



Republic of the Philippines
Supreme Court
 Manila

EN BANC

VALENTIN C. MIRANDA **A.C. No. 6281**
 (deceased),
 Complainant,

Present:

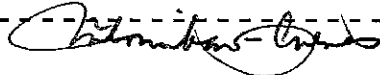
GESMUNDO, *C.J.*,
 LEONEN,
 CAGUIOA,
 HERNANDO,
 LAZARO-JAVIER,
 INTING,
 ZALAMEDA,
 LOPEZ, M.,*
 GAERLAN,
 ROSARIO,
 LOPEZ, J.,
 DIMAAMPAO,
 MARQUEZ,
 KHO, JR., and
 SINGH, *JJ.**

-versus-

ATTY. MACARIO D. CARPIO,
 Respondent.

Promulgated:

August 16, 2022

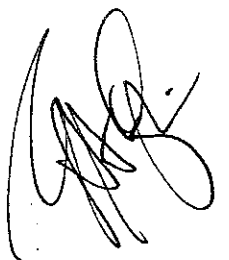
X -----  ----- X

RESOLUTION

CAGUIOA, J.:

On September 26, 2011, the Court issued a Decision¹ suspending respondent Atty. Macario D. Carpio (Respondent) from the practice of law for a period of six (6) months, and ordering him to return to complainant Valentin C. Miranda (Complainant) the owner's duplicate copy of Original Certificate of Title No. 0-94 (Owner's Duplicate Copy). The Court found Respondent

* On leave.
 1 673 Phil. 665 (2011).



guilty of unjustly holding on to the Owner's Duplicate Copy despite repeated demands from Complainant. Respondent's objective, according to the Court, was to force Complainant to agree to an exorbitant attorney's fee.

On November 28, 2013, the Court received a letter² from Complainant manifesting that Respondent has still failed and refused to obey the Decision of the Court ordering him to return the Owner's Duplicate Copy.

Upon directive of the Court,³ Respondent filed his Explanation/Compliance/Motion to Lift Order of Suspension⁴ dated October 28, 2014.

Adopting the Report and recommendation⁵ of the Office of the Bar Confidant (OBC), the Court issued a Resolution⁶ dated January 15, 2020, further suspending Respondent for an additional period of six (6) months, and again directing him to return the Owner's Duplicate Copy to Complainant. The Court explained as follows:

Respondent cannot escape the fact that he disobeyed the order of the Court by reasoning that it was complainant's fault for not personally claiming the copy of the said OCT from him. The order of the Court was clearly directed at him, and for him alone, to comply. He cannot simply pass this obligation to the complainant.

We do not give any credence to respondent's contention that his failure to return the said copy is also due to his advance (sic) age and sickly condition. **It may be noted that respondent maintains a law office, which is more than capable to effect the delivery of the said document to the complainant, either personally or through mail.**

Also, respondent's argument that he was only forced to accept a case without first having his suspension lifted by the Court because of financial necessity, and that he firmly believed that his suspension was automatically lifted, are untenable.⁷ (Emphasis supplied)

A copy of said Resolution was furnished to Complainant, but it was returned unserved with postal notation "RTS-Deceased."⁸

Meanwhile, on January 7, 2020, the OBC received a letter⁹ dated December 12, 2019 from the widow of Complainant, Blecilda D. Miranda¹⁰ (Blecilda), apprising the Court of Respondent's continued defiance and failure

² Letter dated November 26, 2013, *rollo* p. 448-A.

³ Resolution dated July 28, 2014, *id.* at 453 (dorsal portion).

⁴ *Rollo*, pp. 489-493.

⁵ *Id.* at 537-540.

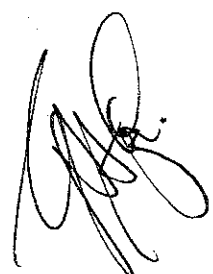
⁶ *Miranda v. Carpio*, A.C. No. 6281, January 15, 2020, 928 SCRA 445.

