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# Republic of the Philippines Supreme Court Manila

# EN BANC

# MARIA CRISTINA G. DAYOS,

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Complainant,

Respondent.

# A.C. No. 13504

Members:

GESMUNDO, *Chief Justice*, LEONEN, CAGUIOA, HERNANDO, LAZARO-JAVIER, INTING, ZALAMEDA, LOPEZ, M., GAERLAN, ROSARIO, LOPEZ, J., DIMAAMPAO, MARQUEZ, KHO, Jr., *and* SINGH, *JJ*.

### Promulgated:

January 31, 2023

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# DECISION

# PER CURIAM:

## The Case

This case stemmed from a complaint for disbarment filed by complainant Maria Cristina G. Dayos (Dayos), as Corporate Secretary of GB

- versus -

ATTY. GRACE C. BURI,

#### Decision

Global Exprez, Inc. (GB Global), against respondent Atty. Grace C. Buri (Atty. Buri).

According to Dayos, GB Global engaged the services of Atty. Buri to represent the company in the case entitled *Albert M. Lugtu v. GB Global Exprez, Inc. and Benson Chua*, docketed as National Labor Relations Commission Case No. RAB-III-02-25312-17 before the labor arbiter. On January 3, 2018, Atty. Buri personally received from GB Global P135,501.00 to be posted as the company's appeal cash bond in the said case. Atty. Buri verbally assured her that she (Atty. Buri) was already preparing the pleadings and documents for the appeal. Atty. Buri, however, ignored GB Global's demand for copies of the pleadings and appeal document and receipt for the cash bond. Despite Atty. Buri's assurance, she failed to file the appeal within the reglementary period, hence, the adverse decision of the labor arbiter lapsed into finality, as evidenced by the Certificate of Finality<sup>1</sup> dated February 9, 2018, issued by Labor Arbiter Leandro M. Jose. Consequently, GB Global had to engage the services of a new counsel in order to protect its interests.<sup>2</sup>

Too, Atty. Buri had incurred advances from GB Global in the total amount of P625,000.00 by way of retainer fee and appearance fees for a separate case, which she failed to return to the company.<sup>3</sup>

#### **Proceedings before the Integrated Bar of the Philippines**

On November 13, 2019, the Integrated Bar of the Philippines (IBP) issued a Notice of Mandatory Conference<sup>4</sup> and ordered the parties to appear on December 16, 2019 and submit their respective briefs at least five (5) days before said date. Notably, only Dayos submitted her brief and attended the initial conference. The Investigating Commissioner consequently reset the conference to February 3, 2020<sup>5</sup> and further to February 11, 2020,<sup>6</sup> and then to March 16, 2020, and finally to August 17, 2020 which the Investigating Commissioner ordered to be done by video conferencing, considering that the Philippines was then under a State of Public Health Emergency. In this regard, the Investigating Commissioner directed the parties to submit their respective email addresses and their mobile numbers for digital communication, and to manifest if they were technologically capable to participate by video conferencing or willing to waive the conduct of the mandatory conference and proceed instead with the submission of their respective position papers.<sup>7</sup> Notably, respondent never attended any of these conferences.

Rollo, p. 6.
Id. at 38.
Id. at 9.
Id. at 32.
Id. at 44.
Id. at 45.
Id. at 51-52.

On January 25, 2021, the Investigating Commissioner terminated the mandatory conference and ordered<sup>8</sup> both parties to file their respective verified position papers within a non-extendible period of 10 days from notice. Davos complied on February 10, 2021,<sup>9</sup> but Atty. Buri, again, did not.

On May 10, 2021, Dayos manifested<sup>10</sup> that Atty. Buri had already paid GB Global her full monetary obligation of ₱760,501.00, including the amount corresponding to the supposed appeal bond. Dayos further manifested that GB Global was no longer interested in pursuing the case.

