



Republic of the Philippines  
Supreme Court  
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames

*Please take notice that the Court, Third Division, issued a Resolution dated **March 27, 2023**, which reads as follows:*

**“A.C. No. 11375 [formerly CBD Case No. 17-5399] (Atty. Roderick E. Manzano v. Atty. Rose Beatrix Cruz-Angeles and Atty. Ahmed G. Paglinawan).** – Before the Court is a Complaint<sup>1</sup> dated May 10, 2016 filed by complainant Atty. Roderick E. Manzano (Atty. Manzano) against Atty. Rose Beatrix Cruz-Angeles (Atty. Cruz-Angeles) and Atty. Ahmed G. Paglinawan (Atty. Paglinawan; collectively respondents), praying that respondents be disbarred for violation of the Code of Professional Responsibility.

**The Facts**

In the Complaint, Atty. Manzano accused respondents of violating the Code of Professional Responsibility for their use of grossly abusive, offensive, and improper language in a pleading they filed on behalf of their client in an unlawful detainer case pending before the Metropolitan Trial Court (MeTC) of Quezon City, docketed as Civil Case No. 16-01432-SC(S).<sup>2</sup> Specifically, Manzano alleged that respondents made the following statements in the Answer<sup>3</sup> filed before the MeTC:

1. “In the Plaintiff’s amended complaint, these are basically the lies Plaintiff spewed.”<sup>4</sup>
2. “x x x, this particular allegation is dangerous, irresponsible and screaming ‘SELF-SERVING’ and ‘HEARSAY.’ Without a doubt, it must also be stricken. Come on. Anyone can readily see that the supposed witness is lying through her teeth.”<sup>5</sup>
3. “She is an INC patsy. She is Eduardo Manalo’s pawn.”<sup>6</sup>

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<sup>1</sup> Rollo, pp. 1-10.

<sup>2</sup> Id. at 2.

<sup>3</sup> Id. at 19-30.

<sup>4</sup> Id. at 19.

<sup>5</sup> Id. at 25.

<sup>6</sup> Id.

4. "FIRST, BOGUS. Plaintiff is an incorrigible liar."<sup>7</sup>
5. "Oppressive, truly. A glimpse of Marcosian martial law, perhaps, x x x"<sup>8</sup>
6. "x x x They can be anyone even Plaintiff's own henchmen. They were already used elsewhere. They are in fact pictures of Plaintiff's hired help, who like their supposed witness, who would not dare defying Plaintiff's wishes, despotic and depraved as they are at the risk of being 'MATIWALAG.'"<sup>9</sup>

On December 26, 2016, respondents filed their Comment,<sup>10</sup> praying for the dismissal of the case. Thereafter, the Court issued a Notice,<sup>11</sup> referring the case to the Integrated Bar of the Philippines (IBP) Commission on Integrity and Bar Discipline (CBD) for investigation, report and recommendation.

#### **IBP-CBD's Report and Recommendation**

On July 25, 2018, the IBP-CBD issued its Report and Recommendation,<sup>12</sup> recommending that respondents be suspended from the practice of law for a period of six months, to wit:

**WHEREFORE**, premises considered, it is respectfully recommended that Attys. Rose Beatrix Cruz-Angeles and Ahmed G. Paglinawan be suspended from the practice of law for six (6) months.

**RESPECTFULLY SUBMITTED.**<sup>13</sup> (Emphases in the original)

In its Report and Recommendation, the IBP-CBD explained that the statements made by respondents in the pleading they filed on behalf of their client are "outside the allowable forms of speech expected from the work products"<sup>14</sup> and reminded that lawyers, while allowed to present the case with vigor and courage, are not justified to use offensive and abusive language, considering that "a lawyer's language even in his pleadings, must be dignified."<sup>15</sup>

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<sup>7</sup> Id. at 26.  
<sup>8</sup> Id.  
<sup>9</sup> Id. at 26-27.  
<sup>10</sup> Id. at 32-48.  
<sup>11</sup> Id. at 79-80.  
<sup>12</sup> Id. at 90-93.  
<sup>13</sup> Id. at 93.  
<sup>14</sup> Id. at 92.  
<sup>15</sup> Id.

