

FIRST DIVISION

[G.R. NO. 163986, March 23, 2006]

ROMULO A. DELES, G.R. NO. 163986 PETITIONER, VS. HON. PEPITO GELLADA AND HON. MA. LORNA P. DE MONTEVERDE, IN THEIR OFFICIAL CAPACITIES AS ACTING PRESIDING JUDGES OF REGIONAL TRIAL COURT, BRANCH 53, NEGROS OCCIDENTAL AND MUNICIPAL TRIAL COURT IN CITIES, BRANCH 2, BACOLOD CITY, RESPECTIVELY, RESPONDENTS.

R E S O L U T I O N

AUSTRIA-MARTINEZ, J.:

Before the Court is a Motion for Clemency *Ad Cautelam* filed by petitioner Atty. Romulo A. Deles praying that the Court, acting as a Court of Equity, set aside the sentence of Imprisonment for Indirect Contempt of Court for joining rallies and demonstrations within the immediate vicinity of the Supreme Court or the Halls of Justice carrying placards, posters and streamers announcing, among other things:

Judge Labayen — Judge Diamante —
Judge Hilario — Judge Rojo —
Judge Demonteverde — Hoodlums in Robes —
STOP Demolition of Farmers (sic) Beneficiaries Houses —
Pls. Do not usurp the powers of DAR, PARAD & DARAB, other RESIGN.

and, in its place, to impose against petitioner the penalty of Suspension for Sixty (60) days from the practice of law, and in addition thereto, to impose on him a fine of P4,000.00 as originally meted out by MTCC Judge Lorna P. Demonteverde.

In his Comment, Judge Pepito Gellada, Presiding Judge of the Regional Trial Court, Branch 53, Negros Occidental interposes no objection for the lower court's judges have been vindicated, and justice has been served with the affirmation of the Court of the indirect contempt committed by petitioner and the corresponding penalty of 20 days imprisonment and fine of P4,000.00. Moreover, petitioner Atty. Romulo A. Deles appears to be contrite and sincere in his plea for clemency.

ACCORDINGLY, the Motion for Clemency *Ad Cautelam* is **GRANTED**. The penalty of imprisonment of 20 days is **SET ASIDE**. In its stead Atty. Romulo A. Deles is **SUSPENDED** from the practice of law for a period of 60 days which is immediately executory from receipt of this Resolution. The fine of P4,000.00 originally imposed stands.

SO ORDERED.

Panganiban, C.J., (Chairperson), Ynares-Santiago, Callejo, Sr., and Chico-Nazario, JJ., concur.