# The Report and Recommendation of the Investigating Commissioner

By her Report and Recommendation<sup>11</sup> dated November 8, 2021, the Investigating Commissioner recommended the disbarment of Atty. Buri, taking into consideration not only her serious infractions in the present administrative case but also in two (2) other previous administrative cases filed against her, to wit: (1) Yap v. Atty. Buri<sup>12</sup> where she was found guilty of violation of Rule 1.01 of Canon 1, and Rule 7.03 of Canon 7 of the Code of Professional Responsibility (CPR), and suspended from the practice of law for one (1) year; and (2) Go v. Atty. Buri<sup>13</sup> where she was found guilty of violations of Rule 1.01 of Canon 1, Canon 15, Rules 16.01 and 16.03 of Canon 16, and Rule 18.03 of Canon 18 of the CPR and suspended from the practice of law for two (2) years. In the present case, Atty. Buri was found to have violated several provisions of the CPR specifically Rule 16.01 of Canon 16 for her failure to account for the money received from her client; and Rule 1.01 of Canon 1, Canon 17, and Rule 18.04 of Canon 18 for her failure to pursue the appeal of her client and post the appeal bond with the funds entrusted to her for that purpose. Her acts are a disgrace to the legal profession, hence, she is unworthy of the respect given to an attorney. Keeping her name in the roll of attorneys may allow her to commit the same violations over and over again.

## The Resolution of IBP Board of Governors

Under Resolution<sup>14</sup> No. CBD-XXV-2022-03-31 dated March 18, 2022, the IBP Board of Governors resolved to approve and adopt the Report and Recommendation of the Investigating Commissioner, viz .:

RESOLVED, to APPROVE and ADOPT, as it is hereby APPROVED and ADOPTED, the Report and Recommendation of the

- 8 Id. at 53. 9
- Id. at 55-63. 10
- Id. at 83-84. 11 Id. at 88-94.
- 12
- 828 Phil. 468 (2018). 13 844 Phil. 359 (2018).
- 14 Rollo, p. 86.

Investigation Commissioner to impose upon Respondent Atty. Grace C. Buri the extreme penalty of **DISBARMENT**, after taking note of two (2) prior sanctions meted out by the Supreme Court against her in Adm. Case Nos. 11156 and 12296 that should be considered as aggravating circumstances in this case.<sup>15</sup>

## **Our Ruling**

Membership in the Bar is a privilege burdened with conditions. As a privilege bestowed by law through the Supreme Court, membership in the Bar may be withdrawn where circumstances concretely show the lawyer's lack of essential qualifications<sup>16</sup> including honesty, fidelity, and integrity.

Indeed, these traits are not only a condition precedent for admission to the legal profession, but it must also remain intact to maintain one's standing in this exclusive and honored society. A high sense of honesty and fair dealing is expected and required of members of the bar. They must conduct themselves with great propriety, and their behavior must be beyond reproach anywhere and at all times.<sup>17</sup>

The Code of Professional Responsibility, which respondent vowed to uphold, clearly affirms this kind of conduct, *viz*.:

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

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**CANON 16** - A lawyer shall hold in trust all moneys and properties of his client that may come into his profession.

**CANON 17** - A lawyer owes fidelity to the cause of his client and he shall be mindful of the trust and confidence reposed in him.

CANON 18 - A lawyer shall serve his client with competence and diligence.

It is thus expected that every lawyer, being an officer of the Court, must not only be of good moral character, but must also be seen to be leading lives in accordance with the highest moral standards of the community.<sup>18</sup>

Unfortunately, respondent Atty. Buri failed to live up to these standards.

<sup>15</sup> Id.

<sup>&</sup>lt;sup>16</sup> See Garrido v. Garrido, 625 Phil. 347, 366 (2010).

<sup>&</sup>lt;sup>17</sup> See *Mendoza v. Deciembre*, 599 Phil. 182, 191 (2009).

