



Republic of the Philippines  
Supreme Court  
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames

*Please take notice that the Court, Third Division, issued a Resolution dated June 21, 2023, which reads as follows:*

“A.C. No. 6586 [Formerly CBD Case No. 03-1099] (Atty. Cesar P. Uy, Complainant versus Atty. Anastacio Revilla, Jr., Respondent).— Before the Court is a disbarment complaint<sup>1</sup> filed by complainant Atty. Cesar P. Uy (Atty. Uy) before the Integrated Bar of the Philippines (IBP) against respondent Atty. Anastacio Revilla, Jr. (Atty. Revilla, Jr.) for multiple violations of the Code of Professional Responsibility, now the Code of Professional Responsibility and Accountability (CPRA).<sup>2</sup>

*The Antecedents*

In a Decision<sup>3</sup> dated April 8, 1998, in Civil Case No. 18495, Branch 40, Metropolitan Trial Court (MeTC), Quezon City, ordered, among others, the defendants therein to vacate the property of plaintiff Natas-ya Enterprise, Inc. (Natas-ya). On March 11, 1999, Branch 99, Regional Trial Court (RTC), Quezon City, in Appealed Case No. Q-98-35549 affirmed in toto the MeTC decision.<sup>4</sup> Apparently, no appeal was filed before the Court of Appeals (CA).<sup>5</sup> Thereafter, the Kalayaan Development Cooperative (KDC) Legal Services, Law Offices & Associates filed a petition for *certiorari* before the CA which was docketed as CA-G.R. SP No. 52472. KDC argued that the RTC had no jurisdiction over the MeTC decision, but the CA promptly dismissed the aforesaid petition for lack of merit.<sup>6</sup>

Subsequently, KDC filed another action seeking the annulment of Natas-ya’s Transfer Certificate of Title No. 179573 before Branch 104, RTC, Quezon City.<sup>7</sup>

---

<sup>1</sup> *Rollo*, pp. 1-16.

<sup>2</sup> Sections 1, 2 and 3, General Provisions, Code of Professional Responsibility and Accountability (CPRA), Effective May 29, 2023

<sup>3</sup> Entitled: “*Natas-ya Enterprise, Inc., vs. Josephine Villegas, et al.*” Penned by Acting Presiding Judge Lorna Navarro-Domingo; *Rollo*, pp. 141-153.

<sup>4</sup> *Id.* at 155-158. Penned by Acting Presiding Judge Ma. Theresa Dela Torre-Yadao.

<sup>5</sup> *Id.* at 2.

<sup>6</sup> *Id.* at 3 and 122.

<sup>7</sup> *Id.* at 3.

Meanwhile, Atty. Revilla, Jr., on behalf of his clients, filed a petition for annulment of judgment of the MeTC decision based on alleged lack of jurisdiction. It was docketed as Civil Case No. Q-03-48762. However, Branch 227, RTC, Quezon City dismissed it on April 15, 2003.<sup>8</sup>

Hence, the disbarment complaint<sup>9</sup> filed by Natas-ya's lawyer, Atty. Uy, against Atty. Revilla, Jr. before the IBP.

Atty. Uy alleged that Atty. Revilla, Jr., an associate of the KDC Law Offices, abused court processes by filing a nuisance pleading deliberately intended to frustrate and impede the efficient administration of justice. He argued that Atty. Revilla, Jr. knew that the jurisdiction Branch 40, MeTC, Quezon City had already been passed upon and upheld by the RTC in Appealed Case No. Q-98-35549 and by the CA in CA-G.R. S.P. No. 52472. There being no appeal taken from the ruling of the CA, the CA resolution upholding the jurisdiction of the MeTC had become final and Immutable.<sup>10</sup>

