. Atty. Alvarico*, A.C. No. 10933, November 3, 2020.

³ *Tan v. Atty. Alvarico*, *supra*.

⁴ *Supra*.

MS. MILAGROS MARCAIDA VILLANUEVA (reg)
Complainant
1424 Turno, Dipolog City
7100 Zamboanga del Norte

ATTY. EDWARD JOHN DOMENS MARCAIDA
Respondent
(present address unknown)

INTEGRATED BAR OF THE PHILIPPINES (reg)
Doña Julia Vargas Avenue
Ortigas Center, 1605 Pasig City

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Please notify the Court of any change in your address.
AC11034. 02/14/2022(213)URES *17/3*