<sup>&</sup>lt;sup>18</sup> See Advincula v. Advincula, 787 Phil. 101, 112 (2016).

#### Decision

At the outset, we emphasize that a disbarment case, being *sui generis*, may proceed despite a complainant's desistance or failure to prosecute. *Bunagan-Bansig v. Atty. Celera*<sup>19</sup> aptly teaches:

A disbarment case is sui generis for it is neither purely civil nor purely criminal, but is rather an investigation by the court into the conduct of its officers. The issue to be determined is whether respondent is still fit to continue to be an officer of the court in the dispensation of justice. Hence, an administrative proceeding for disbarment continues despite the desistance of a complainant, or failure of the complainant to prosecute the same, or in this case, the failure of respondent to answer the charges against him despite numerous notices.<sup>20</sup> (Emphasis and italics supplied)

Similarly, in *Tudtud v. Judge Coliflores*,<sup>21</sup> the Court ruled that the unilateral decision of a complainant to withdraw from an administrative complaint does not prevent the Court from imposing sanctions upon the parties subject to its administrative supervision.<sup>22</sup>

Consequently, although GB Global had already manifested its lack of interest in pursuing the administrative case against Atty. Buri since the latter already settled her monetary obligation to the company, the Court is not precluded from proceeding with the case and resolving it on the merits based on the evidence on record. After all, in cases against lawyers, complainants are treated as mere witnesses.<sup>23</sup>

We now resolve the case on the merits.

# Atty. Buri is liable for violations of Canons 1, 16, 17, and 18 of the CPR

We adopt the factual findings and approve the recommendation of the IBP Board of Governors.

In Dayan Sta. Ana Christian Neighborhood Association, Inc. v. Espiritu,<sup>24</sup> the Court emphasized that the legal profession is a noble calling intrinsically linked to public trust, *viz*.:

<sup>24</sup> 528 Phil. 1 (2006).

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<sup>&</sup>lt;sup>19</sup> 724 Phil. 141 (2014).

<sup>&</sup>lt;sup>20</sup> *Id.* at 150.

<sup>&</sup>lt;sup>21</sup> 458 Phil. 49 (2003). <sup>22</sup> Id. at 53

 $<sup>^{22}</sup>$  Id. at 53.

<sup>&</sup>lt;sup>23</sup> See *Aguirre v. Atty. Reyes*, A.C. No. 4355, January 8, 2020.

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The fiduciary duty of a lawyer and advocate is what places the law profession in a unique position of trust and confidence, and distinguishes it any other calling. Once this trust and confidence is from betrayed, the faith of the people not only in the individual lawyer but also in the legal profession as a whole is eroded. To this end, all members of the bar are strictly required to at all times maintain the highest degree of public confidence in the fidelity, honesty and integrity of their profession. The nature of the office of a lawyer requires that he [or she] shall be of good moral character. This qualification is not only a condition precedent to admission to the legal profession, but its continued possession is essential to maintain one's good standing in the profession. Law is a noble profession, and the privilege to practice it is bestowed only upon individuals who are competent intellectually, academically, and, equally important, morally. Because they are vanguards of the law and the legal system, lawyers must at all times conduct themselves, especially in their dealings with their clients and the public at large, with honesty and integrity in a manner beyond reproach.<sup>25</sup>

Too, lawyers are duty-bound to exhibit fidelity to their client's cause and to be mindful of the trust and confidence reposed in them to diligently prosecute their clients' cases the moment they agreed to handle them, as is mandated of them under Canon 17 of the CPR.<sup>26</sup> They owe entire devotion to the interest of the client, warm zeal in the maintenance and the defense of the client's rights, and the exertion of their utmost learning and abilities to the end that nothing be taken or withheld from the client, save by the rules of law legally applied.<sup>27</sup> Atty. Buri, however, utterly failed to fulfill this mandate.