**IBP Board of Governors' Resolution**

Thereafter, on September 14, 2018, the IBP Board of Governors issued a Resolution,<sup>16</sup> adopting the recommendation of the IBP-CBD, thus:

**CBD Case No. 17-5399**  
**(Adm. Case No. 11375)**  
**Atty. Roderick Estores Manzano vs.**  
**Atty. Rose Beatrix Cruz-Angeles and**  
**Atty. Ahmed G. Paglinawan**

*RESOLVED to ADOPT the findings of fact and recommendation of the Investigating Commissioner to impose upon Respondents the penalty of Suspension from the practice of law for six (6) months.*<sup>17</sup> (Emphases and italics in the original)

Aggrieved by the IBP Board of Governors' Resolution, Atty. Paglinawan, for himself and in behalf of Atty. Cruz-Angeles, filed a Motion for Reconsideration,<sup>18</sup> arguing that the IBP Board of Governors committed grave but reversible error when: (1) it approved and adopted the IBP-CBD's Report and Recommendation, despite the existence of so many legal defects which attended the commencement, conduct, and implementation of this case and its compulsory effects upon the rights of respondents to practice their profession as lawyers; and (2) it unduly and inordinately delayed rendering its decision, without any justification provided by law.<sup>19</sup>

More particularly, Atty. Paglinawan alleged in the Motion for Reconsideration that the subject statements are considered privileged communications and that Atty. Manzano neither has standing nor personal knowledge to file the Complaint as he is neither a party nor counsel in the unlawful detainer case.<sup>20</sup> As such, Atty. Paglinawan prayed that the IBP Board of Governors' Resolution be reconsidered and reversed, and that the case filed against respondents be dismissed.<sup>21</sup>

Acting on the Motion for Reconsideration, the IBP Board of Governors issued a Resolution<sup>22</sup> dated August 14, 2021, denying the Motion for Reconsideration but modifying the penalty imposed upon Atty. Paglinawan, to wit:

**RESOLUTION NO. CBD-XXV-2021-08-05**  
**CBD Case No. 17-5399**  
**(Adm. Case No. 11375)**  
**Atty. Roderick Estores Manzano vs.**  
**Atty. Rose Beatrix Cruz-Angeles and**

<sup>16</sup> Id. at 89.

<sup>17</sup> Id.

<sup>18</sup> Id. at 94-113.

<sup>19</sup> Id. at 110.

<sup>20</sup> Id. at 104-105.

<sup>21</sup> Id. at 110.

<sup>22</sup> Id. at 127-128.

**Atty. Ahmed G. Paglinawan**

*RESOLVED to DENY, as it is hereby DENIED, the Motion for Reconsideration filed by the Respondent Atty. Ahmed G. Paglinawan, but recommending instead the MODIFICATION of the earlier recommended penalty to be imposed on respondent Atty. Paglinawan, from SUSPENSION from the practice of law for six (6) months to REPRIMAND.*

*RESOLVED FURTHER, that the Commission prepare an EXTENDED RESOLUTION explaining the recommendation of the Board of Governors relative to the Motion for Reconsideration.*

*RESOLVED, FINALLY, to UPHOLD the earlier recommended penalty of SUSPENSION from the practice of law imposed on Respondent Atty. Rose Beatrix Cruz-Angeles, considering that she did not file or sign her own Motion for Reconsideration, and considering further that Atty. Cruz[-]Angeles had been previously suspended from the practice of law with a stern warning that a repetition of the same or similar act shall be dealt with more sternly.<sup>23</sup> (Emphases and italics in the original)*

**IBP-CBD's Extended Resolution**

The IBP-CBD then issued its Extended Resolution,<sup>24</sup> where it first emphasized that Atty. Cruz-Angeles neither filed nor signed the Motion for Reconsideration. As such, it found no reason to modify the recommended penalty of suspension from the practice of law for a period of six months, especially considering that she had already been previously sanctioned for violating the Code of Professional Responsibility.<sup>25</sup>

