

EN BANC

[A.C. No. 5473, July 03, 2018]

GENE M. DOMINGO, COMPLAINANT, VS. ATTY. ANASTACIO E. REVILLA, JR., RESPONDENT.

RESOLUTION

PER CURIAM:

On January 23, 2018, the Court promulgated its decision finding respondent Anastacio E. Revilla Jr. guilty of violating the *Code of Professional Responsibility* by committing fraud against the complainant who was his client, disposing:

WHEREFORE, the Court **FINDS AND DECLARES ATTY. ANASTACIO E. REVILLA, JR. GUILTY** of violating Rule 1.01 of Canon 1, Rules 15.06 and 15.07 of Canon 15, and Rule 18.03 of Canon 18 of the *Code of Professional Responsibility*, but, in view of his continuing disbarment, hereby **METES** the penalty of FINE of P100,000.00.

The decision is **IMMEDIATELY EXECUTORY**.

Let copies of this decision be furnished to: (a) the Office of the Court Administrator for dissemination to all courts throughout the country for their information and guidance; (b) the Integrated Bar of the Philippines; and (c) the Office of the Bar Confidant to be appended to the respondent's personal record as a member of the Bar.

SO ORDERED.^[1]

The respondent now seeks the reduction of his fine from P100,000.00 to P50,000.00. He avers in justification that he has been in financial constraints since his disbarment handed down on December 4, 2009 in A.C. No. 7054 prior to the promulgation of the decision herein; that he has also been suffering from chronic kidney disease that necessitates dialysis treatments thrice a week; that his disbarment cost him his only source of livelihood; and that he has candidly acknowledged his ethical sins without qualification, manifesting his sincere feeling of remorse.

In *Arganosa-Maniego v. Salinas*,^[2] the Court observed that:

[I]n several administrative cases, the Court has refrained from imposing the actual penalties in the presence of mitigating factors. Factors such as the respondent's length of service, the respondent's acknowledgement of his or her infractions and feeling of remorse, family circumstances, humanitarian and equitable considerations, respondent's advanced age, among other things, have had varying significance in the Court's determination of the imposable penalty.