⁷ *Id.* at 448-449.

⁸ See *rollo*, p. 560. See also Resolution dated June 8, 2020, *rollo*, p. 561.

⁹ *Id.* at 549.

¹⁰ Referred to as "Blesilda Miranda" in some parts of the record (*see id.* at 562-568).



to return the Owner's Duplicate Copy.¹¹ In its Resolution¹² dated June 8, 2020, the Court ordered Respondent to file his comment to said letter.

On December 15, 2020, the OBC received a copy of Respondent's *Comment to Notice with the Attached Unsigned Letter of Mrs. Blesilda Miranda*¹³ (Comment). Overall, Respondent, through his counsel/daughter, Atty. Christine P. Carpio-Aldeguer (Atty. Carpio-Aldeguer), manifested that on July 23, 2018, Respondent went to the address of Complainant at 689 San Francisco Street, Brgy. Daniel Fajardo, Las Piñas City, but was not able to locate him. According to Respondent, since he was diagnosed with prostate cancer and underwent surgery on July 28, 2018, he has been bedridden and unable to walk unassisted or to travel, rendering him completely unable to personally deliver the Owner's Duplicate Copy to Complainant in Las Piñas City. Respondent also claims that since his diagnosis, he has not practiced law or appeared in any court or administrative tribunal or agency due to his illness, and thus, had already served the Court's order of suspension.

According to Respondent, to show his good faith to comply, he is surrendering the Owner's Duplicate Copy to the Court, for safekeeping, until the authorized recipient of the document is identified considering the untimely death of Complainant.¹⁴ The Court notes, however, that Respondent did not attach the Owner's Duplicate Copy to his most recent submission.

Respondent's counsel also pleads the Court to identify the name of the Court personnel responsible for receiving the letter of Blesilda, albeit unsigned. Respondent posits that the document is self-serving and should be treated as a mere scrap of paper devoid of any evidentiary value.¹⁵

RULING

After a careful review of the ratiocinations forwarded by Respondent, the Court again finds Respondent guilty of willful disobedience of lawful court orders.

Preliminarily, the Court clarifies that the fact that Blesilda's December 2019 letter is unsigned cannot enjoin the Court from investigating the veracity of her statement as to the status of Respondent's compliance. As held in the case of *Anonymous Complaint v. Dagala*,¹⁶ the Court may opt not to strictly apply technical rules of procedure and evidence in administrative cases, to wit:

Since a disciplinary case is an administrative proceeding, technical rules of procedure and evidence are not strictly applied and administrative due process cannot be fully equated with due process in its strict judicial

¹¹ See Resolution dated June 8, 2020, id. at 561.

¹² Id.

¹³ Id. at 564-573.

¹⁴ Id. at 565.

¹⁵ Id. at 566.

¹⁶ 814 Phil. 103 (2017).



sense. Administrative due process essentially means “an opportunity to explain one’s side or an opportunity to seek reconsideration of the action or ruling complained of.” When the Court acts *motu proprio*, this opportunity arises through the filing of a comment upon order of the Court. In a case where the proceedings are initiated by a complaint, the Rules of Court state that the complaint must state the acts or omissions constituting a violation of our ethical rules. To our mind, this is the standard of what suffices as information as to the allegations against a respondent. It is sufficient that the acts or omissions complained of are clearly identified.¹⁷

In the subject letter, Bleilda clearly manifested Respondent’s continuous defiance to return the Owner’s Duplicate Copy, which constitutes willful disobedience of lawful court orders. Moreover, Respondent was also accorded due process as he was given opportunity to comment on the accusations of Bleilda.

