



Republic of the Philippines  
Supreme Court  
Manila

EN BANC

AAA,<sup>1</sup>

A.C. No. 10021

Complainant,

- versus -

ATTY. ANTONIO N. DE LOS  
REYES,

Respondent.

x ----- x

AAA,

A.C. No. 10022

Complainant,

Present:

LEONARDO-DE CASTRO, C.J.,  
CARPIO,\*  
PERALTA,\*\*  
BERSAMIN,  
DEL CASTILLO,  
PERLAS-BERNABE,\*\*\*  
LEONEN, JJ.  
JARDELEZA,  
CAGUIOA,  
TIJAM,  
REYES, JR.,  
GESMUNDO, and  
REYES, JR., JJ.

- versus -

ATTY. ANTONIO N. DE LOS  
REYES,

Respondent.

Promulgated:

September 18, 2018

x ----- x

<sup>1</sup> The real names of the private complainant and those of her immediate family members are withheld per Republic Act No. 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act); Republic Act No. 9262 (Anti-Violence Against Women and Their Children Act of 2004); and A.M. No. 04-10-11-SC effective November 15, 2004 (Rule on Violence Against Women and Their Children). See *People v. Cabalquinto*, 533 Phil. 703 (2006).

\* On official leave.  
\*\* On official business.  
\*\*\* No part.

**DECISION*****PER CURIAM:***

Before the Court are two administrative complaints filed by complainant AAA seeking the disbarment of respondent Atty. Antonio De Los Reyes (respondent Atty. De Los Reyes) on the grounds of sexual harassment and gross immoral conduct. AAA claims that respondent Atty. De Los Reyes violated the Code of Professional Responsibility when he committed acts which are unlawful, dishonest, immoral and deceitful which warrant his disbarment.

**The Factual Antecedents**

In her undated Complainant's Position Paper, AAA narrated the following:

Sometime in February 1997, [AAA] was hired as secretary to [respondent Atty. De Los Reyes], then Vice-President of the Legal and Administrative Group of [National Home Mortgage Finance Corporation] NHMFC.

[AAA] became a permanent employee with a plantilla position of private secretary 1, pay grade 11, on a co-terminus status with [respondent Atty. De Los Reyes]. She later learned that it was [respondent Atty. De Los Reyes] who facilitated her rapid promotion to her position soon after becoming his secretary.

Sometime in the last quarter of 1997, [respondent Atty. De Los Reyes] offered to take [AAA] home in his NHMFC issued service vehicle telling her that her residence on J.P. Rizal Street, Makati was along his route. From then on it became a daily routine between them, which continued even after [AAA] moved to Mandaluyong City.

Sometime in the last quarter of 1998, [AAA] began to feel very uncomfortable with the situation when she realized that [respondent Atty. De Los Reyes] was becoming overly possessive and demanding to the extent that she could not refuse his offer to bring her home; her telephone calls were being monitored by [respondent Atty. De Los Reyes] who constantly asked her who she was talking with on the telephone and would get mad if she told him that it was a male person; she would be called to his office during office hours just to listen to his stories about his life, how he was raised by a very strict father, a former NBI director, how unhappy he was with his wife who treated him like a mere boarder in their house and sometimes just to sit there doing nothing in particular, simply because he wanted to see her. He also sent or left her love notes.

[AAA] tried to avoid [respondent Atty. De Los Reyes] who vacillated between being verbally abusive toward her, cursing and shouting invectives at her whenever she did, and overly solicitous the next moment, apparently to placate her.

On 11 December 1998, when she refused his offer to take her home, he got angry with her and shouted "*putangina mo.*" She tried to get away from him but he blocked her path, grabbed her arm and dragged her to the parking area and pushed her inside his service vehicle. He drove off, ignoring her cries and pleas to stop and let her get off. He slapped her twice and she became hysterical. She opened the car door and attempted to jump but he was able to grab her jacket and dropped her off somewhere in Makati. She reported the incident to the police.

[AAA] did not file a formal report or complaint against [respondent Atty. De Los Reyes] as she thought that it would be futile. She told Atty. Fermin Arzaga [then Senior Vice-President for Finance at NHMFC] what happened and showed him her bruises on her wrists. She told him of her plan to resign and he asked her not to resign and instead to request for a transfer. Despite his advice, she sent a resignation letter that was received by the Personnel Department on 22 December 1998.