Meanwhile, as regards Atty. Paglinawan, the IBP-CBD maintained the finding that he committed a violation of the Code of Professional Responsibility. The IBP-CBD explained that while the subject statements were made during judicial proceedings, the same are not relevant or material to the unlawful detainer case as they were apparently made for the purpose of insulting, dishonoring, and humiliating the complainants therein.<sup>26</sup> Further, the IBP-CBD discussed that notwithstanding the fact that Atty. Manzano was neither a party nor counsel in the unlawful detainer case, the argument of lack of legal standing and personal knowledge is untenable because “[r]egardless of the lack of interest of or injury to the complainant, disciplinary proceedings against lawyers shall proceed since these are investigations by the Supreme Court, through the IBP, into the conduct of its officers.”<sup>27</sup>

Thus, the IBP-CBD found that the Motion for Reconsideration failed to establish grounds to warrant the reversal of the findings stated in the Report and Recommendation, as adopted by the Board of Governors. Nevertheless, the IBP-CBD opined that the recommended penalty of Atty. Paglinawan

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<sup>23</sup> Id.

<sup>24</sup> Id. at 129-137.

<sup>25</sup> Id. at 132.

<sup>26</sup> Id. at 134-135.

<sup>27</sup> Id. at 135.

should be modified to reprimand because he has no previous record, and considering the effects of the pandemic on practicing lawyers.<sup>28</sup>

### The Court's Ruling

After an examination of the records of the case, the Court finds no cogent reason to depart from the findings and recommendations of the IBP Board of Governors, as explained in the IBP-CBD's Extended Resolution.

*First*, respondents never disputed that they made the subject statements. Notably, such use of intemperate language is considered a violation of the Code of Professional Responsibility, particularly Rule 8.01, Canon 8, which provides:

RULE 8.01 A lawyer shall not, in his professional dealings, use language which is abusive, offensive or otherwise improper.

In *Washington v. Dicen*,<sup>29</sup> the Court explained the prohibition on the use of intemperate, abusive, or offensive language in a lawyer's professional dealings in this wise:

"The practice of law is a privilege given to lawyers who meet the high standards of legal proficiency and morality. Any violation of these standards exposes the lawyer to administrative liability."

Canon 8 of the CPR, in particular, instructs that a lawyer's arguments in his pleadings should be *gracious* to both the court and his opposing counsel, and must be of such words as may be properly addressed by one gentleman to another. "The language vehicle does not run short of expressions which are emphatic but respectful, convincing but not derogatory, illuminating but not offensive."

x x x x

Indeed, Atty. Dicen could have simply stated the ultimate facts relative to complainant's allegations against him, explained his participation (or the lack of it) in the latter's arrest and detention, and refrained from resorting to name-calling and personal attacks in order to get his point across. After all, "[t]hough a lawyer's language may be forceful and emphatic, it should always be dignified and respectful, befitting the dignity of the legal profession. The use of intemperate language and unkind ascriptions has no place in the dignity of judicial forum."<sup>30</sup> (Underscoring supplied; emphasis in the original; citations omitted)

Moreover, in *Chua v. Atty. Pascua*,<sup>31</sup> the Court elucidated that notwithstanding the adversarial nature of the legal system, lawyers are still

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<sup>28</sup> Id. at 136.

<sup>29</sup> 835 Phil. 837 (2018).

<sup>30</sup> Id. at 840-843.

<sup>31</sup> 801 Phil. 702 (2016).

expected not to use foul or intemperate language, whether spoken or in pleadings, thus:

Every lawyer is required to act with courtesy at all times, even towards the adverse parties. This duty is clearly imposed by the *Rules of Court* which mandates lawyers to “abstain from all offensive personality and to advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which he is charged.” Rule 8.01 of Canon 8 of the *Code of Professional Responsibility* reiterates this duty by commanding that “[a] lawyer shall not, in his professional dealings, use language which is abusive, offensive or otherwise improper.”