Under Section 27, Rule 138 of the Revised Rules of Court, as amended, willful disobedience of lawful orders of the Court is a ground for disbarment or suspension from the practice of law:¹⁸

SEC. 27. Disbarment or suspension of attorneys by Supreme Court; grounds therefor. — A member of the bar may be disbarred or suspended from his office as attorney by the Supreme Court for any deceit, malpractice, or other gross misconduct in such office, grossly immoral conduct, or by reason of his conviction of a crime involving moral turpitude, or for any violation of the oath which he is required to take before admission to practice, or **for a willful disobedience of any lawful order of a superior court**, or for corruptly or willfully appearing as an attorney for a party to a case without authority to do so. The practice of soliciting cases at law for the purpose of gain, either personally or through paid agents or brokers, constitutes malpractice. (Emphasis supplied)

Willful disobedience of lawful court orders also violates Canon 11 of the Code of Professional Responsibility (CPR), which mandates lawyers to observe and maintain the respect due the courts and judicial officers.

In this case, Respondent refused to comply with the orders of the Court for more than 10 years already. Worse, since Respondent has unjustly held on to the Owner’s Duplicate Copy, Complainant expired without having fully enjoyed the fruits of his labor in successfully applying for the original registration of their land.

Again, the Court cannot give credence to Respondent’s excuse that he failed to return the Owner’s Duplicate Copy for more than a decade because of his illness and post-surgery complications. The Court notes that as early as 2011, or seven years prior to his diagnosis, Respondent had already been directed to return the document to Complainant, yet he failed to comply without any justifiable reason. As ruled by the Court in its January 15, 2020 Decision, Respondent’s pedantic excuses, *i.e.*, that there was nothing to return to Complainant because he was not the one who gave Respondent the Owner’s

¹⁷ Id. at 115.

¹⁸ *Feliciano v. Lozada*, 755 Phil. 349, 355 (2015).

Duplicate Copy, and that he failed to return because Complainant did not personally claim the Owner's Duplicate Copy, cannot be appreciated. Moreover, the Court pointed out therein that Respondent, who maintains a law office, could have easily effected the delivery of the Owner's Duplicate Copy to Complainant, either personally or through mail. The Court cannot comprehend why Respondent keeps on insisting on the personal delivery of the Owner's Duplicate Copy when he could have just authorized his counsel/daughter, Atty. Christine P. Carpio-Aldeguer (Atty. Carpio-Aldeguer), or messenger to deliver or mail the same to Complainant's address. Indeed, this posture smacks of utter bad faith.

All told, after failing to comply with the orders of the Court for several years, the Court deems it proper to impose the harsher penalty of indefinite suspension. The Court finds no justifiable excuse for Respondent's patent and brazen disregard and disrespect of lawful court orders, in violation of Section 27, Rule 138 of the Rules of Court and Canon 11 of the CPR.

As a matter of prudence, considering the demise of Complainant, Respondent is hereby ordered, under pain of contempt, to surrender within ten (10) days from receipt of this Resolution, the Owner's Duplicate Copy to the Court, for safekeeping. Accordingly, the heirs of Complainant may then claim said Owner's Duplicate Copy from the Court, subject to presentation of proof of their identity.

Respondent and his counsel/daughter, Atty. Carpio-Aldeguer, are reminded that the Court will not hesitate to cite Respondent for contempt, should he continue to disregard and disobey the Court's order.

Lastly, the Court notes that it may be reasonably inferred that Atty. Carpio-Aldeguer had been apprised of the whereabouts of the subject Owner's Duplicate Copy, and that she has ensured that the document has remained intact and in their possession up to present. Otherwise, she would not have made the following manifestations in Respondent's Comment:

9.) To show Respondent's good faith, **he is surrendering the Owner's Duplicate of Title No. OCT 0-94 to the Honorable Supreme Court** for safekeeping, so that the Honorable Supreme Court can help in personally delivering the **Owner's Duplicate of Title No. OCT 0-94** to Complainant.