On the same date, both the manager and the assistant manager talked to [AAA] and persuaded her to reconsider her resignation by promising her that she would be re-assigned to the Office of the President, as stated in an Office Order dated 21 January 1999.

On 22 January 1999, [AAA] reported to the Office of the President. But even before she could start working in her new assignment, she was told to return to her former post as private secretary of [respondent Atty. De Los Reyes].

[AAA] later learned from [respondent Atty. De Los Reyes] that he had called up Atty. Arzaga and told him not to interfere ("*huwag kang makialam*"). He told her that her position was co-terminus with his, being his private secretary.

Much as she wanted to pursue her plan to resign, [AAA's] financial position at that time left her with no choice but to continue working as [respondent Atty. De Los Reyes'] secretary. [Respondent Atty. De Los Reyes] knew that [AAA] was the sole breadwinner of her family, as her father had deserted them when she was but 8 years old, leaving her to care for her sick mother, a two-year-old niece and two sisters who were still in school.

[Respondent Atty. De Los Reyes] exploited his knowledge to force [AAA] to continue working for him as his secretary. He moved in on her steadily, making it plain to all that she was his property, isolating her from the other people in the office who did not want to cross him, dominating and humiliating her. He eventually made it clear to her that he was determined to make her his mistress and overpowered her resistance by leaving her no choice but to succumb to his advances or lose her job.

From then on, she became his sex slave who was at his beck and call at all times for all kinds of sexual services ranging from hand-jobs in his vehicle to sexual intercourse in his office. She could not even refuse him without risking physical, verbal and emotional abuse.

[AAA] became despondent with her situation, knowing that she was the object of gossip and ridicule among her officemates. She felt so

helpless and frustrated that she thought of committing suicide on countless occasions. Coming to the office was such an ordeal that she often suffered from all sorts of illnesses such as fever, stomachaches, sore throat, and migraine which gave her a convenient reason to absent herself, but did not deter [respondent Atty. De Los Reyes] from calling and texting her or even coming to her house to personally check on her.

[AAA] attempted to put a stop to [respondent Atty. De Los Reyes's] obsession with her by flaunting an American as her boyfriend. [Respondent Atty. De Los Reyes] went into a jealous rage when he learned about it.

x x x x

It seemed that [AAA] could never escape from the clutches of [respondent Atty. De Los Reyes] who always found a way to ensure that she would always end up being re-assigned to his office, even after she was assigned to other units. He continued to bring her home, no matter that her residence was now in Canlubang, Laguna. He also continued to see her [in] his office at least twice a day, even sending an assistant to fetch her when she refused to go.

In January 2003, [respondent Atty. De Los Reyes] continued to keep a tight watch over her even when [AAA] went on official study leave to attend her CGFNS review classes. He insisted on personally bringing [AAA] to and from her classes or he made sure that his official driver took her there using his official vehicle when he could not personally accompany her.

[AAA] failed to take her exam in March 2003 and requested a leave of absence to take the July 2003 exam. She stopped seeing [respondent Atty. De Los Reyes] and refused to see or talk to him completely.

[Respondent Atty. De Los Reyes] kept sending [AAA] text messages that she ignored and even requested for a change of number of her cell phone. After a month of not receiving anything from him, she thought he had already given up on her but she was wrong.

He now trained his sight on [Ma. Victoria] Marivic Alpajaro, a good friend and officemate of [AAA], who had now become the object of his ire and jealousy because of her apparent closeness to [AAA].

His threats to fire Marivic compelled [AAA] to seek him out and plead with him to spare her friends. On 10 July 2003, they met outside the office and he insisted that they go back together to the office to show everyone that everything was still the same between them. She refused and ran out of the restaurant. He followed and wrapped his arms around her but she evaded him. He was shouting "*mahal kita*" in public, to her great embarrassment. He attempted to stop her but she threatened that she will throw herself in the path of oncoming vehicles if he persisted.<sup>2</sup>

<sup>2</sup>

Rollo (Vol. III), pp. 24-29.

