



Republic of the Philippines  
Supreme Court  
Manila

EN BANC

PATRICK A. CARONAN,  
Complainant,

A.C. No. 11316

- versus -

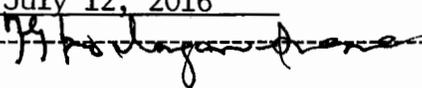
Present:

RICHARD A. CARONAN a.k.a.  
“ATTY. PATRICK A. CARONAN,”  
Respondent.

SERENO, C.J.,  
CARPIO,  
VELASCO, JR.,  
LEONARDO-DE CASTRO,  
BRION,  
PERALTA,  
BERSAMIN,  
DEL CASTILLO,  
PEREZ,  
MENDOZA,\*  
REYES,\*\*  
PERLAS-BERNABE,  
LEONEN,  
JARDELEZA,  
CAGUIOA, JJ.

Promulgated:

July 12, 2016

X-----  


DECISION

**PER CURIAM:**

For the Court’s resolution is the Complaint-Affidavit<sup>1</sup> filed by complainant Patrick A. Caronan (complainant), before the Commission on Bar Discipline (CBD) of the Integrated Bar of the Philippines (IBP), against respondent “Atty. Patrick A. Caronan,” whose real name is allegedly Richard A. Caronan (respondent), for purportedly assuming complainant’s identity and falsely representing that the former has the required educational qualifications to take the Bar Examinations and be admitted to the practice of law.

\* On official leave.

\*\* On official leave.

<sup>1</sup> Dated October 10, 2013. *Rollo*, pp. 9-18.

### The Facts

Complainant and respondent are siblings born to Porferio<sup>2</sup> R. Caronan, Jr. and Norma A. Caronan. Respondent is the older of the two, having been born on February 7, 1975, while complainant was born on August 5, 1976.<sup>3</sup> Both of them completed their secondary education at the Makati High School where complainant graduated in 1993<sup>4</sup> and respondent in 1991.<sup>5</sup> Upon his graduation, complainant enrolled at the University of Makati where he obtained a degree in Business Administration in 1997.<sup>6</sup> He started working thereafter as a Sales Associate for Philippine Seven Corporation (PSC), the operator of 7-11 Convenience Stores.<sup>7</sup> In 2001, he married Myrna G. Tagpis with whom he has two (2) daughters.<sup>8</sup> Through the years, complainant rose from the ranks until, in 2009, he was promoted as a Store Manager of the 7-11 Store in Muntinlupa.<sup>9</sup>

Meanwhile, upon graduating from high school, respondent enrolled at the *Pamantasan ng Lungsod ng Maynila* (PLM), where he stayed for one (1) year before transferring to the Philippine Military Academy (PMA) in 1992.<sup>10</sup> In 1993, he was discharged from the PMA and focused on helping their father in the family's car rental business. In 1997, he moved to Nueva Vizcaya with his wife, Rosana, and their three (3) children.<sup>11</sup> Since then, respondent never went back to school to earn a college degree.<sup>12</sup>

In 1999, during a visit to his family in Metro Manila, respondent told complainant that the former had enrolled in a law school in Nueva Vizcaya.<sup>13</sup> Subsequently, in 2004, their mother informed complainant that respondent passed the Bar Examinations and that he used complainant's name and college records from the University of Makati to enroll at St. Mary's University's College of Law in Bayombong, Nueva Vizcaya and take the Bar Examinations.<sup>14</sup> Complainant brushed these aside as he did not anticipate any adverse consequences to him.<sup>15</sup>

In 2006, complainant was able to confirm respondent's use of his name and identity when he saw the name "Patrick A. Caronan" on the Certificate of Admission to the Bar displayed at the latter's office in Taguig City.<sup>16</sup> Nevertheless,

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<sup>2</sup> "Porfirio" in some parts of the record.

<sup>3</sup> *Rollo*, pp. 9-10.

<sup>4</sup> *Id.* at 10.

<sup>5</sup> *Id.* at 11.

<sup>6</sup> *Id.* 10.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at 11.

<sup>9</sup> See *id.* at 10-12.

<sup>10</sup> *Id.* at 11.

<sup>11</sup> *Id.* at 10-11.

