

FIRST DIVISION

[G.R. No. 117415, January 31, 1996]

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ELISA MIRANDA Y DORIA, ACCUSED-APPELLANT.

R E S O L U T I O N

BELLOSILLO, J.:

Atty. Tomas P. Evangelista, counsel de parte for accused-appellant, in compliance with our resolution of 11 September 1995 explains that he failed to file the appellant's brief within the prescribed period, which expired on 27 May 1995, because he assumed that he had already been relieved as counsel of the accused since her father never returned to confer with him and to furnish him with pertinent transcript of stenographic notes which he needed for the preparation of appellant's brief.

We cannot accept the explanation. Counsel knew that he was required to file the brief on or before 27 May 1995. He could have easily sought an extension and cited his alleged difficulties with his client and/or her father, if that be the case. To merely assume that he had already been substituted readily shows his indifference to his professional responsibilities and utter lack of concern for the interest of his client who runs the risk of spending the greater part of her life in confinement.

It may be recalled that the Court earlier dismissed the instant appeal due to counsel's inaction although in a gesture of liberality and compassion for the accused it decided to reinstate the appeal and to give her another opportunity to show her innocence.

ACCORDINGLY, the Court Resolves to **IMPOSE** on Atty. Tomas P. Evangelista a fine of P500.00 to be paid within five (5) days from notice hereof. Atty. Evangelista is warned that a repetition of the same or similar act will be dealt with more severely.

Let the copies of this resolution be furnished the Office of the Bar confidant and the Integrated Bar of the Philippines.

SO ORDERED.

Padilla (Chairman), Vitug, Kapunan, and Hermosisima, Jr., JJ., concur.

