

## EN BANC

### [ BAR MATTER No. 810, January 27, 1998 ]

#### IN RE: PETITION TO TAKE THE LAWYER'S OATH BY ARTHUR M. CUEVAS, JR.

#### RESOLUTION

##### FRANCISCO, J.:

Petitioner Arthur M. Cuevas, Jr., recently passed the 1996 Bar Examinations.<sup>[1]</sup> His oath-taking was held in abeyance in view of the Court's resolution dated August 27, 1996 which permitted him to take the Bar Examinations "subject to the condition that should (he) pass the same, (he) shall not be allowed to take the lawyer's oath pending approval of the Court x x x" due to his previous conviction for Reckless Imprudence Resulting In Homicide. The conviction stemmed from petitioner's participation in the initiation rites of the LEX TALIONIS FRATERNITAS, a fraternity in the SAN BEDA COLLEGE OF LAW, sometime in September 1991, where Raul I. Camaligan, a neophyte, died as a result of the personal violence inflicted upon him. Thereafter, petitioner applied for and was granted probation. On May 16, 1995, he was discharged from probation and his case considered closed and terminated.

In this petition, received by the Court on May 5, 1997, petitioner prays that "he be allowed to take his lawyer's oath at the Court's most convenient time"<sup>[2]</sup> attaching thereto the Order dated May 16, 1995 of the Regional Trial Court, Branch 10 of Antique discharging him from his probation, and certifications attesting to his righteous, peaceful and law abiding character issued by: (a) the Mayor of the Municipality of Hamtic, Antique; (b) the Officer-in-Charge of Hamtic Police Station; (c) the Sangguniang Kabataan of Pob. III, Hamtic, through its chairman and officers; (d) a member of the IBP Iloilo Chapter; (e) the Parish Priest and Vicar General of St. Joseph Cathedral, San Jose, Antique, and (f) the President of the Parish Pastoral Council, Parish of Sta. Monica, Hamtic, Antique. On July 15, 1997, the Court, before acting on petitioner's application, resolved to require Atty. Gilbert D. Camaligan, father of the deceased hazing victim Raul I. Camaligan, to comment thereon. In compliance with the Court's directive, Atty. Gilbert D. Camaligan filed his comment which states as follows:

"1 - He fully appreciates the benign concern given by this Hon. Court in allowing him to comment to the pending petition of Arthur M. Cuevas to take the lawyer's oath, and hereby expresses his genuine gratitude to such gesture.

"2 - He conforms completely to the observation of the Hon. Court in its resolution dated March 19, 1997 in Bar Matter No.712 that the infliction of severe physical injuries which approximately led to the death of the unfortunate Raul Camaligan was deliberate (rather than merely accidental or inadvertent) thus, indicating serious character flaws on the