<sup>12</sup> *Id.* at 11.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 12.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

*99 Pulganda*

complainant did not confront respondent about it since he was pre-occupied with his job and had a family to support.<sup>17</sup>

Sometime in May 2009, however, after his promotion as Store Manager, complainant was ordered to report to the head office of PSC in Mandaluyong City where, upon arrival, he was informed that the National Bureau of Investigation (NBI) was requesting his presence at its office in Taft Avenue, Manila, in relation to an investigation involving respondent who, at that point, was using the name "Atty. Patrick A. Caronan."<sup>18</sup> Accordingly, on May 18, 2009, complainant appeared before the Anti-Fraud and Computer Crimes Division of the NBI where he was interviewed and asked to identify documents including: (1) his and respondent's high school records; (2) his transcript of records from the University of Makati; (3) Land Transportation Office's records showing his and respondent's driver's licenses; (4) records from St. Mary's University showing that complainant's transcript of records from the University of Makati and his Birth Certificate were submitted to St. Mary's University's College of Law; and (5) Alumni Book of St. Mary's University showing respondent's photograph under the name "Patrick A. Caronan."<sup>19</sup> Complainant later learned that the reason why he was invited by the NBI was because of respondent's involvement in a case for qualified theft and *estafa* filed by Mr. Joseph G. Agtarap (Agtarap), who was one of the principal sponsors at respondent's wedding.<sup>20</sup>

Realizing that respondent had been using his name to perpetrate crimes and commit unlawful activities, complainant took it upon himself to inform other people that he is the real "Patrick A. Caronan" and that respondent's real name is Richard A. Caronan.<sup>21</sup> However, problems relating to respondent's use of the name "Atty. Patrick A. Caronan" continued to hound him. In July 2013, PSC received a letter from Quasha Ancheta Peña & Nolasco Law Offices requesting that they be furnished with complainant's contact details or, in the alternative, schedule a meeting with him to discuss certain matters concerning respondent.<sup>22</sup> On the other hand, a fellow church-member had also told him that respondent who, using the name "Atty. Patrick A. Caronan," almost victimized his (church-member's) relatives.<sup>23</sup> Complainant also received a phone call from a certain Mrs. Loyda L. Reyes (Reyes), who narrated how respondent tricked her into believing that he was authorized to sell a parcel of land in Taguig City when in fact, he was not.<sup>24</sup> Further, he learned that respondent was arrested for gun-running activities, illegal possession of explosives, and violation of *Batas Pambansa Bilang* (BP) 22.<sup>25</sup>

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<sup>17</sup> Id.

<sup>18</sup> Id.

<sup>19</sup> Id. at 12-13.

<sup>20</sup> Id. at 13.

<sup>21</sup> Id. at 13-14.

<sup>22</sup> Id. 14.

<sup>23</sup> Id. at 13.

<sup>24</sup> Id. at 14.

<sup>25</sup> Id. Entitled "Act Penalizing the Making or Drawing and Issuance of a Check Without Sufficient Funds or Credit and for Other Purposes," approved on April 3, 1979.

*Joseph G. Agtarap*

Due to the controversies involving respondent's use of the name "Patrick A. Caronan," complainant developed a fear for his own safety and security.<sup>26</sup> He also became the subject of conversations among his colleagues, which eventually forced him to resign from his job at PSC.<sup>27</sup> Hence, complainant filed the present Complaint-Affidavit to stop respondent's alleged use of the former's name and identity, and illegal practice of law.<sup>28</sup>

In his Answer,<sup>29</sup> respondent denied all the allegations against him and invoked *res judicata* as a defense. He maintained that his identity can no longer be raised as an issue as it had already been resolved in CBD Case No. 09-2362 where the IBP Board of Governors dismissed<sup>30</sup> the administrative case<sup>31</sup> filed by Agtarap against him, and which case had already been declared closed and terminated by this Court in A.C. No. 10074.<sup>32</sup> Moreover, according to him, complainant is being used by Reyes and her spouse, Brigadier General Joselito M. Reyes, to humiliate, disgrace, malign, discredit, and harass him because he filed several administrative and criminal complaints against them before the Ombudsman.<sup>33</sup>

On March 9, 2015, the IBP-CBD conducted the scheduled mandatory conference where both parties failed to appear.<sup>34</sup> Instead, respondent moved to reset the same on April 20, 2015.<sup>35</sup> On such date, however, both parties again failed to appear, thereby prompting the IBP-CBD to issue an Order<sup>36</sup> directing them to file their respective position papers. However, neither of the parties submitted any.<sup>37</sup>

### The IBP's Report and Recommendation

On June 15, 2015, IBP Investigating Commissioner Jose Villanueva Cabrera (Investigating Commissioner) issued his Report and Recommendation,<sup>38</sup> finding respondent guilty of illegally and falsely assuming complainant's name, identity, and academic records.<sup>39</sup> He observed that respondent failed to controvert all the allegations against him and did not present any proof to prove his identity.<sup>40</sup> On the other hand, complainant presented clear and overwhelming evidence that he is the real "Patrick A. Caronan."<sup>41</sup>

<sup>26</sup> Id. at 16.