The adversarial nature of our legal system does not sanction an attorney’s use of foul or intemperate language, whether spoken or in pleadings. In *Sanchez v. Aguilos*, we pointedly observed:

The Court recognizes the adversarial nature of our legal system which has necessitated lawyers to use strong language in the advancement of the interest of their clients. **However, as members of a noble profession, lawyers are always impressed with the duty to represent their clients’ cause, or, as in this case, to represent a personal matter in court, with courage and zeal but that should not be used as license for the use of offensive and abusive language. In maintaining the integrity and dignity of the legal profession, a lawyer’s language — spoken or in his pleadings — must be dignified.**<sup>32</sup> (Underscoring supplied; emphasis in the original; citations omitted)

Likewise, in *Aguirre v. Atty. Reyes*,<sup>33</sup> the Court held:

Though a lawyer’s language may be forceful and emphatic, it should always be dignified and respectful, befitting the dignity of the legal profession. **The use of intemperate language and unkind ascriptions has no place in the dignity of the judicial forum.** On many occasions, the Court has reminded the members of the Bar to abstain from any offensive personality and to refrain from any act prejudicial to the honor or reputation of a party or a witness. **In keeping with the dignity of the legal profession, a lawyer’s language even in his pleadings, must be dignified.**<sup>34</sup> (Emphasis supplied; citations omitted)

From the foregoing, it is clear that respondents employed language, which are grossly abusive and offensive, which are not befitting the dignity of the legal profession. Hence, the imposition of disciplinary liability is warranted.

*Second*, while the subject statements were made in judicial proceedings, the Court subscribes to the findings of the IBP-CBD in the

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<sup>32</sup> Id. at 708.

<sup>33</sup> A.C. No. 4355, January 8, 2020.

<sup>34</sup> Id.

Extended Resolution that such statements are irrelevant to the unlawful detainer case, and thus, cannot be considered as privileged communication.

In *Uy v. Atty. Depasucat*,<sup>35</sup> the Court explicitly held that if the statements made in judicial proceedings are irrelevant to the issues presented therein, the doctrine of privileged communication cannot be invoked:

The doctrine of privileged communication that utterances made in the course of judicial proceedings, including all kinds of pleadings, petitions and motions, belong to the class of communications that are absolutely privileged has been enunciated in a long line of cases. Said doctrine rests upon public policy which looks to the free and unfettered administration of justice, though, as an incidental result, it may in some instances afford an immunity to the evil-disposed and malignant slanderer. The privilege is not intended so much for the protection of those engaged in the public service and in the enactment and administration of law, as for the promotion of the public welfare, the purpose being that members of the legislature, judges of courts, jurors, lawyers and witnesses may speak their minds freely and exercise their respective functions without incurring the risk of a criminal prosecution or an action for the recovery of damages. Lawyers, most especially, should be allowed a great latitude of pertinent remark or comment in the furtherance of the causes they uphold, and for the felicity of their clients, they may be pardoned some infelicities of phrase. **However, such remarks or comments should not trench beyond the bounds of relevancy and propriety.**

We have stated the test of relevancy, thus:

x x x. As to the degree of relevancy or pertinency necessary to make alleged defamatory matters privileged the courts favor a liberal rule. The matter to which the privileged does not extend must be so palpably wanting in relation to the subject matter of the controversy that no reasonable man can doubt its relevancy and impropriety. **In order that matter alleged in a pleading may be privileged, it need not be in every case material to the issues presented by the pleadings. It must, however, be legitimately related thereto, or so pertinent to the subject of the controversy that it may become the subject of inquiry in the course of the trial** x x x

x x x x

x x x **However, respondents went overboard by further stating in the Manifestation that complainant “had in fact confessed to Bribery and Telling On of judges, after the judges allegedly refused to give in to their demands, by using illegally taped conversations-both actual and/or by telephone”. It belied their good intention and exceeded the bounds of propriety, hence not arguably protected; it is the surfacing of a feeling of contempt towards a litigant; it offends the court before which it is made. A lawyer shall abstain from scandalous, offensive or menacing language or behavior before the Courts. It must be remembered that the language vehicle does not run short of expressions which are**

