



REPUBLIC OF THE PHILIPPINES
SENATE ELECTORAL TRIBUNAL
COA-NCR Bldg., Batasan Road, Quezon City

FRANCIS N. TOLENTINO,
Protestant,

- versus -

SET CASE No. 001-16

LEILA M. DE LIMA,
Protestee.
x-----x

RESOLUTION NO. 16-09

For and in behalf of the Commission on Elections (Comelec) First Division, Division Clerk Atty. John Gerald B. de la Cruz requests authority to take temporary prior custody of the ballot boxes and their contents, recount of ballots, other election documents and paraphernalia, including the lists of voters such as the Election Day Computerized Voter's List (EDCVL), Voter's Registration Record (VRR) and Book of Voters (BOV), as well as the data storage devices used in the 09 May 2016 election for the position of Mayor of Marawi City in the protested and counter-protested precincts in EPC No. 2016-31 (Omar "Solitario" M. Ali versus Majul U. Gandamra).

The ground relied upon by Protestant Tolentino for the nullification of the election results from two contested clustered precincts in Marawi City does not necessitate the revision of ballots, but would require an examination of the books of voters. Considering, however, that the instant protest case is still in its early stages, no undue delay in the resolution thereof shall result from the grant of the request for prior custody, provided that the Comelec First Division shall ensure that the books of voters are ready for transfer to the custody of the Tribunal once the need for them arises.

ACCORDINGLY, the Executive Committee of the Tribunal resolves to **GRANT** the request of the Commission on Elections First Division to take prior temporary custody of the ballots boxes and their contents, recount of ballots, other election documents and paraphernalia, including the lists of voters such as the Election Day Computerized Voter's List (EDCVL), Voter's Registration Record (VRR) and Book of Voters (BOV), as well as the data storage devices used in the 09 May 2016 election for the position of Mayor of Marawi City in the protested and counter-protested precincts in EPC No. 2016-31 (Omar "Solitario" M. Ali versus Majul U. Gandamra).

The Commission on Elections First Division shall ensure that the Books of Voters are ready for transfer to the Tribunal once the need for them arises.

SO ORDERED.

29 September 2016.


TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Acting Chairperson


ARTURO D. BRION
Associate Justice
Member


CYNTHIA A. VILLAR
Senator
Member