AAA filed another Complaint-Affidavit dated November 19, 2004, with the Commission on Bar Discipline (CBD) of the Integrated Bar of the Philippines (IBP), alleging that respondent Atty. De Los Reyes still continued to harass her and her colleagues (Ma. Victoria Alpajaro and Mercedita Lorenzana) who agreed to be her witnesses in her earlier complaint. According to AAA, respondent Atty. De Los Reyes filed baseless charges against her and her sympathetic officemates before the Office of the Ombudsman, and sought their preventive suspension without affording them due process through an initial administrative investigation at the National Home Mortgage Finance Corporation (NHMFC). She added that because of what respondent Atty. De Los Reyes did to her, she suffered from various illnesses, insomnia, listlessness, suicidal feelings, and was diagnosed as suffering from Major Depressive Disorder with manifested symptoms of Post-Traumatic Stress Disorder by Dr. Norietta Calma-Balderama, a psychiatrist at the Department of Psychiatry and Behavioral Medicine at the University of the Philippines-Philippine General Hospital (UP-PGH).

In his defense, respondent Atty. De Los Reyes denied AAA's allegations relating to the alleged sexual harassment and gross immorality for lack of factual and legal bases. In his Consolidated Position Paper for the Respondent dated May 16, 2005, respondent Atty. De Los Reyes contended that AAA's complaint-affidavits were not sufficient in form and substance as required under the Rules of Court and should be dismissed for being mere scraps of paper. According to respondent Atty. De Los Reyes, the complaints failed to state the ultimate facts or particulars, approximate dates, and other details of the sexual acts or advances that he allegedly committed, in violation of his right to be informed of the nature and cause of the accusations against him. He averred that AAA's lame excuse for her omission allegedly due to her fear that she would be exposing herself to shame and humiliation after her colleagues would know of the details of her complaint is unbelievable.

Respondent Atty. De Los Reyes further stated that AAA's affidavits were replete with inconsistencies and unrealistic statements that are contrary to human nature. Respondent Atty. De Los Reyes denied her allegations and explained the following points:

(a) He offered his service vehicle not only to AAA but also to other employees of NHMFC who lived along his route; and it was AAA herself who requested that she be brought home together with other employees;

(b) NHMFC has corporate policies prohibiting the long use of telephones by the employees for personal purposes;

(c) The incident reported by AAA that she was grabbed and dragged into his service vehicle is highly incredible as it would have been readily noticed by many employees because it was immediately after office hours;

(d) He did not ask for any sexual favors in his office or in his service vehicle considering the location of the office which was very accessible to other employees including the security guard by the door that is always open; and respondent Atty. De Los Reyes always sat on the front passenger side of his service vehicle with his driver;

(e) The requests for transfer of assignment made by AAA did not mention that it was because of respondent Atty. De Los Reyes or of any sexual harassment that she suffered at his hands; and

(f) The complaints for disbarment filed by AAA against respondent Atty. De Los Reyes were purely in retaliation since he was conducting investigations against AAA and her two friends at the NHMFC.

Respondent Atty. De Los Reyes also countered the Certification issued by Dr. Calma-Balderama of the UP-PGH Department of Psychiatry and Behavioral Medicine as a mere scrap of paper and without any probative value since said certification was not made under oath or subscribed to, and was not supported by any clinical or psychological report.

Finally, respondent Atty. De Los Reyes asserted that assuming the alleged grounds for disbarment regarding the claim for sexual harassment were true, the same had already prescribed since they occurred in 1999 or more than three years prior to the institution of the complaints.

### **The Findings of the IBP**

In the Report and Recommendation dated June 6, 2011, the CBD-IBP Commissioner found respondent Atty. De Los Reyes guilty of violating Rule 1.01 of the Code of Professional Responsibility and recommended the penalty of one (1) year suspension. The Investigating Commissioner opined that there was no indication that AAA was not telling the truth, and that she acceded to the numerous incidents of sexual intercourse because of fear of reprisals or consequences if she refused. The Commissioner explained thus:

We also take note that there is an apparent ambivalence or hesitancy in the use of the word "rape" by herein complainant. This is because the numerous sexual intercourse occurred with the complainant's seeming consent. However, such cannot be characterized as voluntary. Complainant acceded to the sexual intercourse because of fear of reprisals or consequences if she did not. Whether there is actual rape, as it is defined in the Revised Penal Code, would not be relevant in this disbarment case since the sexual intercourse coupled with unspoken

threats of dire consequences would nonetheless constitute grave misconduct.