To recall, Atty. Buri received from GB Global P135,501.00 as cash bond for the appeal she was engaged to prepare and file in the case of *Albert M. Lugtu v. GB Global Exprez, Inc. and Benson Chua.* Despite receipt of this amount and her assurance that she was already then preparing the appeal, Atty. Buri eventually failed to do so, causing the decision adverse to her client to lapse into finality on January 21, 2018. Worse, she did not even explain to her client why she failed to pursue the appeal on its behalf, much less, account for the money she received for the supposed appeal bond. In fact, she even failed to return it despite demand from her client. It took three years for her to do so and only after she already got charged in the present case.<sup>28</sup>

Rule 16.01 of the CPR provides that a lawyer shall account for all money or property collected for or from the client. Acceptance of money from a client establishes an attorney-client relationship and gives rise to the duty of fidelity to the client's cause.<sup>29</sup> Money entrusted to a lawyer for a specific purpose, such as for filing fee, but not used for failure to file the case must immediately be returned to the client on demand.<sup>30</sup>

<sup>&</sup>lt;sup>25</sup> *Id.* at 10-11.

 <sup>&</sup>lt;sup>26</sup> See San Juan v. Venida, 793 Phil. 656, 661 (2016).
<sup>27</sup> Id

 $<sup>\</sup>frac{27}{28}$  Id.

Rollo, p. 83.
Ignacio n. 4.

<sup>&</sup>lt;sup>29</sup> Ignacio v. Alviar, 813 Phil. 782, 790 (2017).

<sup>&</sup>lt;sup>30</sup> Manalang v. Atty. Buendia, A.C. No. 12079, November 10, 2020.

In *Belleza v. Atty. Macasa*,<sup>31</sup> the Court decreed that a lawyer has the duty to deliver his or her client's funds or properties as they fall due or upon demand. A lawyer's failure to return the client's money upon demand gives rise to the presumption that he or she has misappropriated it for his or her own use to the prejudice of and in violation of the trust reposed in him or her by the client. It is a gross violation of general morality as well as of professional ethics; it impairs public confidence in the legal profession and deserves punishment.<sup>32</sup>

Atty. Buri is likewise guilty of violating Rule 1.01 of the CPR, which states that "a lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct." Deceitful conduct involves moral turpitude and includes anything done contrary to justice, modesty or good morals. It is an act of baseness, vileness or depravity in the private and social duties which a man or woman owes to others or to society in general, contrary to justice, honesty, modesty, or good morals.<sup>33</sup>

Atty. Buri's misappropriation of the funds constitutes dishonesty, abuse of trust and confidence, and betrayal of her client's interests. Her acts undoubtedly speak of deceit. Such malfeasance is not only unacceptable, disgraceful, and dishonorable to the legal profession; it also reveals a basic moral flaw that makes her unfit to practice law. Good moral character is not only a condition precedent relating to her admission into the practice of law, but is a continuing imposition in order for her to maintain her membership in the Philippine Bar.<sup>34</sup>

More, Atty. Buri's representation that she was already preparing the appeal, coupled with her receipt of the amount representing the appeal bond, should have been an assurance that she would be diligent and competent in handling the case. Unfortunately, she failed to handle her client's case diligently as she failed to file the appeal as agreed upon. Consequently, the decision became final and executory on February 9, 2018. Her failure to actually file the appeal without any justification is a flagrant violation of Rules 18.03 and 18.04 of Canon 18, thus:

Canon 18 - A lawyer shall serve his client with competence and diligence;

 $\mathbf{X} \mathbf{X} \mathbf{X} \mathbf{X}$ 

Rule 18.03 - A lawyer shall not neglect a legal matter entrusted to him and his negligence in connection therewith shall render him liable.

<sup>&</sup>lt;sup>31</sup> 611 Phil. 179 (2009).

<sup>&</sup>lt;sup>32</sup> *Id.* at 191.

