



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

FRANCIS N. TOLENTINO,
Protestant,

SET Case No. 001-16

-versus-

LEILA M. DE LIMA,
Protestee.

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RESOLUTION NO. 16 – 59

In Resolution No. 16-53 dated 28 June 2017, the Tribunal denied Protestant Tolentino's *Omnibus Motion* dated 07 June 2017, requesting a summary of the cost estimates for the return of the ballot boxes, election documents, and election paraphernalia from his pilot precincts and the holding in abeyance of the payment of the cost of return. The Tribunal, however, gave Protestant Tolentino ten (10) days from receipt of the Resolution to pay the amount of P2,440,328.39 representing the difference between the estimated costs for the collection as well as the return, and the total amount which he had already paid in compliance with Resolution No. 16-33 dated 06 February 2017.

On 06 July 2017, Protestee de Lima filed an *Urgent Motion for Reconsideration* (Re: SET Resolution No. 16-53). This was denied by the Tribunal in Resolution No. 16-55 dated 19 July 2017, for being moot and academic as Protestant Tolentino had already complied with the directive to augment his cash deposit on 10 July 2017. Notwithstanding, on 01 August 2017, Protestant Tolentino filed an *Opposition [To Protestee's Urgent Motion for Reconsideration (Re: SET Resolution No. 16-53)]* dated 6 July 2017].

Resolution No. 16-55 dated 19 July 2017 also directed the Canvass Board Service to continue with the collection in Mindanao in accordance with the schedule proposed by the Armed Forces of the Philippines, there being no cogent reason to suspend the retrieval of the ballot boxes and election documents and

paraphernalia. In this connection, the parties submitted several manifestations designating their respective representatives in the different collection operations.

ACTING ON THE FOREGOING, the Executive Committee of the Tribunal Resolves to:

1. **NOTE** without action Protestant Tolentino's *Opposition [To Protestee's Urgent Motion for Reconsideration (Re: SET Resolution No. 16-53)]* dated 6 July 2017] for being moot and academic, Protestee de Lima's *Urgent Motion for Reconsideration* being opposed having been denied in Resolution No. 16-55 dated 19 July 2017;
2. **NOTE** the *Manifestation* filed by Protestant Tolentino on 13 July 2017 designating his representatives in the collection of ballot boxes and election documents and paraphernalia from his designated pilot precincts in the Provinces of Tawi-Tawi, Basilan, Sulu, Lanao del Norte, Zamboanga del Norte, Maguindanao, North Cotabato and Lanao del Sur;
3. **NOTE** the *Manifestation* filed by Protestee de Lima on 20 July 2017 identifying her representatives in the collection of the ballot boxes and election documents and paraphernalia from the designated pilot precincts of Protestant Tolentino in the Provinces of Bulacan and Pampanga;
4. **NOTE** the *Manifestation* filed by Protestant Tolentino on 01 August 2017, authorizing Raian Dagonio Marasigan as additional representative to observe the collection of ballot boxes and election documents and paraphernalia from his designated pilot precincts in the Provinces of Sulu and Maguindanao and in the Municipalities of Pikit, North Cotabato and Malabang, Lanao del Sur;
5. **NOTE** the *Manifestation* filed by Protestee de Lima on 03 August 2017 identifying her representatives in the collection of the ballot boxes and election documents and paraphernalia from the designated pilot precincts of Protestant Tolentino in the Provinces of the Autonomous Region in Muslim Mindanao (ARMM) and the Province of Lanao del Norte; and

6. **NOTE** the *Manifestation* filed by Protestee de Lima on 10 August 2017 identifying her representatives in the collection of the ballot boxes and election documents and paraphernalia from the designated pilot precincts of Protestant Tolentino in the Provinces of Zamboanga del Norte, Maguindanao, North Cotabato and Lanao del Sur.

SO ORDERED.

23 August 2017.



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson


TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Member


LUCAS P. BERSAMIN
Associate Justice
Member