Respondent has also raised the argument of prescription. While there could be a prescriptive period under the Anti-Sexual Harassment Law, there is no prescriptive period for grave misconduct in disbarment proceedings and the Code of Professional Responsibility. Disbarment proceedings are *sui generis*.<sup>3</sup>

In Resolution No. XX-2012-254 dated July 21, 2012, the IBP Board of Governors adopted and approved with modification the Report and Recommendation of the Investigating Commissioner, to wit:

RESOLVED to ADOPT and APPROVE, as it is hereby unanimously ADOPTED and APPROVED with modification, the Report and Recommendation of the Investigating Commissioner in the above-entitled case, herein made part of this Resolution as Annex "A," and finding the recommendation fully supported by the evidence on record and the applicable laws and rules, and finding Respondent guilty of violating Rule 1.01 of the Code of Professional Responsibility, Atty. Antonio De Los Reyes is hereby SUSPENDED [INDEFINITELY].<sup>4</sup>

Respondent Atty. De Los Reyes filed a motion for reconsideration which was denied by the IBP Board of Governors in Resolution No. XX-2013-311 dated March 21, 2013, thus:

RESOLVED to unanimously DENY [respondent Atty. De Los Reyes'] Motion for Reconsideration, there being no cogent reason to reverse the Resolution and it being a mere reiteration of the matters which had already been threshed out and taken into consideration. Thus, Resolution No. XX-2012-254 dated July 21, 2012 is hereby AFFIRMED.<sup>5</sup>

### **The Issue**

The issue in this case is whether or not respondent Atty. De Los Reyes committed acts amounting to sexual harassment and gross immoral conduct in violation of the Code of Professional Responsibility which would warrant his disbarment.

### **The Court's Ruling**

After due consideration, we adopt the findings and conclusions of the Investigating Commissioner, as sustained by the IBP Board of Governors.

The pertinent provisions of the Code of Professional Responsibility read:

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<sup>3</sup> *Rollo* (A.C. No. 10022), pp. 344-345.

<sup>4</sup> *Id.* at 336.

<sup>5</sup> *Id.* at 334.

CANON 1 – A lawyer shall uphold the Constitution, obey the laws of the land and promote respect for law and legal processes.

Rule 1.01. – A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

CANON 7 – A lawyer shall at all times uphold the integrity and dignity of the legal profession and support the activities of the integrated bar.

x x x x

Rule 7.03. – A lawyer shall not engage in conduct that adversely reflects on his fitness to practice law, nor shall he, whether in public or private life, behave in a scandalous manner to the discredit of the legal profession.

In *Valdez v. Dabon*,<sup>6</sup> we explained that the possession of good moral character is both a condition precedent and a continuing requirement to warrant admission to the bar and to retain membership in the legal profession, to wit:

Lawyers have been repeatedly reminded by the Court that possession of good moral character is both a condition precedent and a continuing requirement to warrant admission to the Bar and to retain membership in the legal profession. This proceeds from the lawyer's bounden duty to observe the highest degree of morality in order to safeguard the Bar's integrity, and the legal profession exacts from its members nothing less. Lawyers are called upon to safeguard the integrity of the Bar, free from misdeeds and acts constitutive of malpractice. Their exalted positions as officers of the court demand no less than the highest degree of morality.

The Court explained in *Arnobit v. Atty. Arnobit* that "as officers of the court, lawyers must not only in fact be of good moral character but must also be seen to be of good moral character and leading lives in accordance with the highest moral standards of the community. A member of the bar and an officer of the court is not only required to refrain from adulterous relationships or keeping a mistress but must also behave himself as to avoid scandalizing the public by creating the impression that he is flouting those moral standards." Consequently, any errant behavior of the lawyer, be it in his public or private activities, which tends to show deficiency in moral character, honesty, probity or good demeanor, is sufficient to warrant suspension or disbarment.

Thus, lawyers are duty-bound to observe the highest degree of morality and integrity not only upon admission to the Bar but also throughout their career in order to safeguard the reputation of the legal profession. Any errant behavior, be it in their public or private life, may subject them to suspension or disbarment. Section 27, Rule 138 of the Rules of Court expressly states that members of the Bar may be disbarred or

<sup>6</sup> 773 Phil. 109, 121-122 (2015).



suspended for any deceit, grossly immoral conduct, or violation of their oath.

In *Ventura v. Samson*,<sup>7</sup> we explained that immoral conduct involves acts that are willful, flagrant, or shameless, and that show a moral indifference to the opinion of the upright and respectable members of the community. It is gross when it is so corrupt as to constitute a criminal act, or so unprincipled as to be reprehensible to a high degree, or when committed under such scandalous or revolting circumstances as to shock the community's sense of decency.