<sup>35</sup> 455 Phil. 9 (2003).

emphatic but respectful, convincing but not derogatory, illuminating but not offensive. **It has been said that a lawyer's language should be dignified in keeping with the dignity of the legal profession.**

*It is the duty of the respondents as members of the Bar to abstain from all offensive personality and to advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which he is charged.*<sup>36</sup> (Emphasis supplied; italics in the original; citations omitted)

Applying the foregoing standards to this case, it cannot be denied that the subject statements made by respondents are irrelevant to the issues raised in the unlawful detainer case.

To recount, respondents made the following imputations, among others, in the Answer they filed on behalf of their clients in the unlawful detainer case: (1) "anyone can readily see that the supposed witness is lying through her teeth;"<sup>37</sup> (2) "she is an INC patsy. She is Eduardo Manalo's pawn;"<sup>38</sup> (3) "x x x BOGUS. Plaintiff is an incorrigible liar."<sup>39</sup> By no stretch of the imagination could these statements be considered as pertinent to the unlawful detainer case. Rather, and as found by the IBP-CBD, these statements were made for the purpose of insulting, dishonoring, and humiliating the complainants in the unlawful detainer case. As such, the subject statements are outside the purview of privileged communication.

*Third*, the Court, likewise, concurs with the ruling of the IBP-CBD that in disciplinary proceedings against lawyers, lack of interest or injury to the complainant is immaterial. As held in *Ylaya v. Atty. Gacott*,<sup>40</sup> there is neither a plaintiff or prosecutor in disciplinary proceedings against lawyers because they involve investigations of the Court into the conduct of one of its officers:

We emphasize that disciplinary proceedings against lawyers are *sui generis* in that they are neither purely civil nor purely criminal; **they involve investigations by the Court into the conduct of one of its officers, not the trial of an action or a suit.**

Disciplinary proceedings against lawyers are *sui generis*. **Neither purely civil nor purely criminal, they do not involve a trial of an action or a suit, but is rather an investigation by the Court into the conduct of one of its officers.** Not being intended to inflict punishment, it is in no sense a criminal prosecution. **Accordingly, there is neither a plaintiff nor a prosecutor therein. It may be initiated by the Court *motu proprio*. Public interest is its primary objective, and the real question for determination is whether or not the attorney is still a fit person to be allowed the privileges as such.** Hence, in the exercise of its

<sup>36</sup> Id. at 18-21.

<sup>37</sup> *Rollo*, p. 25.

<sup>38</sup> Id.

<sup>39</sup> Id. at 26.

<sup>40</sup> 702 Phil. 390 (2013).



disciplinary powers, the Court merely calls upon a member of the Bar to account for his actuations as an officer of the Court with the end in view of preserving the purity of the legal profession and the proper and honest administration of justice by **purging the profession of members who by their misconduct have proved themselves no longer worthy to be entrusted with the duties and responsibilities pertaining to the office of an attorney. In such posture, there can thus be no occasion to speak of a complainant or a prosecutor.**

**The complainant in disbarment cases is not a direct party to the case but a witness who brought the matter to the attention of the Court.** Flowing from its *sui generis* character, it is not mandatory to have a formal hearing in which the complainant must adduce evidence.