Atty. Uy added that Atty. Revilla, Jr., on page 16 of the petition for annulment of judgment, made it appear that a certain Judge Pedro Areola (Judge Areola) declared the title of Natas-ya's predecessors-in-interest to be spurious. However, neither Natas-ya nor its predecessors-in-interest were a party to the case cited by Atty. Revilla, Jr.; hence, there was no way that Judge Areola could have possibly declared the title of Natas-ya's predecessors as spurious.<sup>11</sup>

Worse, on page 20 of the petition for annulment of judgment, Atty. Revilla, Jr., quoted a portion of the factual allegations of the complaint as recounted in the statement of facts in the decision of the Supreme Court in *Intestate Estate of the late Mariano San Pedro y Esteban, etc. v. Court of Appeals*<sup>12</sup> (*Intestate Estate of the late Mariano San Pedro y Esteban, etc.*) and fraudulently passed it off as the ruling of the Court in order to support his fraudulent representation that Natas-ya's title, which is a derivative of Original Certificate of Title (OCT) No. 614, was declared null and void.<sup>13</sup> A perusal of the aforesaid decision, however, shows that OCT No. 614 – the original title from which Natas-ya's title was derived – was not declared void or cancelled by the Court, contrary to Atty. Revilla, Jr.'s representations.<sup>14</sup>

Lastly, 52 of the 69 petitioners in the petition for annulment of judgment did not sign the Certificate of Non-Forum Shopping. Hence, Atty. Uy submitted that Atty. Revilla, Jr., deliberately appeared as counsel for 52 parties in a case without being authorized to do so, in gross violation of Section 27,

---

<sup>8</sup> Id. at 4 and 124.

<sup>9</sup> Id. at 1-16.

<sup>10</sup> Id. at 5-6 and 124.

<sup>11</sup> Id. at 5-6 and 128.

<sup>12</sup> 33 Phil. 597-637 (1996).

<sup>13</sup> *Rollo*, pp. 128-129.

<sup>14</sup> Id. at 130.

Rule 138 of the Rules of Court.<sup>15</sup>

In his Verified Answer<sup>16</sup> Atty. Revilla, Jr., asserted that after he extensively reviewed the records of the cases they handled at KDC, he was of a sincere and honest conclusion that there were valid grounds to annul the final judgment in Civil Cases Nos. 18494, among others, and to institute a petition for declaratory relief.<sup>17</sup> He likewise stated that the ruling in the consolidated case of *Intestate Estate of the late Mariano San Pedro*<sup>18</sup> which he cited in the petition for annulment of judgment, is applicable in the civil cases based on his thorough and extensive research.<sup>19</sup> As to the last charge, he asserted that he already apologized before Branch 227, RTC, Quezon City when he filed a motion to drop/delete the names of the 52 parties and explained that his act was due to inadvertence.<sup>20</sup>

*The Report and Recommendation of the IBP*

In the Report and Recommendation<sup>21</sup> dated June 30, 2004, Investigating Commissioner Dennis A.B. Funa (Investigating Commissioner) found Atty. Revilla, Jr.'s explanations to be tenable and held that he acted within the bounds of ethics when he filed the petition for annulment of judgment because, as a trial lawyer, Atty. Revilla, Jr. is afforded with all the leeway in pursuing his case; and that there are legal remedies and principles by which Atty. Uy could thwart the legal actions taken by Atty. Revilla, Jr., if these were indeed baseless and already ruled upon by a prior jurisdiction.<sup>22</sup>

The Investigating Commissioner stated that Atty. Revilla, Jr. did not act with bad faith when he appeared as counsel for the other 52 petitioners who did not sign the Certificate of Non-Forum Shopping; that he was able to explain that it was due to mere inadvertence; and that he had already apologized before the RTC and rectified the mistake by moving to drop or delete the names of the other 52 petitioners.<sup>23</sup> The Investigating Commissioner, however, found Atty. Revilla, Jr. guilty of misquoting a Supreme Court decision when he stated that "the Highest Tribunal ruled" and then went on to quote a mere allegation, which was not the actual ruling of the Court.<sup>24</sup> Accordingly, the Investigating Commissioner recommended that Atty. Revilla, Jr. be reprimanded, *viz.*:

PREMISES CONSIDERED, it is submitted that respondent [Atty. Revilla, Jr.] is GUILTY of violating the Code of Professional Responsibility and should be given the penalty of REPRIMAND.