<sup>&</sup>lt;sup>33</sup> Yamon-Leach v. Astorga, A.C. No. 5897, August 28, 2019, 915 SCRA 219, 234.

<sup>&</sup>lt;sup>54</sup> Supra note 31 at 663.

Rule 18.04 - A lawyer shall keep his client informed of the status of his case and shall respond within a reasonable time to the client's request for information.  $x \times x$ 

Atty. Buri should have known that as a lawyer, she owes fidelity to the cause of her client. When a lawyer accepts a case, his or her acceptance is an implied representation that he or she possesses the requisite academic learning, skill, and ability to handle the case. The lawyer has the duty to exert his or her best judgment in the prosecution or defense of the case entrusted to him or her and to exercise reasonable and ordinary care and diligence in the pursuit or defense of the case.<sup>35</sup> Therefore, a lawyer's neglect of a legal matter entrusted to him or her by his or her client constitutes inexcusable negligence for which he or she must be held administratively liable.<sup>36</sup>

In sum, Atty. Buri's multiple infractions clearly showed her utter disrespect for the law and legal processes;<sup>37</sup> and serious breach of the trust and confidence reposed on her by her client in handling its case and even the funds entrusted to her for a specific purpose.<sup>38</sup>

## Atty. Buri must be disbarred

Under Section 27, Rule 138 of the Revised Rules of Court,<sup>39</sup> a lawyer may be disbarred or suspended by the Court for any of the following acts: (1) deceit; (2) malpractice; (3) gross misconduct in office; (4) grossly immoral conduct; (5) conviction of a crime involving moral turpitude; (6) violation of the lawyer's oath; (7) willful disobedience of any lawful order of a superior court; and (8) willfully appearing as an attorney for a party without authority to do so. Too, a lawyer may be disbarred or suspended for any violation of his or her oath, a patent disregard of his or her duties, or an odious deportment unbecoming of an attorney. Significantly, a lawyer must at no time be wanting in probity and moral fiber, which are not only conditions precedent to his entrance to the Bar, but are likewise essential demands for his or her continued membership in it.<sup>40</sup>

True, the power to disbar must be exercised with great caution, and may be imposed only in a clear case of misconduct that seriously affects the

<sup>&</sup>lt;sup>35</sup> See Segovia, Jr. v. Atty. Javier, 827 Phil. 522, 527 (2018).

<sup>&</sup>lt;sup>36</sup> Dongga-as v. Cruz Angeles, 792 Phil. 611, 619 (2016).

<sup>&</sup>lt;sup>37</sup> Canon 1, Canon of Professional Responsibility.

<sup>&</sup>lt;sup>38</sup> Canon 16, Canon of Professional Responsibility.

<sup>&</sup>lt;sup>39</sup> Section 27. Attorneys removed or suspended by Supreme Court on what grounds. — A member of the bar may be removed or suspended from his office as attorney by the Supreme Court for any deceit, malpractice, or other gross misconduct in such office, grossly immoral conduct, or by reason of his conviction of a crime involving moral turpitude, or for any violation of the oath which he is required to take before the admission to practice, or for a wilfull disobedience of any lawful order of a superior court, or for corruptly or willful appearing as an attorney for a party to a case without authority so to do. The practice of soliciting cases at law for the purpose of gain, either personally or through paid agents or brokers, constitutes malpractice.

<sup>&</sup>lt;sup>40</sup> See *Penilla v. Alcid*, 717 Phil. 210, 219 (2013).

#### Decision

standing and the character of the lawyer as an officer of the Court and as a member of the Bar. Disbarment should never be decreed where any lesser penalty could accomplish the end desired.<sup>41</sup> Hence, in resolving the sanction to be imposed, the Court must consider that the primary purposes of disciplinary proceedings are to protect the public; to foster public confidence in the Bar; to preserve the integrity of the profession; and to deter other lawyers from similar misconduct.<sup>42</sup>

On this score, the Court notes that Atty. Buri had already been previously sanctioned twice for unprofessional conduct of similar nature as here.