<sup>27</sup> Id.

<sup>28</sup> Id. at 17.

<sup>29</sup> Dated May 5, 2015. Id at 77-80.

<sup>30</sup> See Notice of Resolution in Resolution No. XX-2012-649 dated December 29, 2012 issued by National Secretary Nasser A. Marohomsalic; id. at 110.

<sup>31</sup> See complaint for disbarment dated December 18, 2008, entitled "*Joseph Garcia Agtarap v. Atty. Patrick Atillo Caronan*"; id. at 81-90.

<sup>32</sup> See Minute Resolution dated October 23, 2013; id. at 111-112.

<sup>33</sup> See id. at 77-79.

<sup>34</sup> See Minutes of the Hearing; id. at 71.

<sup>35</sup> See Motion to Cancel/ Reset Mandatory Conference/ Hearing dated March 9, 2015; id. at 72-73.

<sup>36</sup> Dated April 20, 2015 issued by Commissioner Jose V. Cabrera. Id. at 76.

<sup>37</sup> Id. at 127.

<sup>38</sup> Id. at 117-134.

<sup>39</sup> Id. at 131.

<sup>40</sup> Id. at 130.

<sup>41</sup> Id. at 129.

*gy barlongan*

Further, he noted that respondent admitted that he and complainant are siblings when he disclosed upon his arrest on August 31, 2012 that: (a) his parents are Porferio Ramos Caronan and Norma Atillo; and (b) he is married to Rosana Halili-Caronan.<sup>42</sup> However, based on the Marriage Certificate issued by the National Statistics Office (NSO), “Patrick A. Caronan” is married to a certain “Myrna G. Tagpis,” not to Rosana Halili-Caronan.<sup>43</sup>

The Investigating Commissioner also drew attention to the fact that the photograph taken of respondent when he was arrested as “Richard A. Caronan” on August 16, 2012 shows the same person as the one in the photograph in the IBP records of “Atty. Patrick A. Caronan.”<sup>44</sup> These, according to the Investigating Commissioner, show that respondent indeed assumed complainant’s identity to study law and take the Bar Examinations.<sup>45</sup> Since respondent falsely assumed the name, identity, and academic records of complainant and the real “Patrick A. Caronan” neither obtained the bachelor of laws degree nor took the Bar Exams, the Investigating Commissioner recommended that the name “Patrick A. Caronan” with Roll of Attorneys No. 49069 be dropped and stricken off the Roll of Attorneys.<sup>46</sup> He also recommended that respondent and the name “Richard A. Caronan” be barred from being admitted as a member of the Bar; and finally, for making a mockery of the judicial institution, the IBP was directed to institute appropriate actions against respondent.<sup>47</sup>

On June 30, 2015, the IBP Board of Governors issued Resolution No. XXI-2015-607,<sup>48</sup> adopting the Investigating Commissioner’s recommendation.

### **The Issues Before the Court**

The issues in this case are whether or not the IBP erred in ordering that: (a) the name “Patrick A. Caronan” be stricken off the Roll of Attorneys; and (b) the name “Richard A. Caronan” be barred from being admitted to the Bar.

### **The Court’s Ruling**

After a thorough evaluation of the records, the Court finds no cogent reason to disturb the findings and recommendations of the IBP.

As correctly observed by the IBP, complainant has established by clear and overwhelming evidence that he is the real “Patrick A. Caronan” and that respondent, whose real name is Richard A. Caronan, merely assumed the latter’s

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<sup>42</sup> Id. at 130.

<sup>43</sup> Id. See also id. at 30.

<sup>44</sup> Id. at 129. See also id. at 50-51 and 59.

<sup>45</sup> Id. at 131.

<sup>46</sup> Id. at 133.

<sup>47</sup> Id.

<sup>48</sup> Id. at 115-116.

*Richard A. Caronan - Done*

name, identity, and academic records to enroll at the St. Mary's University's College of Law, obtain a law degree, and take the Bar Examinations.