Here, we rule that the records of this administrative case sufficiently substantiate the findings of the CBD-IBP Investigating Commissioner, as well as the IBP Board of Governors, that indeed respondent Atty. De Los Reyes committed acts of gross immorality in the conduct of his personal affairs with AAA that show his disregard of the lawyer's oath and of the Code of Professional Responsibility.

A perusal of the Transcript of Stenographic Notes (TSN) taken during the June 30, 2006 hearing of the instant case shows AAA's straightforward testimony of her ordeal at the hands of respondent Atty. De Los Reyes:

Atty. [Angelito] Lo [Counsel for respondent Atty. De Los Reyes]:

Q. You said that you were being raped twice a week by the respondent?

AAA:

A. Yes, sir.

COMM. FUNA:

Twice a week for how many weeks?

AAA:

I guess it's from 1999 to more or less 2000.

COMM. FUNA:

For clarification, what do you mean by rape?

AAA:

I was forced...he forced me to have sex with him.

COMM. FUNA:

In what sense? Conversation?

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<sup>7</sup> 699 Phil. 404, 415 (2012).



AAA:

Other than that, sir. Most of the time, I was not allowed...from the very start, I was not allowed to use the C.R.

COMM. FUNA:

No, no, no. Do you know what rape is?

AAA:

Yes. I was forced to have sex with him. There [were] some instances that he would go inside the C.R. while I'm still inside. He would push me and force me to have sex with him. *Tinutulak nya ako pababa.*

COMM. FUNA:

I have to clarify this *kasi* it's vague. We need to know exactly what happened. *Naginginan lang kayo sa mata*, what happened?

AAA:

I was inside the C.R. I'm using the restroom, *pumasok sya.*

COMM. FUNA:

Did he touch any part of your body?

AAA:

Yes.

COMM. FUNA:

Was there a sexual intercourse between you and the respondent?

AAA:

Yes.

COMM. FUNA:


There was?

AAA:

Yes.

COMM. FUNA:

How many times?



AAA:

At most is twice a week.

COMM. FUNA:

Now, you will be raped and yet you did not report to the police?

AAA:

I'm so scared and I don't know *kung may maniniwala sa akin*.

COMM. FUNA:

You will be raped and yet you continue to work.

AAA:

As I have mentioned in my Affidavit, I am the sole breadwinner in my family. I tried to leave the office, I tried to look for a job.

COMM. FUNA:

So when you go to work, you know that you will be raped...

AAA:

Because I have to fend [for] my whole family. My mother is sick. I don't have a father. I have my other siblings to support, I have my niece. It's really hard for me but...(Witness crying)

COMM. FUNA:

So, *iyong* subsequent rapes were done with your consent? Would you say that?

AAA:

It's an exchange to maintain my job.

COMM. FUNA:

So you consented because you believe that you will lose your job?

AAA:

That's what... *kasi* my position is co-terminus with him. It's permanent but still co-terminus with him. *Sabi nya nga*, I'm working [at] his pleasure. It's up to him anytime if he wants to fire me. He can do that.

COMM. FUNA:

Atty. Ambrosio, how would you characterize that?

9

ATTY. [MINERVA] AMBROSIO [Counsel for AAA]:

Which one, sir? She's raped, plain and simple, sir, sexual harassment.

COMM. FUNA:

Would you go to this office...(interrupted)

ATTY. AMBROSIO:

Sir, why are you laughing?

COMM. FUNA:

...if you know that you will be raped?

ATTY. AMBROSIO:

Sir...(unintelligible) to understand.

COMM. FUNA:

Tomorrow, you know that you will be raped...  
(Comm. Funa and Atty. Ambrosio talking at the same time)

ATTY. AMBROSIO:

[She's] telling you *wala siyang* choice. That's the whole essence of sexual harassment because a woman is forced to continue working or to continue in this particular position because she has no choice. If she doesn't consent to his sexual advances, she gets fired or she gets demoted or she will get a deduction in her pay. See, that's plain and simple sexual harassment. This is...(unintelligible) I do not understand. You're all laughing here. This is a woman crying telling you... there's injustice being done to this woman.<sup>8</sup>

Clearly, the above-quoted excerpt from the TSN dated June 30, 2006, shows that respondent Atty. De Los Reyes is guilty of "sextortion" which is the abuse of his position or authority to obtain sexual favors from his subordinate, the complainant, his unwilling victim who was not in a position to resist respondent's demands for fear of losing her means of livelihood. The sexual exploitation of his subordinate done over a period of time amounts to gross misbehavior on the part of respondent Atty. De Los Reyes that affects his standing and character as a member of the Bar and as an officer of the Court. All these deplorable acts of respondent Atty. De Los Reyes puts the legal profession in disrepute and places the integrity of the administration of justice in peril, thus warranting disciplinary action from the Court.<sup>9</sup>

<sup>8</sup> TSN, June 30, 2006, pp. 49-57.