In *Yap v. Atty. Buri*,<sup>43</sup> Atty. Buri refused to pay her monetary obligation of  $\clubsuit 200,000.00$ , representing the balance of the purchase price of the condominium unit she bought from one Michelle Yap, the vendor and complainant therein, whom she even threatened with criminal cases for demanding payment from her. Further, similar to what she did in the present case, Atty. Buri ignored all the directives of the IBP Investigating Commissioner to file her answer to the charges against her for gross misconduct; to attend the mandatory conference or hearing, and to submit her position paper. Thus, she was found guilty of violations of Rule 1.01 of Canon 1<sup>44</sup> and Rule 7.03 of Canon 7<sup>45</sup> of the CPR and was suspended from the practice of law for one (1) year, with stern warning that a repetition of the same or similar offense will be dealt with more severely.

In the second case entitled *Go v. Atty. Buri*,<sup>46</sup> she was once again found guilty of violating Rule 1.01 of Canon 1, Canon 15,<sup>47</sup> Rules 16.01 and 16.03 of Canon 16,<sup>48</sup> and Rule 18.03 of Canon 18<sup>49</sup> of the CPR. Complainant therein,

<sup>42</sup> See *Valdez v. Dabon*, 773 Phil. 109, 127 (2015) (citations omitted).

<sup>48</sup> CANON 16 — A LAWYER SHALL HOLD IN TRUST ALL MONEYS AND PROPERTIES OF HIS CLIENT THAT MAY COME INTO HIS POSSESSION.

Rule 16.01 — A lawyer shall account for all money or property collected or received for or from the client.

<sup>&</sup>lt;sup>41</sup> See Mangubat v. Herrera, A.C. No. 9457, April 5, 2022.

<sup>&</sup>lt;sup>43</sup> Supra note 12.

<sup>&</sup>lt;sup>44</sup> 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.

<sup>&</sup>lt;sup>45</sup> 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

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.

<sup>&</sup>lt;sup>46</sup> Supra note I3.

<sup>&</sup>lt;sup>47</sup> CANON 15 — A LAWYER SHALL OBSERVE CANDOR, FAIRNESS AND LOYALTY IN ALL HIS DEALINGS AND TRANSACTIONS WITH HIS CLIENTS.

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Rule 16.03 — A lawyer shall deliver the funds and property of his client when due or upon demand xxx.
<sup>49</sup> CANON 18 — A LAWYER SHALL SERVE HIS CLIENT WITH COMPETENCE AND DILIGENCE. x x x

Rule 18.03 — A lawyer shall not neglect a legal matter entrusted to him, and his negligence in connection therewith shall render him liable.

Pia Marie Go, hired Atty. Buri to handle her intended petition for nullity of marriage against her husband, for which, she paid Atty. Buri ₱188,000.00. But despite Atty. Buri's repeated assurance that the petition had already been filed in court, Go discovered that no such petition was actually filed, as evidenced by a certification from the RTC concerned. Atty. Buri also stubbornly refused to return the amount she received from Go. For her infractions, she was again suspended from the practice of law, this time for two years, with another stern warning that a repetition of the same or similar acts will be dealt with more severely. Just like what she did in the first case and here, she never bothered to comply with similar directives from the Investigating Commissioner to file her answer, to attend the mandatory conferences, and to file her position paper. For ignoring these directives, she was ordered to pay a fine of ₱5,000.00 on top of her two-year suspension and obligation to return the legal fees she received from complainant.

Evidently, Atty. Buri has a penchant for violating the provisions of the CPR, albeit she had been repeatedly warned that a similar violation will merit a more severe penalty. As it was, she never heeded the warnings of the Court. To be sure, the Court cannot simply turn a blind eye to Atty. Buri's repeated and brazen disregard of the provisions of the CPR and the Lawyer's Oath, nay, her cold indifference to the values a lawyer ought to live by as a requisite for her continued membership in the Bar.