As pointed out by the IBP, respondent admitted that he and complainant are siblings when he disclosed upon his arrest on August 31, 2012 that his parents are Porferio Ramos Caronan and Norma Atillo.<sup>49</sup> Respondent himself also stated that he is married to Rosana Halili-Caronan.<sup>50</sup> This diverges from the official NSO records showing that "Patrick A. Caronan" is married to Myrna G. Tagpis, not to Rosana Halili-Caronan.<sup>51</sup> Moreover, the photograph taken of respondent when he was arrested as "Richard A. Caronan" on August 16, 2012 shows the same person as the one in the photograph in the IBP records of "Atty. Patrick A. Caronan."<sup>52</sup> Meanwhile, complainant submitted numerous documents showing that he is the real "Patrick A. Caronan," among which are: (a) his transcript of records from the University of Makati bearing his photograph;<sup>53</sup> (b) a copy of his high school yearbook with his photograph and the name "Patrick A. Caronan" under it;<sup>54</sup> and (c) NBI clearances obtained in 2010 and 2013.<sup>55</sup>

To the Court's mind, the foregoing indubitably confirm that respondent falsely used complainant's name, identity, and school records to gain admission to the Bar. Since complainant – the real "Patrick A. Caronan" – never took the Bar Examinations, the IBP correctly recommended that the name "Patrick A. Caronan" be stricken off the Roll of Attorneys.

The IBP was also correct in ordering that respondent, whose real name is "Richard A. Caronan," be barred from admission to the Bar. Under Section 6, Rule 138 of the Rules of Court, no applicant for admission to the Bar Examination shall be admitted unless he had pursued and satisfactorily completed a pre-law course, *viz.*:

Section 6. *Pre-Law.* – No applicant for admission to the bar examination shall be admitted unless he presents a certificate that he has satisfied the Secretary of Education that, **before he began the study of law**, he had pursued and **satisfactorily completed** in an authorized and recognized university or college, requiring for admission thereto the completion of a four-year high school course, **the course of study prescribed therein for a bachelor's degree in arts or sciences** with any of the following subject as major or field of concentration: political science, logic, english, spanish, history, and economics. (Emphases supplied)

In the case at hand, respondent never completed his college degree. While he enrolled at the PLM in 1991, he left a year later and entered the PMA where he

<sup>49</sup> Id. at 130. See also id. at 49.

<sup>50</sup> Id. at 130.

<sup>51</sup> Id. See id. at 38.

<sup>52</sup> Id. at 129. See also id. at 51 and 59.

<sup>53</sup> Id. at 23-25.

<sup>54</sup> Id. at 29.

<sup>55</sup> Id. at 45-46.

*Yes to respondent*

was discharged in 1993 without graduating.<sup>56</sup> Clearly, respondent has not completed the requisite pre-law degree.

The Court does not discount the possibility that respondent may later on complete his college education and earn a law degree under his real name. However, his false assumption of his brother's name, identity, and educational records renders him unfit for admission to the Bar. The practice of law, after all, is not a natural, absolute or constitutional right to be granted to everyone who demands it.<sup>57</sup> Rather, it is a privilege limited to citizens of **good moral character**.<sup>58</sup> In *In the Matter of the Disqualification of Bar Examinee Haron S. Meling in the 2002 Bar Examinations and for Disciplinary Action as Member of the Philippine Shari'a Bar, Atty. Froilan R. Melendrez*,<sup>59</sup> the Court explained the essence of good moral character:

Good moral character is what a person really is, as distinguished from good reputation or from the opinion generally entertained of him, the estimate in which he is held by the public in the place where he is known. Moral character is not a subjective term but one which corresponds to objective reality. The standard of personal and professional integrity is not satisfied by such conduct as it merely enables a person to escape the penalty of criminal law. **Good moral character includes at least common honesty.**<sup>60</sup> (Emphasis supplied)

Here, respondent exhibited his dishonesty and utter lack of moral fitness to be a member of the Bar when he assumed the name, identity, and school records of his own brother and dragged the latter into controversies which eventually caused him to fear for his safety and to resign from PSC where he had been working for years. Good moral character is essential in those who would be lawyers.<sup>61</sup> This is imperative in the nature of the office of a lawyer, the trust relation which exists between him and his client, as well as between him and the court.<sup>62</sup>

Finally, respondent made a mockery of the legal profession by pretending to have the necessary qualifications to be a lawyer. He also tarnished the image of lawyers with his alleged unscrupulous activities, which resulted in the filing of several criminal cases against him. Certainly, respondent and his acts do not have a place in the legal profession where one of the primary duties of its members is to uphold its integrity and dignity.<sup>63</sup>

**WHEREFORE**, respondent Richard A. Caronan a.k.a. "Atty. Patrick A. Caronan" (respondent) is found **GUILTY** of falsely assuming the name, identity, and academic records of complainant Patrick A. Caronan (complainant) to obtain a

<sup>56</sup> See *id.* at 11. See also Application for the PMA; *id.* at 36-37.