<sup>9</sup> *Tapucar v. Tapucar*, 355 Phil. 66, 74 (1998).

It bears emphasizing that an administrative case for disbarment is *sui generis* and not meant to grant relief to a complainant as in a civil case but is intended to cleanse the ranks of the legal profession of its undesirable members for the protection of the public and of the courts. It is an investigation on the conduct of the respondent as an officer of the Court and his fitness to continue as a member of the Bar.<sup>10</sup>

This Court held in *Pena v. Aparicio*<sup>11</sup> that:

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. x x x 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 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.  
x x x.

While we agree with the findings of the IBP, we, however, consider the recommended penalty of indefinite suspension from the practice of law not commensurate with the gravity of the acts committed by respondent Atty. De Los Reyes.

In a number of administrative cases involving illicit sexual relations and gross immorality, this Court imposed upon the erring lawyers various penalties ranging from suspension to disbarment, depending on the circumstances. In *De Leon v. Pedreña*,<sup>12</sup> we suspended the respondent from the practice of law for two years for rubbing complainant's leg with his hand, putting complainant's hand on his crotch area, and pressing his finger on complainant's private part. In *Tumbaga v. Teoxon*,<sup>13</sup> the respondent was suspended for three years from the practice of law for committing gross immorality by maintaining an extramarital affair with complainant. This Court, in *Zaguirre v. Castillo*,<sup>14</sup> meted the penalty of indefinite suspension on Atty. Castillo when he had an illicit relationship with a woman not his wife and sired a child with her, whom he later on refused to recognize and support. In *Dantes v. Dantes*,<sup>15</sup> the respondent was disbarred when he engaged in illicit relationships with two different women during the subsistence of his marriage to complainant. We also ruled in *Arnobit v.*

<sup>10</sup> *Tiong v. Florendo*, 678 Phil. 195, 201 (2011).

<sup>11</sup> 552 Phil. 512, 521 (2007).

<sup>12</sup> 720 Phil. 12 (2013).

<sup>13</sup> A.C. No. 5573, November 21, 2017.

<sup>14</sup> 446 Phil. 861 (2003).

<sup>15</sup> 482 Phil. 64 (2004).

*Arnobit*,<sup>16</sup> that respondent's act of leaving his wife and 12 children to cohabit and have children with another woman constitutes grossly immoral conduct, for which respondent was disbarred. Likewise, in *Delos Reyes v. Aznar*,<sup>17</sup> we disbarred respondent, Chairman of the College of Medicine, for his acts of enticing the complainant, who was then a student in the said college, to have carnal knowledge with him under the threat that she would fail in all of her subjects if she refused respondent.

In *Ventura v. Samson*,<sup>18</sup> this Court has reminded that the power to disbar must be exercised with great caution, and only in a clear case of misconduct that seriously affects the standing and character of the lawyer as an officer of the Court and as a member of the bar. Disbarment should not be imposed where a lesser penalty may accomplish the desired goal of disciplining an erring lawyer. In the present case, however, respondent Atty. De Los Reyes's actions show that he lacks the degree of morality required of him as a member of the legal profession, thus warranting the penalty of disbarment. Respondent Atty. De Los Reyes is disbarred for his gross misbehavior, even if it pertains to his private activities, as long as it shows him to be wanting in moral character, honesty, probity or good demeanor. Possession of good moral character is not only a prerequisite to admission to the bar but also a continuing requirement to the practice of law.<sup>19</sup>

**WHEREFORE**, the Court finds respondent Atty. Antonio N. De Los Reyes **GUILTY** of gross immoral conduct and violation of Rule 1.01, Canon 1, and Rule 7.03, Canon 7 of the Code of Professional Responsibility, and is hereby **DISBARRED** from the practice of law.

Let a copy of this Decision be made part of the records of respondent Atty. De Los Reyes in the Office of the Bar Confidant, and his name is **ORDERED STRICKEN** from the Roll of Attorneys. Likewise, let copies of this Decision be furnished the Integrated Bar of the Philippines and the Office of the Court Administrator for circulation to all courts in the country.

