



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

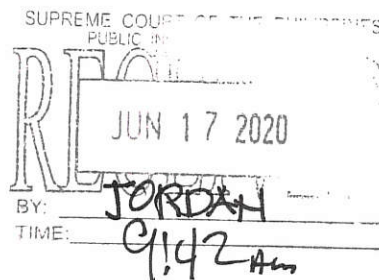
*Please take notice that the Court, First Division, issued a Resolution dated **January 20, 2020** which reads as follows:*

“A.C. No. 12688 – (Erlinda L. Apurillo and Raul L. Apurillo v. Atty. Renato D. Bermejo, Administrator, Land Registration Authority (LRA), East Ave. Cor. NIA Road, Diliman, Quezon City)

Before this Court is a Verified Complaint-Affidavit¹ filed by Erlinda L. Apurillo and Raul L. Apurillo (complainants) against Atty. Renato D. Bermejo, Land Registration Authority (LRA) Administrator, praying for the latter’s disbarment.

In support of such prayer, complainants alleged that respondent has refused and failed to issue certified true copies of Transfer Certificates of Title (TCTs) Nos. 407, 408, 409, 498, 12022, and Original Certificate of Title (OCT) No. 01-4 covering parcels of land in the area of Muntinlupa City, Taguig City, Province of Laguna, Province of Cavite, Province of Bulacan, Province of Rizal, and the Province of Quezon, despite several requests with the Office of Legal Services of LRA and several indorsements from the Office of the President. Complainants maintain that they have a valid claim to said titles, but respondent, in conspiracy with Atty. Rhandolfo B. Amansec, Director of the LRA Legal Service Department, issued fictitious titles and decrees in favor of the National Housing Authority (NHA), detrimental to their request and in violation of the law. As

¹ *Rollo*, pp. 1-8.



such, complainants argue that respondent violated Canon 1² and Rule 1.01³ of the Code of Professional Responsibility (CPR).

We dismiss outright the instant complaint for lack of jurisdiction.

The allegations in the Verified Complaint-Affidavit reveal that the charges against respondent involve his official duties as LRA Administrator. The LRA, among others, is tasked to [i]ssue decrees of registration pursuant to final judgments of the courts in land registration proceedings and cause the issuance by the Registrars of Land Titles and Deeds of the corresponding certificates of title,” and “[b]e the central repository of records relative to original registration of lands titled under the Torrens system, including subdivision and consolidation plans of titled lands.”⁴ Its Administrator is tasked, among others, to “[i]mplement all orders, decisions, and decrees promulgated relative to the registration of lands and issue subject to the approval of the Minister (now Secretary) of Justice, all needful rules and regulations therefor.”⁵

In *Trovela v. Robles*,⁶ this Court dismissed the complaints against the respondents for lack of jurisdiction since the acts of the respondents therein subject of the complaint arose from the performance or discharge of official duties as prosecutors of the Department of Justice. Reiterating *Alicias, Jr. v. Macatangay*,⁷ the Court in *Trovela* held that the authority to discipline the respondent prosecutors rests with their superior, the Secretary of Justice, while in the case of then Secretary of Justice Leila M. De Lima (who was also a respondent), the President; and in both cases, the authority may also pertain to the Office of the Ombudsman. Applied to the present case, the alleged acts and omissions of the respondent in relation to his official duties fall within the administrative disciplinary jurisdiction of the Office of the Ombudsman, or the President, as the appointing authority.⁸

² Canon 1 – A lawyer shall uphold the constitution, obey the laws of the land and promote respect for law and for legal processes.

³ Rule 1.01 A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

⁴ See Executive Order No. 649 dated February 9, 1981, Sec.1, in relation to Book IV, Title III, Chapter 9, Sec. 28 of Executive Order No. 292 dated July 25, 1987, otherwise known as the ADMINISTRATIVE CODE OF 1987.

⁵ Id.

⁶ A.C. No. 11550, June 4, 2018.

⁷ 803 Phil. 85, 91 (2017).

⁸ See Executive Order No. 649 dated February 9, 1981, Sec. 4, in relation to Book IV, Title III, Chapter 9, Sec. 29 of Executive Order No. 292 dated July 25, 1987, otherwise known as the ADMINISTRATIVE CODE OF 1987.

Additionally, as regards complainants' allegation that respondent engaged in a conspiracy to issue fictitious titles and decrees to the former's detriment, we have on certain occasions declined to pass upon the issue of falsification or forgery in a disbarment proceeding such as the present case, *viz.*:

We emphasize that allegations of falsification or forgery must be competently proved because falsification or forgery cannot be presumed. As such, the allegations should first be established and determined in appropriate proceedings, like in criminal or civil cases, for it is only by such proceedings that the last word on the falsity or forgery can be uttered by a court of law with the legal competence to do so. A disbarment proceeding is not the occasion to determine the issue of falsification or forgery simply because the sole issue to be addressed and determined therein is whether or not the respondent attorney is still fit to continue to be an officer of the court in the dispensation of justice.⁹

WHEREFORE, the instant complaint against respondent Atty. Renato D. Bermejo is hereby **DISMISSED**.

SO ORDERED."

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court

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Public Information Office (x)
Library Services (x)
Supreme Court
(For uploading pursuant to A.M. No. 12-
7-1-SC)

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The Bar Confidant (x)
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Integrated Bar of the Philippines
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⁹ *Flores-Salado v. Villamueva, Jr.*, 796 Phil. 40, 47-48 (2016); see also *Zarcilla v. Quesada, Jr.*, A.C. No. 7186, March 13, 2018, 858 SCRA 293, 305.