---

<sup>15</sup> Id. at 13-14.

<sup>16</sup> Id. at 20-29.

<sup>17</sup> Id. at 23.

<sup>18</sup> 333 Phil. 597-637 (1996).

<sup>19</sup> *Rollo*, p. 25.

<sup>20</sup> Id. at 26.

<sup>21</sup> Id. at 323-329.

<sup>22</sup> Id. at 327.

<sup>23</sup> Id. at 328.

<sup>24</sup> Id.

Respectfully submitted.<sup>25</sup>

In Resolution No. XVI-2004-402<sup>26</sup> dated July 30, 2004, the IBP-BOG adopted the findings and recommendations of the Investigating Commissioner that Atty. Revilla, Jr. should be reprimanded for negligently misquoting a Supreme Court decision.

Aggrieved, Atty. Revilla, Jr. filed a petition<sup>27</sup> before the Court alleging that the IBP-BOG Resolution is unfair, unjust, and not supported by the facts, laws, and rules. On the other hand, Atty. Uy moved for a reconsideration<sup>28</sup> of the IBP-BOG Resolution.

#### *Proceedings before the Court*

On December 8, 2004, the Court noted the IBP-BOG's Resolution and denied Atty. Uy's motion for reconsideration for lack of merit.<sup>29</sup> Then, in the Resolution<sup>30</sup> dated February 7, 2005, the Court, acting on Atty. Revilla, Jr.'s petition, required therein respondent, Atty. Uy, to submit his comment on the petition within 10 days from notice. Inadvertently, Atty. Revilla, Jr., thinking that he is the respondent in his own petition, filed a Comment<sup>31</sup> dated April 29, 2005, and prayed that "the instant petition be dismissed for utter lack of merit."<sup>32</sup> On July 27, 2005, the Court noted the comment.<sup>33</sup>

In a Resolution<sup>34</sup> dated February 18, 2009, the Court clarified that Atty. Uy is the respondent in the petition for review and directed him to file a comment on the petition within ten days from notice. However, Atty. Uy did not comply. On July 20, 2011, the Court directed Atty. Uy to show cause why he should not be disciplinary dealt with or held in contempt for such failure and directed him to comply with its earlier Resolution.<sup>35</sup> In its Report,<sup>36</sup> the Office of the Bar Confidant informed the Court that per verification from the IBP, Records Section, the present address of Atty. Uy is at #3 The Cloisters Cherrybrook, NSW 2126 Australia. Thus, on March 19, 2014, the Court resolved to resend the Resolution dated July 20, 2011, at the correct address.<sup>37</sup>

In his Compliance and Explanation<sup>38</sup> dated July 3, 2014, Atty. Uy alleged, among others, that due to advance age and after an aortic valve

---

<sup>25</sup> Id. at 329.

<sup>26</sup> Id. at 322; Signed by National Secretary Othelo C. Carag.

<sup>27</sup> Id. at 348-359.

<sup>28</sup> Id. at 330-344.

<sup>29</sup> Id. at 347.

<sup>30</sup> Id. at 390.

<sup>31</sup> Id. at 397-402.

<sup>32</sup> Id. at 401.

<sup>33</sup> Id. at 447.

<sup>34</sup> Id. at 448.

<sup>35</sup> Id. at 451.

<sup>36</sup> Id. at 461.

<sup>37</sup> Id. at 462.

