



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.

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**RESOLUTION NO. 16-28**

In Resolution No. 16-23 dated 09 January 2017, the Executive Committee of the Tribunal granted the request of the Commission on Elections (COMELEC) Second Division to take prior temporary custody of the ballot boxes, election documents and paraphernalia, lists of voters and the data storage devices used in the 09 May 2016 election for the position of City Mayor in 167 clustered precincts in Cebu City involved in EPC No. 2016-16 (Michael L. Rama versus Tomas R. Osmeña).

In a subsequent letter dated 15 January 2017, Acting Division Clerk of the Commission Michael L. Garcia requested that the same authority granted to the COMELEC Second Division in Resolution No. 16-23 be likewise granted with respect to Clustered Precinct No. 743, which the protestant in EPC No. 2016-16 (Rama vs. Osmeña) had designated as additional pilot precinct to complete his twenty percent (20%) pilot contested precincts.

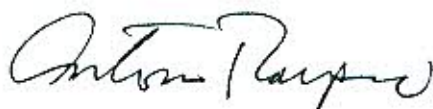
The records show that Clustered Precinct No. 743, consisting of Precincts No. 1814B, 1815B, 1816A and 1817A in Barangay Quiot Pardo, Cebu City, Province of Cebu is not among the pilot precincts of Protestant Francis N. Tolentino. Granting the requested authority will, therefore, cause no delay in the resolution of the instant case.

**ACCORDINGLY**, the Executive Committee of the Tribunal resolves to **GRANT** the request of the Commission on Elections Second Division to take temporary prior custody of the ballot box and its contents, recount of ballots, other election documents and paraphernalia, list of voters and data storage devices used in the 09 May 2016 election for the position of City Mayor, Cebu City in Clustered Precinct No. 743, Barangay Quiot Pardo, Cebu City, Province of Cebu.

The COMELEC Second Division shall 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.**

**18 January 2017.**



**ANTONIO T. CARPIO**  
Senior Associate Justice  
Chairperson



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



**LUCAS P. BERSAMIN**  
Associate Justice  
Member