



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 02-2008

TO : THE COURT OF APPEALS,
SANDIGANBAYAN, COURT OF TAX
APPEALS, REGIONAL TRIAL COURTS,
SHARI'A DISTRICT COURTS,
METROPOLITAN TRIAL COURTS,
MUNICIPAL TRIAL COURTS IN CITIES,
MUNICIPAL TRIAL COURTS, MUNICIPAL
CIRCUIT TRIAL COURTS, SHARI'A CIRCUIT
COURTS, THE OFFICE OF THE CHIEF STATE
PROSECUTOR, PUBLIC ATTORNEY'S
OFFICE AND THE INTEGRATED BAR OF THE
PHILIPPINES

SUBJECT: SUSPENSION FROM THE PRACTICE OF LAW
FOR TWO (2) YEARS OF ATTY. JERRY
BANARES

For your information and guidance, quoted hereunder is the dispositive portion of the decision of the *Court En Banc* dated February 21, 2007, in Administrative Case No. 7021 entitled, "**Melvin D. Small vs. Atty. Jerry Banares**", to wit:

"**WHEREFORE**, we find respondent Atty. Jerry Banares **GUILTY** of violating Canons 16 and 18 and Rules 16.01, 16.03, and 18.04 of the Code of Professional Responsibility. Accordingly, we **SUSPEND** respondent from the practice of law for two years effective upon finality of this Decision. We **ORDER** respondent to **RETURN**, within 30 days from notice of this decision, complainant's ₱80,000, with interest at 12% per annum from the date of promulgation of this decision until full payment. We **DIRECT** respondent to submit to the Court proof of payment within fifteen days from payment of the full amount."

Copy of the decision was received by respondent on 15 June 2007 per Registry Return Receipt No. 27835 Respondent's motion for reconsideration was denied with finality on 5 June 2007.

January 11, 2008.


ZENAIDA N. ELEPAÑO
Court Administrator