<sup>57</sup> *In the Matter of the Admission to the Bar of Argosino*, 316 Phil. 43, 46 (1995).

<sup>58</sup> *Id.*

<sup>59</sup> See B.M. No. 1154, June 8, 2004.

<sup>60</sup> *Id.*

<sup>61</sup> *Supra* note 56, at 46-50.

<sup>62</sup> See *Lizaso v. Amante*, 275 Phil. 1, 11 (1991).

<sup>63</sup> Rule 7.03 of the Code of Professional Responsibility.

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law degree and take the Bar Examinations. Accordingly, without prejudice to the filing of appropriate civil and/or criminal cases, the Court hereby resolves that:

- (1) the name "Patrick A. Caronan" with Roll of Attorneys No. 49069 is ordered **DROPPED** and **STRICKEN OFF** the Roll of Attorneys;
- (2) respondent is **PROHIBITED** from engaging in the practice of law or making any representations as a lawyer;
- (3) respondent is **BARRED** from being admitted as a member of the Philippine Bar in the future;
- (4) the Identification Cards issued by the Integrated Bar of the Philippines to respondent under the name "Atty. Patrick A. Caronan" and the Mandatory Continuing Legal Education Certificates issued in such name are **CANCELLED** and/or **REVOKED**; and
- (5) the Office of the Court Administrator is ordered to **CIRCULATE** notices and **POST** in the bulletin boards of all courts of the country a photograph of respondent with his real name, "Richard A. Caronan," with a warning that he is not a member of the Philippine Bar and a statement of his false assumption of the name and identity of "Patrick A. Caronan."

Let a copy of this Decision be furnished the Office of the Bar Confidant, the Integrated Bar of the Philippines, and the Office of the Court Administrator.

**SO ORDERED.**



**MARIA LOURDES P. A. SERENO**  
Chief Justice



**ANTONIO T. CARPIO**  
Associate Justice



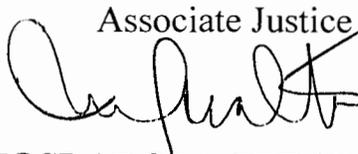
**PRESBITERO J. VELASCO, JR.**  
Associate Justice



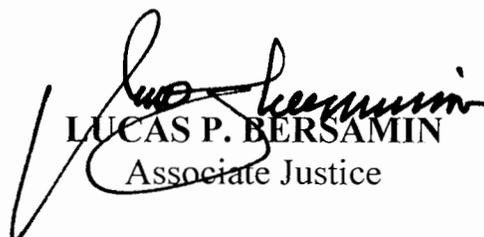
**TERESITA J. LEONARDO-DE CASTRO**  
Associate Justice



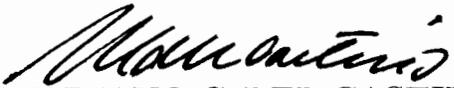
**ARTURO D. BRION**  
Associate Justice



**DIOSDADO M. PERALTA**  
Associate Justice



**LUCAS P. BERSAMIN**  
Associate Justice

  
**MARIANO C. DEL CASTILLO**  
 Associate Justice

  
**JOSE PORTUGAL PEREZ**  
 Associate Justice

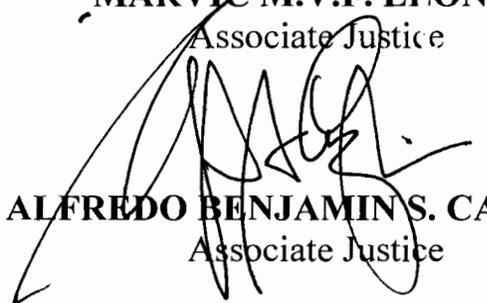
On official leave  
**JOSE CATRAL MENDOZA**  
 Associate Justice

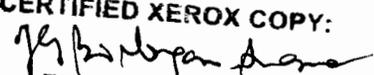
On official leave  
**BIENVENIDO L. REYES**  
 Associate Justice

  
**ESTELA M. PERLAS-BERNABE**  
 Associate Justice

  
**MARVIC M.V.F. LEONEN**  
 Associate Justice

  
**FRANCIS H. JARDELEZA**  
 Associate Justice

  
**ALFREDO BENJAMIN S. CAGUIOA**  
 Associate Justice

**CERTIFIED XEROX COPY:**  
  
**FELIPA B. ANAMA**  
 CLERK OF COURT, EN BANC  
 SUPREME COURT