



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated **October 2, 2023**, which reads as follows:*

“A.C. No. 11496 (*Isagani R. Bañez v. Atty. Adelito M. Solibaga, Jr.*). - After careful review of the records of this case, the Court resolves to dismiss the administrative complaint against respondent Atty. Adelito M. Solibaga, Jr. (Atty. Solibaga).

An attorney enjoys the legal presumption of innocence until the charges against him or her is proved. As an officer of the Court, the lawyer is presumed to have performed his or her duties in accordance with his or her oath. Bare allegation or accusation is neither evidence nor equivalent to proof. Charges based on mere suspicion and speculation cannot be given credence.¹

As aptly found by the Integrated Bar of the Philippines (IBP), complainant Isagani R. Bañez (Bañez) failed to present substantial evidence to prove that Atty. Solibaga violated the Code of Professional Responsibility and Accountability (CPRA) and A.M. No. 12-8-8-SC.² Apart from his bare and cursory allegation, Bañez did not present any specific factual allegation nor any proof that Atty. Solibaga coached Lalaine Marcos-Jimenea (Jimenea), publisher and editor-in-chief of *Eastern Visayas Mail*, with answers for her Judicial Counter-Affidavit submitted before the Office of the City Prosecutor of Ormoc City.

A perusal of the Judicial Counter-Affidavit subject of the present administrative complaint further shows that Jimenea properly cited the cases she mentioned in her answers. Contrary to Bañez’ allegation that Atty. Solibaga supplied her answers, Jimenea clearly attested in her Judicial Counter-Affidavit that she is very knowledgeable of the laws and cases on libel as it is the most common charge that can be filed against he as a journalist and newspaper publisher.³

¹ *Namocatcat v. Amarga*, A.C. No. 11230 (Notice), February 23, 2022.

² Approved on September 4, 2012.

³ *Rollo*, p. 178.

At this point, the Court quotes with approval the discussion made by the IBP:

To be sure, the act of making citations is not an act that only lawyers like herein Respondent [Atty. Solibaga] can do. For one, a journalist of 33 years could be expected to be circumspect in doing research and citing references and sources.

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As a final note, it also bears noting that no one – not even lawyers – has a monopoly of legal knowledge in this world. Complainant's argument that Jimenea could not have known about the subject Supreme Court decisions because she is not a lawyer is a clear example of anti-intellectualism. This argument reflects a glaring negative view of the value and importance of intellectual pursuits and critical thinking. To lend credence to Complainant's arguments would promote the myopic thinking that anyone who is not a lawyer could not be expected to be familiar with laws and jurisprudence.⁴

Verily, while the Court is duty-bound to clean the legal profession by disciplining erring members of the bar, the Court will likewise protect, at all times, lawyers and legal practitioners from unsubstantiated allegations by dismissing administrative or disbarment cases, as in this case.⁵

WHEREFORE, the instant administrative case against respondent Atty. Adelito M. Solibaga, Jr. is **DISMISSED** for lack of merit.

SO ORDERED." (Dimaampao, J., *on official leave.*)

By authority of the Court:

Misael Domingo C. Battung III
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court 11/12/24

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⁴ Id. at 177-178.

⁵ *Yapa v. Tansip*, A.C. No. 13141 (Notice), October 19, 2022.

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