

FIRST DIVISION

[A. C. No. 6061, October 03, 2003]

DR. RAUL C. SANCHEZ, COMPLAINANT, VS. ATTY. SALUSTINO SOMOSO, RESPONDENT.

D E C I S I O N

VITUG, J.:

In his complaint-affidavit filed before the Commission on Bar Discipline of the Integrated Bar of the Philippines (IBP), Dr. Raul C. Sanchez, a member of the medical staff of Sta. Lucia General Hospital, stated that he was the attending physician of respondent Atty. Salustino Somoso during the latter's confinement at the hospital from 31 March to 09 April 1998. When respondent was discharged on 09 April 1998, he urged complainant that, since it was a public holiday and banks were closed that day for business, the latter be good enough to accept a check in payment of the hospital bills due complainant totalling P44,347.00. Although apprehensive at first, complainant was later persuaded, however, by respondent's plea of his being a lawyer who can be trusted as such. Complainant thus accepted two personal checks from respondent; to wit:

BANK	CHECK NO.	DATE	AMOUNT
Metrobank (Lagro Branch)	2620115754	04/14/98	P22,347.00
Metrobank (Lagro Branch)	2620115755	04/16/98	P22,000.00

When deposited, the checks were dishonored. Complainant immediately met with and informed respondent about it. Respondent promised to redeem the dishonored checks in cash; he never did.

Ultimately, complainant filed a criminal complaint for estafa against respondent with the Office of the City Prosecutor of Quezon City. On 15 August 2001, the City Prosecutor issued a resolution holding that the necessary Informations for violation of Batas Pambansa Blg. 22 (BP 22) should be filed against respondent. Pursuant to the resolution, two Informations for violation of BP 22 were filed against respondent before the Metropolitan Trial Court of Quezon City. A warrant for his arrest was issued but, somehow, respondent was able to evade arrest.

Complainant in his administrative complaint submits that respondent is a disgrace to the law profession and unfit to be a member of the bar, and that he should be disbarred and his name stricken off from the Roll of Attorneys.

Pursuant to an order, dated 31 July 2002, of the Integrated Bar of the Philippines-Commission on Bar Discipline (IBP-CBD), respondent was furnished with a copy of