In *CF Sharp Crew Management Incorporated v. Atty. Torres*,<sup>50</sup> the Court disbarred the respondent for failing to account for and for misappropriating the various amounts he received from his client. Similarly, in *Arellano University, Inc. v. Atty. Mijares III*,<sup>51</sup> the Court disbarred the lawyer for misappropriating the client's money intended for securing a certificate of title on the latter's behalf. Verily, there are no extenuating reasons here to warrant a different treatment for Atty. Buri.

All told, for her third administrative infraction, this time, involving her inexplicable refusal or failure to account for the funds entrusted to her by her client for the purpose of filing the latter's appeal which she failed to file, albeit she even misrepresented that she did, we deem it proper to impose the ultimate penalty of disbarment on Atty. Buri. Once more, we emphasize that membership in the legal profession is a privilege, and whenever it is made to appear that an attorney is no longer worthy of the trust and confidence of his or her clients and the public, it becomes not only the right but also the duty of the Court to withdraw the same<sup>52</sup> as in the case of Atty. Buri.

As for her brazen disregard of the lawful orders and processes of the IBP-CBD directing her to file her Answer, to attend the mandatory conferences, and to file her position paper despite due notice, exhibiting a

<sup>&</sup>lt;sup>50</sup> 743 Phil. 614 (2014).

<sup>&</sup>lt;sup>51</sup> 620 Phil. 93 (2009).

<sup>&</sup>lt;sup>52</sup> See Hernandez v. Atty. Go, 490 Phil. 420, 427-428 (2005).

conduct contrary to her sworn duty as an officer of the court, we impose a fine of  $\mathbb{P}10,000.00$ .

In *Tomlin II v. Moya II*,<sup>53</sup> the Court imposed the same amount of fine on Atty. Moya II for his repeated and unjustified refusal to comply with the IBP's lawful directives. The Court reminded Atty. Moya II that the IBP has disciplinary authority over him by virtue of his membership therewith and that his failure to comply with the order of the IBP without justifiable reason manifested his disrespect against the Court, no less.

ACCORDINGLY, respondent Grace С. Atty. Buri is found GUILTY of violating Canons 17 and 18, and Rules 1.01, 16.01, 18.03, and 18.04 of the Code of Professional Responsibility. She is **DISBARRED** from the practice of law and her name is **ORDERED** stricken off from the Roll of Attorneys, effective immediately. She is also meted a FINE in the amount of ₱10,000.00 for her disobedience to the orders of the Integrated Bar of the Philippines.

Let a copy of this Decision be attached to her personal record in the Office of the Bar Confidant.

Too, furnish a copy of this Decision to the Integrated Bar of the Philippines for its information and guidance; and the Office of the Court Administrator for dissemination to all courts of the Philippines.

#### SO ORDERED.

<sup>53</sup> 518 Phil. 325 (2006).

WE CONCUR:

Decision

GESMUNDO ALE hief Justice

MARVIC M.V.F. LEONEN Senior Associate Justice

ÌÌN S. CAGUIOA ALFREDO sociate Justice

RAMON PAUL L. HERNANDO

Associate Justice

AMY ( **RO-JAVIER** 

Associate Justice

HENRI JÉ **B. INTING** Associate *fustice* 

RODII EDA bciate Justice

SAMUEL H. GA Associate Justice



RICARD ROSARIO Associate Justice JAPAR B. DIMAAMPA Associate Justice

OPEZ JHOSEF Associate Justice

JOSE MIDAS P. MARQUEZ Associate Justice

ANTONIO T. KHO, JR Associate Justice

MARIA FILOMENA D. SINGH Associate Justice

## **CERTIFIED TRUE COPY**

MARIALUISA M. SANTILLA Deputy Clerk of Court and Executive Officer OCC-En Banc, Supreme Court

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