



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated April 5, 2022 which reads as follows:*

**“A.C. No. 13130 [Formerly CBD Case No. 16-4912] (Atty. Jose M. De Vera v. Atty. Amado C. Vallejo, Jr. and Atty. Maria Johanna N. Vallejo). — The Court finds no cogent reason to depart from the findings and recommendation of the Commission on Bar Discipline (CBD) to dismiss the complaint for disbarment.**

Well-ensconced is the rule that in disbarment proceedings, the burden of proof rests upon the complainant. 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. It is fundamental that the quantum of proof in administrative cases, such as disbarment proceedings, is substantial evidence. Substantial evidence is that amount of relevant evidence as a reasonable mind might accept as adequate to support a conclusion, even if other minds, equally reasonable, might conceivably opine otherwise.<sup>1</sup>

As aptly observed and concluded by the CBD, Atty. Jose M. De Vera (complainant) failed to discharge such duty. There was no substantial evidence proving that respondents Atty. Amado C. Vallejo, Jr. and Atty. Maria Johanna N. Vallejo (respondents) were remiss in their obligations as officers of the court.

There is a palpable dearth of evidence to substantiate complainant’s postulation that respondents fabricated the details in their application for free patent involving the subject property, it appearing that complainant presented nary a shadow of the actual

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<sup>1</sup> See v. Adviento, A.C. No. 12934, 10 February 2021 (Notice).

application filed by the respondents. He did not put forth any documentation proving *when* the application for free patent was filed and *what* details respondents may have laid down in the said application.

It is primal that reliance on mere allegations, conjectures, and suppositions will leave an administrative complaint with no leg to stand on. Charges based on mere suspicion and speculation cannot be given credence. Thus, failure on the part of complainant to discharge his burden of proof by substantial evidence requires no other conclusion than that which stays the hand of the Court from meting out a disbarment order.<sup>2</sup> On this score, complainant's efforts to implicate respondents fell short of the quantum of proof required by law.

In any case, it appears that Civil Case No. 35-3640 was dismissed for lack of cause of action and that the complaint filed by complainant constituted a collateral attack on the Torrens title of respondents. In the *Resolution*<sup>3</sup> dated 31 May 2018, the Regional Trial Court of Isabela, Branch 35 elucidated that respondents were the registered owners of the subject property, as evidenced by certificates<sup>4</sup> of title that they submitted; whereas, complainant failed to show any factual or legal basis for his prayer to recover possession of the subject property.

With the foregoing discourse, the instant disbarment case is out on a limb. Verily, complainant was unable to demonstrate and substantiate his imputations against respondents to establish that they had transgressed the Lawyer's Oath and the rules on professional conduct, which may result in the striking of their names from the Roll of Attorneys.

*A final word.* This Court has consistently considered disbarment and suspension of an attorney as the most severe forms of disciplinary action, which should be imposed with great caution. They should be meted out only for duly proven serious administrative charges.<sup>5</sup> Lawyers are reminded to treat their fellow members of the legal profession and even their non-lawyer adversaries with utmost candor, respect and dignity. More importantly, the primary purpose of

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<sup>2</sup> See *Tan v. Alvarico*, A.C. No. 10933, 3 November 2020.

<sup>3</sup> *Id.* at 20-21.

<sup>4</sup> *Rollo*, pp. 101-103; *Katibayan ng Orihinal Na Titulo Blg.* OSC-6436; *Katibayan ng Orihinal Na Titulo Blg.* OSC-6437; *Katibayan ng Orihinal Na Titulo Blg.* OSC-6438.

<sup>5</sup> *Aguirre v. Reyes*, A.C. No. 4355, 8 January 2020.

administrative disciplinary proceedings against delinquent lawyers is to uphold the law and to prevent the ranks of the legal profession from being corrupted by unscrupulous practices – not to shelter or nurse a wounded ego. Such is the reason why lawyers should always set a good example in not using the law and the rules as weapons or tools of malicious vindication during petty squabbles as it degrades the credibility of the legal profession and tarnishes its integrity.<sup>6</sup>

**WHEREFORE**, the Complaint for Disbarment against Atty. Amado C. Vallejo, Jr. and Atty. Maria Johanna N. Vallejo is hereby **DISMISSED**.

**SO ORDERED.”**

**By authority of the Court:**

  
**LIBRADA C. BUENA**  
Division Clerk of Court

by:

**MARIA TERESA B. SIBULO**  
Deputy Division Clerk of Court  
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<sup>6</sup> See *Tabuzo v Gomos*, A.C. No. 12005, 23 July 2018.