



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. 16-23

The Commission on Elections (COMELEC) Second Division requests temporary prior custody of the ballot boxes and their contents, recount of ballots, other election documents or paraphernalia, list of voters such as the Election Day Computerized Voter's List (EDCVL), Voter's Registration Records (VRR), and Book of Voters (BOV) as well as the data storage devices used in the 09 May 2016 elections for the position of City Mayor, Cebu City, Province of Cebu in the 167 clustered precincts subject of the electoral protest in EPC No. 2016-16 (*Michael T. Rama versus Tomas R. Osmeña*).

Records show that the 167 clustered precincts listed in the letter-request are not included in the designated pilot precincts of Protestant Tolentino. Such being the case, allowing the Comelec (Second Division) temporary prior custody of the requested election documents, materials and paraphernalia will not cause any delay in the resolution of the instant electoral protest.

ACCORDINGLY, the Executive Committee of the Tribunal resolves to **GRANT** the request of the Commission on Elections (Second Division) for temporary prior custody of the ballot boxes and their contents, recount of ballots, other election documents or paraphernalia, list of voters and data storage devices used in the 09 May 2016 elections for the position of City Mayor, Cebu City,

Province of Cebu in the 167 clustered precincts involved in EPC No. 2016-16 (Rama vs. Osmeña).

The Comelec Second Division shall take such measures to safeguard and preserve the integrity of the subject election documents and materials and shall further ensure that the same are ready for transfer to the Tribunal when the need therefor arises.

SO ORDERED.

09 January 2017.



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson



TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Member



LUCAS P. BERSAMIN
Associate Justice
Member