



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated 17 October 2022 which reads as follows:

“A.C. No. 13356 [Formerly CBD Case No. 17-5487] — (DEMETRIO P. SUICO, complainant vs. ATTY. DOROTHEA S. BASALO, respondent.) — Before the Court is the 26 July 2017 letter-complaint¹ of Mr. Demetrio P. Suico (complainant) against Atty. Dorothea S. Basalo (respondent) before the Integrated Bar of the Philippines (IBP), for “dishonesty, connivance for falsification of public document and unethical conduct of a lawyer,” docketed as CBD Case No. 17-5487.

In its 22 March 2018 Resolution,² the IBP Board of Governors (IBP-BOG) adopted the findings of fact and recommendation of Commissioner Wilfredo E.J.E. Reyes that the case be dismissed for lack of merit.³

On 30 September 2019, complainant received the IBP-BOG resolution and thereafter filed his Motion for Reconsideration.⁴ He manifested that his complaint is currently being investigated by Commissioner Patrick M. Velez and that both he and respondent attended the mandatory conference scheduled on 3 October 2018.⁵

On 12 September 2020, the IBP-BOG resolved to grant the Motion for Reconsideration, recall and set aside its 22 March 2018 Resolution, and drop CBD Case No. 17-5487 from the docket of the Commission on Bar Discipline (CBD).⁶

¹ *Rollo*, pp. 2-4.

² *Id.* at 22.

³ Report and Recommendation dated 6 September 2017; *id.* at 23-24.

⁴ *Id.* at 22-30.

⁵ *Id.*

⁶ *Id.* at 36-37.

In its 22 June 2021 Extended Resolution,⁷ the IBP-BOG explained that the complaints in the present case (CBD Case No. 17-5487) and the case before Commissioner Velez (CBD Case No. 18-5551) are one and the same. It appears that the CBD received two copies of the complaint on different dates which were raffled to two different Investigating Commissioners. Unaware that they were handling one and the same complaint, Commissioner Reyes recommended the dismissal of the present complaint while Commissioner Velez recommended in CBD Case No. 18-5551 that respondent be investigated. After respondent filed her answer, CBD Case No. 18-5551 was set for mandatory conference and has since remained pending.⁸

The IBP-BOG deemed it more fair and proper to continue the proceedings in CBD Case No. 18-5551 since the investigation of the charges is already ongoing, and that the instant case, CBD Case No. 17-5487, be dropped from the docket of the CBD.⁹ Thus, the dispositive portion of the Extended Resolution in CBD Case No. 17-5487 reads as follows:

WHEREFORE, premises considered, this Board *RESOLVES to GRANT, as it is hereby GRANTED, the Motion for Reconsideration dated [3 October] 2019 filed by complainant, and, considering that the instant case is the same case as CBD Case No. 18-5551 entitled “[Demetrio] P. Suico vs. Atty. [Dorothea] S. Basalo”, which is currently undergoing investigation and considering further that respondent has already filed [her] answer in CBD Case No. 18-5551, the Resolution dated [22 March] 2018 issued by this Board in this case is hereby RECALLED and SET ASIDE and the instant case (CBD Case No. 17-5487) is hereby dropped from the docket of the Commission on Bar Discipline.*¹⁰

The recommendation of the IBP-BOG in its Extended Resolution dated 22 June 2021 is well-taken.

In *Frias v. Bautista-Lozada*,¹¹ the Court ruled that the “CBD-IBP derives its authority to take cognizance of administrative complaints against lawyers from this Court which has the inherent power to regulate, supervise and control the practice of law in the Philippines.”¹²

Given the circumstances, one of the cases must be dropped from the docket of the CBD to ensure the orderly conduct of disciplinary proceedings before the IBP. Considering that CBD Case No. 18-5551 is already undergoing investigation, it is more judicious and proper that the Court allow the proceedings to continue. Consequently, CBD Case No. 17-5487 should be

⁷ Signed by Atty. Randall C. Tabayoyong, Director for Bar Discipline, Integrated Bar of the Philippines; id. at 38-40.

⁸ Id. at 39.

⁹ Id. at 39-40.

¹⁰ Id. at 40.

¹¹ 523 Phil. 17 (2006).

¹² Id. at 20.


dropped from the docket of the CBD since it is the same complaint being investigated in CBD Case No. 18-5551.

As the Court has previously ruled, disciplinary proceedings against lawyers are *sui generis*,¹³ and “procedural requirements observed in ordinary civil proceedings do not strictly apply in disbarment cases.”¹⁴

ACCORDINGLY, the Court resolves to **ADOPT** and **APPROVE** the Extended Resolution dated 22 June 2021 of the Integrated Bar of the Philippines Board of Governors in CBD Case No. 17-5487 **GRANTING** the Motion for Reconsideration dated 3 October 2019 filed by complainant, **RECALLING** and **SETTING ASIDE** the 22 March 2018 Resolution of the Board in CBD Case No. 17-5487, and **DROPPING** CBD Case No. 17-5487 from the docket of the Commission on Bar Discipline, considering that it is the same case as CBD Case No. 18-5551 which is currently undergoing investigation.

SO ORDERED.” *Zalameda, J., on official leave.*

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court
42110

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court

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FEB 10 2023

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¹³ *Ladrera v. Osorio*, A.C. No. 10315, 22 January 2020.

¹⁴ *Melad-Ong v. Sabban*, A.C. No. 10511, 4 January 2022.