10.) Respondent hopes that the Honorable Supreme Court can accept the **Owner's Duplicate of Title No. OCT 0-94 for safekeeping purposes only until we can fully determine the authorized representative of the Heirs of Mauro dela Cruz[,] [to] whom Respondent can personally deliver the Owner's Duplicate of Title No. OCT 0-94.**¹⁹ (Emphasis in the original)

Consequently, the Court finds adequate basis to order Atty. Carpio-Aldeguer, an officer of the Court, to ensure Respondent's prompt delivery of the Owner's Duplicate Copy, also under pain of contempt. For this purpose, Atty. Carpio-Aldeguer is hereby ordered to duly apprise the Court of the status

¹⁹ Rollo, p. 565.



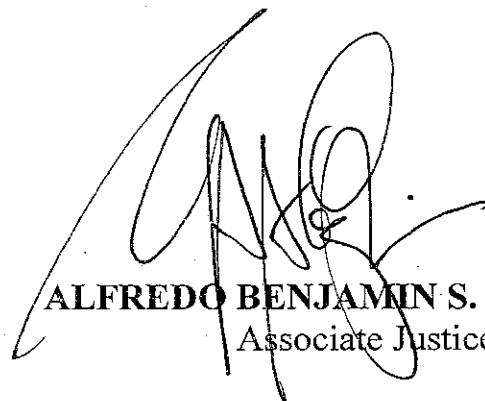
of Respondent's compliance, through a Manifestation filed before the Court, within fifteen (15) days from receipt of this Resolution.

WHEREFORE, premises considered, **ATTY. MACARIO D. CARPIO** is **SUSPENDED INDEFINITELY** for Willful Disobedience of Lawful Orders of the Court in violation of Section 27, Rule 138 of the Rules of Court and Canon 11 of the Code of Professional Responsibility.

Further, **ATTY. MACARIO D. CARPIO** is **ORDERED**, under pain of contempt, to surrender the owner's duplicate copy of Original Certificate of Title No. 0-94 to the Court within ten (10) days from receipt of this Resolution. **ATTY. CHRISTINE P. CARPIO-ALDEGUER**, an officer of the Court, is also **ORDERED**, under pain of contempt, to ensure that her client/father, **ATTY. MACARIO D. CARPIO**, promptly complies with the Court's directive.

Finally, let copies of this Resolution be furnished to: the Office of the Bar Confidant to be appended to **ATTY. MACARIO D. CARPIO**'s personal record as an attorney; the Integrated Bar of the Philippines for its information and guidance; and the Office of the Court Administrator for circulation to all courts in the country.

SO ORDERED.




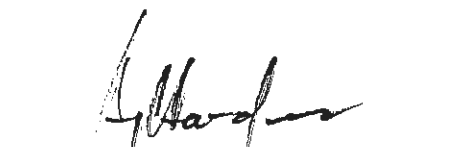
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

WE CONCUR:



ALEXANDER G. GESMUNDO
 Chief Justice


MARVIC M.V.F. LEONEN
 Associate Justice



RAMON PAUL L. HERNANDO
 Associate Justice


AMY C. LAZARO-JAVIER
 Associate Justice


HENRI JEAN PAUL B. INTING
 Associate Justice

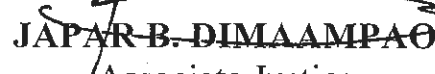

RODIL V. ZALAMEDA
 Associate Justice


(on leave)
MARIO V. LOPEZ
 Associate Justice


SAMUEL H. GAERLAN
 Associate Justice


RICARDO R. ROSARIO
 Associate Justice


JHOSEP V. LOPEZ
 Associate Justice

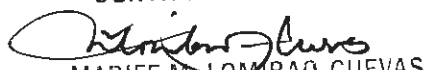

JAPAR B. DIMAAMPAO
 Associate Justice


JOSE MIDAS P. MARQUEZ
 Associate Justice


ANTONIO T. KHO, JR.
 Associate Justice

(on leave)
MARIA FILOMENA D. SINGH
 Associate Justice

CERTIFIED TRUE COPY


MARIFE M. LOMBAO-CUEVAS
 Clerk of Court
 Supreme Court