<sup>38</sup> Id. at 465-466.

replacement, he was compelled to virtually retire from the practice of law by not accepting new cases; that in all honesty, he could not confirm whether he had received copies of the petition for review because the records of all his cases which were stored in his sister's house in San Juan, Metro Manila were entirely destroyed by termites; that it was possible that he did not actually receive a copy of the petition; and that he would instruct someone to obtain from the proper office a copy of the petition for review to enable him to file his comment if the present case would continue to be heard by the Court despite the decision in A.C. No. 7054<sup>39</sup> wherein Atty. Revilla, Jr. was disbarred from the practice of law *based on the same factual milieu*.<sup>40</sup>

On September 10, 2014, the Court resolved to note Atty. Uy's compliance and explanation and directed him to file his comment on the petition for review within 10 days from notice.<sup>41</sup>

Subsequently, Atty. Uy submitted his comment;<sup>42</sup> Atty. Revilla, Jr. filed a Reply.<sup>43</sup>

#### *The Issues*

Whether the IBP-BOG erred in finding that Atty. Revilla, Jr. acted within the bounds of ethics when he filed the petition for annulment of judgment despite knowing that the MeTC and RTC decisions were already final and immutable; and whether the penalty of reprimand is commensurate to the infraction that he committed, *i.e.*, misquoting a Supreme Court decision.

#### *The Court's Ruling*

The petition is denied on the ground of *res judicata*. The Court's ruling in A.C. No. 7054,<sup>44</sup> entitled "*Conrado N. Que v. Atty. Revilla, Jr.*," promulgated on December 4, 2009 is conclusive upon this case.

*Res judicata*, which literally means "a matter adjudged",<sup>45</sup> is a legal principle that precludes parties from re-litigating the same issue more than once based on the following legal maxims: *interes publicae ut sit finis litium* (it is in the interest of the State that there should be an end to litigation); and *nemo debet bis vexari pro una et eadem causa* (no person should be vexed twice for the same cause).<sup>46</sup> It has two concepts, namely: bar by prior judgment, and conclusiveness of judgment, which are both embodied in Section 47, Rule 39 of the Rules of Court, *viz.*:

<sup>39</sup> *Conrado Que v. Atty. Anastacio Revilla, Jr.*, 622 Phil. 1-25 (2009).

<sup>40</sup> *Rollo*, p. 465.

<sup>41</sup> *Id.* at 470.

<sup>42</sup> *Id.* at 471-477.

<sup>43</sup> *Id.* at 483-486.

<sup>44</sup> 622 Phil. 1-25 (2009).

<sup>45</sup> *Jebsens Maritime, Inc. v. Gutierrez*, G.R. No. 244098, March 3, 2021.

<sup>46</sup> *Sanson v. Tapuz*, G.R. No. 245914, June 16, 2021. *Villaroman v. Estate of Arciaga*, G.R. No. 210822, June 28, 2021.

SEC. 47. Effect of judgments or final orders. — The effect of a judgment or final order rendered by a court of the Philippines, having jurisdiction to pronounce the judgment or final order, may be as follows:

x x x x

(b) *In other cases, the judgment or final order is, with respect to the matter directly adjudged or as to any other matter that could have been raised in relation thereto, conclusive between the parties and their successors in interest by title subsequent to the commencement of the action or special proceeding, litigating for the same thing and under the same title and in the same capacity; and*

(c) *In any other litigation between the same parties or their successors in interest, that only is deemed to have been adjudged in a former judgment or final order which appears upon its face to have been so adjudged, or which was actually and necessarily included therein or necessary thereto. (Italics Ours)*

Jurisprudence teaches us that *res judicata* as a bar by prior judgment applies when the following requisites are present: 1) the prior decision must be a final judgment or order; 2) the court rendering the same must have jurisdiction over the subject matter and over parties; 3) there must be identity of parties, subject matter, and causes of action between the two cases; and 4) It must be a judgment or order on the merits.<sup>47</sup> On the other hand, *res judicata* by conclusiveness of judgment applies when there is identity of parties in the first and second cases, but no identity of causes of action, and a fact or question has been squarely put in issue, judicially passed upon, and adjudged in a former suit by a court of competent jurisdiction.<sup>48</sup> Thus, unlike bar by prior judgment, *res judicata* by conclusiveness of judgment only requires the identity of issues and parties.<sup>49</sup>

The record shows that the facts and the circumstances in the present case and in A.C. No. 7054 are substantially the same.

