

SECOND DIVISION

[A.C. No. 10949 (Formerly CBD Case No. 13-3915), August 14, 2019]

**CARMELITA CANETE, COMPLAINANT, VS. ATTY. ARTEMIO PUTI,
RESPONDENT.**

D E C I S I O N

CAGUIOA, J.:[*]

Before the Court is an administrative complaint^[1] (complaint) filed by Carmelita Canete (Canete) against Atty. Artemio Puti (Atty. Puti) with the Commission on Bar Discipline (CBD), Integrated Bar of the Philippines (IBP).

In her complaint, Canete claimed that her husband was a victim in a criminal case for kidnapping for ransom with double murder filed against Atty. Puti's client. Canete averred that Atty. Puti had, in numerous occasions, appeared in court while he was intoxicated and made discourteous and inappropriate remarks against the public and private prosecutors as well as the judge.^[2]

Canete claimed that Atty. Puti provoked her private counsel, Atty. Arturo Tan (Atty. Tan), by calling him "bakla" in open court during the hearing on May 9, 2013:

ATTY. MALABANAN:

Objection, [Y]our Honor. Before the witness is confronted with this question, may I ask counsel, Atty. Puti, if that copy ... Because that is vital and substantial and this was previously marked as our exhibit in our offer of evidence, this June 26. My point is, where did Atty. Puti get that document. That it is stated that it appears it was on June 26, 2008, appearing on [TSN]^[3] May 13, 2009, when the prosecution and this representation have the same copies, your Honor. I think it is more right and that document is wrong [or] falsified.

ATTY. TAN:

May we ask the counsel to confront the witness with a correct document. What we have is the duplicate original, your Honor. Atty. Puti is referring to a [photocopy].

ATTY. PUTI:

All of them, [Y]our Honor, please, are my enemies?

ATTY. TAN:

No, [Y]our Honor. We [are] just [putting] everything in the proper context.

ATTY. PUTI

"Ako muna, [hijo]. **Ikaw naman para kang bakla.**"^[4]
(Emphasis supplied)

Also, during the February 14, 2013 hearing, Atty. Puti again became disrespectful towards Atty. Tan:

ATTY. TAN:

Your Honor, we take exception to that statement.

ATTY. PUTI:

I am not yet through.

ATTY. TAN:

We take exception to that allegation.

ATTY. PUTI:

Atty. Tan, you can react after my argument. My goodness!

ATTY. TAN:

Making an allegation is an exception, [Y]our Honor.

ATTY. PUTI:

That is unethical. You behave like a lawyer.^[5] (Emphasis supplied).

Likewise, Atty. Puti also made inappropriate remarks against the public prosecutor, as seen in the following exchanges during the hearing on March 14, 2013:

ATTY. TAN:

Objection, [Y]our Honor. Already answered, [Y]our Honor.

ATTY. PUTI:

No Answer! Bakit 2 kayong prosecutor? Malaki siguro

bayad sa inyo.

PROS. DELOS SANTOS:

Your Honor, as lead counsel for the public and for the government, we would like the Court to please advise counsel, Atty. Puti, to refrain from making personal statements as it will heighten the tension and stress of everybody here inside the courtroom. We beg. I just heard him "Malaki siguro ang bayad sa inyo." May we put that on record. That is very unprofessional. He used to be a public prosecutor!^[6] (Emphasis supplied)

In addition, Canete also alleged that during the May 9, 2013 hearing, Atty. Puti uttered the words "to the handsome public prosecutor" with seething sarcasm.^[7]

Lastly, Canete averred that during the May 22, 2013 hearing, Atty. Puti repeatedly bullied and threatened the judge in open court:

ATTY. PUTI:

I object.

COURT:

[Okay], proceed.

ATTY. PUTI:

I object. Strongly object, [Y]our Honor.

COURT:

Let him proceed.

ATTY. PUTI:

I would like to make of record that I have a continuous objection.

COURT:

[Okay]! You have a continuing objection but I will allow him.

ATTY. TAN:

Thank you, [Y]our Honor.

ATTY. PUTI:

That is an abuse of discretion on your part, [Y]our Honor.

COURT:

But let him proceed.

ATTY. PUTI:

[Okay]!

COURT:

Let him proceed. If you do not like my ruling, you can file a certiorari, if you want.

X X X X

ATTY. PUTI:

Your Honor, this time, I am [half] objecting. Because there was no testimony from this witness. This is why I was insisting a while ago that the witness be confronted with such testimony. Otherwise, if the Court will allow the cross-examiner to ask that question, I will withdraw from appearing in this case because I would not like to participate in this kind of trial, **partial trial. This is an abuse of discretion.**

ATTY. TAN:

Well, [Y]our Honor, first, is Atty. Puti talking about the statement made by this witness during his direct testimony as witness for Mariano de Leon? We will not have that because the transcript [is] not ready. It is impossible for me to confront him with the transcript of the last hearing. It is not here with us.

ATTY. PUTI:

That is the reason why the Prosecutor is guessing, making false question. Because the question is improper as there was no testimony to that effect. If he will not be confront[ed] with such testimony and then the Court will allow that, please, I beg of this [court], **I will withdraw. I will walk out.**

X X X X