



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. 16-29**

In a *Manifestation and Motion* dated 12 January 2017, received by the Tribunal Secretariat on 16 January 2017, the Commission on Elections (COMELEC), through its Law Department, informed the Tribunal about the Incident Report submitted on 30 December 2016 to COMELEC Chairperson J. Andres D. Bautista by Mr. Romel U. Sungahid, COMELEC Information Technology Department (ITD) Technical Staff.

The said Incident Report related the collapse of the ceiling of the Memory Configuration Room (MCR) located at the COMELEC Warehouse in Sta. Rosa, Laguna on 30 December 2016, and the immediate shutdown of the server units undertaken by the COMELEC Personnel as preventive and corrective measures to protect the servers and the data stored therein from potential overheating which might lead to server burn-out and damage to the said data. Copies of the Incident Report and Supporting Photographs were submitted as Annexes "A" and "B" and made integral parts of the *Manifestation and Motion*.

The COMELEC further manifested that by way of standard IT processes, the servers must be rebooted (powered-up), diagnostics conducted and undertaken and thereafter shut-down (powered-down) to determine if any data stored therein had been damaged. The COMELEC, thus, prayed that the *Manifestation*, including the Incident Report and Supporting Photographs be

admitted and noted; and that leave of the Tribunal and authority to reboot the servers, conduct and undertake diagnostics thereon and shut down the same be granted to COMELEC and its duly authorized personnel, after due notice to and in the presence of the parties in this case.

**ACTING** on the *Manifestation and Motion* dated 12 January 2017 filed by the Commission on Elections on 16 January 2017, the Executive Committee of the Tribunal resolves to:

- a) **ADMIT** and **NOTE** the said *Manifestation*, including the Incident Report and Supporting Photographs (Annexes "A" and "B", respectively); and
- b) **GRANT** the requested authority for the Commission on Elections and its duly authorized personnel to:
  - 1. Reboot (Power-Up) the Servers;
  - 2. Conduct and Undertake Diagnostics thereon; and
  - 3. Shut-Down (Power-Down) the same,

to determine if any data stored in the servers had been damaged.

The Commission on Elections shall give due notice to the Tribunal and the parties herein at least a week before the scheduled diagnostic procedure to enable them to send their representatives to witness and observe the procedure.

**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