*First*, the issues raised by Conrado Que (Que) in A.C. No. 7054 are the exact issues raised by Atty. Uy in the present case. Specifically, Que likewise charged Atty. Revilla, Jr. of abusing court remedies and processes by filing various petitions before the RTC and the CA which seek to overturn the final and immutable judgments of the MeTC and the RTC. He also accused Atty. Revilla, Jr. of fraudulent and unauthorized appearances in court in relation to the petition for annulment of judgment for the other 52 litigants. While Atty. Revilla's act of misquoting a Supreme Court decision in the petition for annulment of judgment was not discussed in A.C. No. 7054, the Court nonetheless declared that Atty. Revilla committed willful, intentional, and

<sup>47</sup> *Jebsens Maritime, Inc. v. Gutierrez*, supra.

<sup>48</sup> *Roberto T. Villanueva, Inc. v. Philippine Bank of Communications*, G.R. No. 204041, October 6, 2021.

<sup>49</sup> *Kolin Electronics Co., Inc. v. Kolin Philippines International, Inc.*, G.R. No. 228165, February 9, 2021.

deliberate falsehood before the courts based on his contradictory allegations that was fabricated in order to support the petition for annulment of judgment.<sup>50</sup>

*And Second*, it is well to stress that Atty. Revilla, Jr.'s Verified Answer<sup>51</sup> before the IBP in the case [CBD Case No. 03-1099] is addressed not only to the complaint filed by Atty. Uy but also to the complaint filed by Que in CBD Case No. 03-1100.

Because the parties, the subject matter (*i.e.*, the petition for annulment of judgment), and the issues between the two cases are substantially identical,<sup>52</sup> it follows that the instant complaint should be dismissed on the ground of *res judicata*.<sup>53</sup>

**WHEREFORE**, the complaint is **DISMISSED**. This case is further declared **CLOSED** and **TERMINATED**.

**SO ORDERED.**" (DIMAAMPAO and SINGH, *JJ.*, on official business.)

By authority of the Court:

*Misael Domingo C. Battung III*  
**MISAELO DOMINGO C. BATTUNG III**  
*Division Clerk of Court* *9/16/23*

Atty. Cesar P. Uy  
Complainant  
2/F Mabuhay Building  
941 Ylaya Street, Tondo, 1012 Manila

Atty. Anastacio Revilla, Jr.  
Respondent  
11-22 & 23, NCE I  
Commonwealth Avenue, 1100 Quezon City

Atty. Amor P. Entila  
Officer-in-Charge  
OFFICE OF THE BAR CONFIDANT  
Supreme Court, 1000 Manila

Atty. Avelino V. Sales, Jr.  
Director for Bar Discipline  
INTEGRATED BAR OF THE PHILIPPINES  
Doña Julia Vargas Avenue  
Ortigas Center, 1605 Pasig City

JUDICIAL & BAR COUNCIL  
Supreme Court, 1000 Manila

PHILIPPINE JUDICIAL ACADEMY  
Research Publications and Linkages Office  
Supreme Court, Manila  
[research\_philja@yahoo.com]

PUBLIC INFORMATION OFFICE  
Supreme Court, Manila  
[For uploading pursuant to A.M. 12-7-1-SC]

LIBRARY SERVICES  
Supreme Court, Manila

A.C. No. 6586

101

(411)  
URES  
NOV 09 2023

<sup>50</sup> Id.

<sup>51</sup> Id. at 20-28.

<sup>52</sup> *Heirs of Gepuella v. Meñez-Andres*, 778 Phil. 97, 115-116 (2016).

<sup>53</sup> *See* Section 47 (b) and (c), Rule 39 of the 2019 Amendments to the 1997 Rules of Civil Procedure.