**SO ORDERED.**

  
**TERESITA J. LEONARDO-DE CASTRO**  
Chief Justice

<sup>16</sup> 590 Phil. 270 (2008).

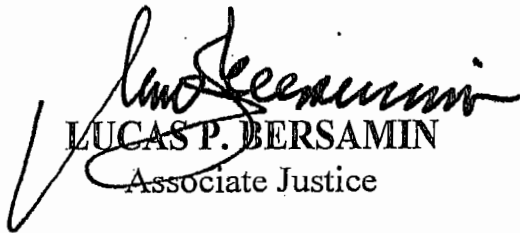
<sup>17</sup> 259 Phil. 231 (1989).

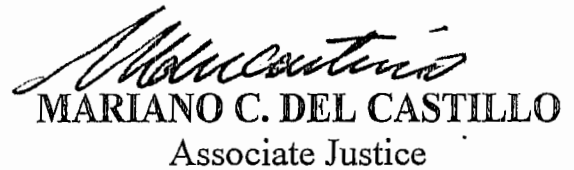
<sup>18</sup> Supra note 6 at 418.

<sup>19</sup> *Nakpil v. Valdes*, 350 Phil. 412, 430 (1998).

On official leave  
**ANTONIO T. CARPIO**  
Associate Justice

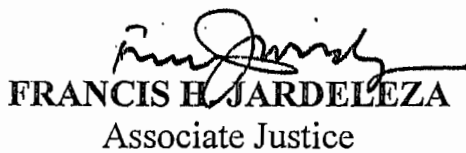
On official business  
**DIOSDADO M. PERALTA**  
Associate Justice

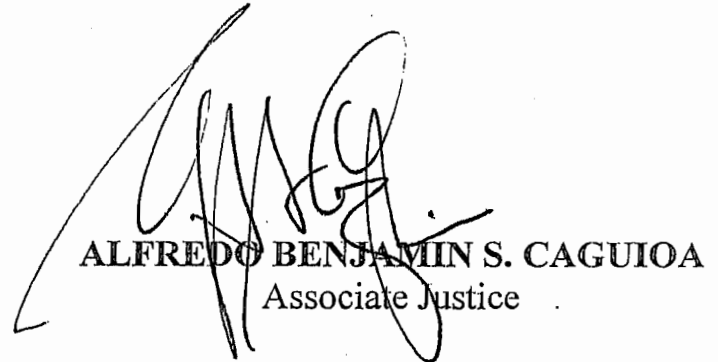
  
**LUCAS P. BERSAMIN**  
Associate Justice

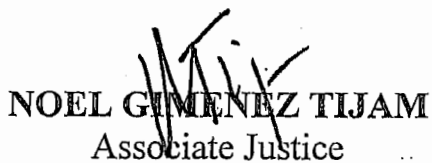
  
**MARIANO C. DEL CASTILLO**  
Associate Justice

No part  
**ESTELA M. PERLAS-BERNABE**  
Associate Justice

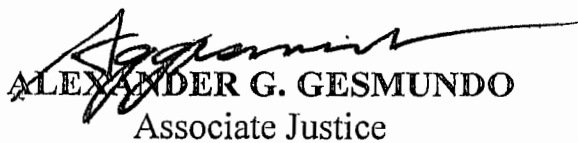
  
**MARVIC MARIO VICTOR F. LEONEN**  
Associate Justice

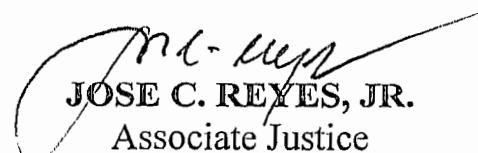
  
**FRANCIS H. JARDELEZA**  
Associate Justice

  
**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice

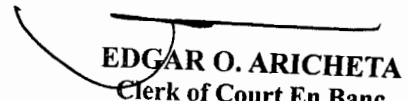
  
**NOEL GIMENEZ TIJAM**  
Associate Justice

  
**ANDRES B. REYES, JR.**  
Associate Justice

  
**ALEXANDER G. GESMUNDO**  
Associate Justice

  
**JOSE C. REYES, JR.**  
Associate Justice

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**EDGAR O. ARICHETA**  
Clerk of Court En Banc  
Supreme Court