From all these, we find it clear that the complainant is not indispensable to the disciplinary proceedings and her failure to appear for cross-examination or to provide corroborative evidence of her allegations is of no merit. **What is important is whether, upon due investigation, the IBP Board of Governors finds sufficient evidence of the respondent's misconduct to warrant the exercise of its disciplinary powers.**<sup>41</sup> (Emphasis supplied; citations omitted)

Similarly, in *Spouses Soriano v. Atty. Reyes*,<sup>42</sup> the Court expounded that disciplinary proceedings against lawyers may proceed regardless of the interest of the complainant as these are prosecuted solely for the public welfare, thus:

**A case of suspension or disbarment may proceed regardless of interest or lack of interest of the complainant.** What matters is whether, on the basis of the facts borne out by the record, the charge of negligence has been duly proved. This rule is premised on the nature of disciplinary proceedings. **A proceeding for suspension or disbarment is not in any sense a civil action where the complainant is a plaintiff and the respondent lawyer is a defendant. Disciplinary proceedings involve no private interest and afford no redress for private grievance. They are undertaken and prosecuted solely for the public welfare.** They are undertaken for the purpose of preserving courts of justice from the official ministrations of persons unfit to practice in them. The attorney is called to answer to the court for his conduct as an officer of the court. **The complainant or the person who called the attention of the court to the attorney's alleged misconduct is in no sense a party, and has generally no interest in the outcome except as all good citizens may have in the proper administration of justice.** Hence, if the evidence on record warrants, the respondent may be suspended or disbarred despite the desistance of complainant or his withdrawal of the charges. Accordingly, notwithstanding the motion to withdraw evidence and testimony, the disbarment proceeding should proceed.<sup>43</sup> (Emphases supplied; citations omitted)

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<sup>41</sup> Id. at 406-407.

<sup>42</sup> 523 Phil. 1 (2006).

<sup>43</sup> Id. at 12.

Thus, the Court finds that the IBP-CBD did not commit any error when it held that respondents' arguments *vis-à-vis* Atty. Manzano's legal standing or personal knowledge is without merit.

All things considered, the Court affirms the findings of the IBP-CBD with respect to respondents' liability for violation of Rule 8.01, Canon 8 of the Code of Professional Responsibility. Anent the penalty to be imposed, the Court, likewise, agrees with the IBP-CBD and IBP Board of Governors' recommendation.

As stated in the Extended Resolution, Atty. Cruz-Angeles did not file or sign the Motion for Reconsideration. She had also been previously suspended from the practice of law. Hence, the imposition of suspension from the practice of law for a period of six months is in order. On the other hand, the Court finds reasonable the penalty of reprimand on Atty. Paglinawan, considering that this is his first infraction.

**WHEREFORE**, respondents Atty. Rose Beatrix Cruz-Angeles and Atty. Ahmed G. Paglinawan are found **GUILTY** of violation of Rule 8.01, Canon 8 of the Code of Professional Responsibility.

The Court **SUSPENDS** Atty. Rose Beatrix Cruz-Angeles from the practice of law for a period of **SIX (6) MONTHS**, effective upon her receipt of this Resolution, and **REPRIMANDS** Atty. Ahmed G. Paglinawan. They are, likewise, **STERNLY WARNED** that a repetition of the same or similar act in the future will be dealt with more severely.

Let a copy of this Resolution be attached to Atty. Rose Beatrix Cruz-Angeles and Atty. Ahmed G. Paglinawan's personal records in the Office of the Bar Confidant.

**SO ORDERED."**

By authority of the Court:

*Mis-DOCD-ff*  
**MISAEAL DOMINGO C. BATTUNG III**  
*Division Clerk of Court*  
*6/4/23*

Atty. Roderick Estores Manzano  
 Complainant  
 Rm. 307 Ivan de Palacio Bldg.  
 Malakas cor. Matalino Streets  
 1101 Diliman, Quezon City

Atty. Rose Beatriz Cruz-Angeles and  
 Atty. Ahmed G. Paglinawan  
 Respondents  
 259 15th Avenue, Cubao  
 1109 Quezon City

Atty. Amor P. Entila  
Officer-in-Charge  
OFFICE OF THE BAR CONFIDANT  
Supreme Court, Manila

Atty. Avelino V. Sales, Jr.  
Director for Bar Discipline  
INTEGRATED BAR OF THE PHILIPPINES  
Doña Julia Vargas Avenue  
Ortigas Center, 1600 Pasig City

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Supreme Court, Manila

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