



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.

X-----X

RESOLUTION NO. 16-67

In view of the failure to collect fifteen (15) ballot boxes pertaining to the Municipality of Al-Barka, Basilan and thirty-nine (39) ballot boxes from the Province of Lanao del Sur, the Tribunal, in Resolution No. 16-64 dated 14 September 2017, required Protestant Tolentino to designate as substitute pilot precincts for the uncollected Mindanao ballot boxes, fifty-four (54) precincts from among his other contested precincts which were initially included as pilot precincts in his Preliminary Conference Brief dated 05 October 2016. Compliance with the directive is required within ten (10) days from receipt of said Resolution.

Protestant Tolentino received a copy of the Resolution on 20 September 2017 and had until 30 September 2017, which is a Saturday, within which to designate his substitute pilot precincts. He, thus, had until the next working day or 02 October 2017 to do so. On said date, he filed a *Motion for Extension*, praying that he be given an extension of ten (10) days from 02 October 2017, or until 12 October 2017, within which to designate the substitute pilot precincts. Protestant Tolentino anchors the requested extension on the need to review and analyze first the statistical data on the possible substitute pilot precincts.

It may be recalled that the Tribunal, in Resolution No. 16-65 dated 14 September 2017, has ordered the commencement of the revision proceedings on

16 October 2017 and the same shall continue until all protested pilot precincts are revised pursuant to Rule 50 of the 2013 Rules of the Tribunal. The collection of the substitute pilot precincts must be undertaken on such a date that will ensure the continuity of the revision proceedings as the personnel assigned to perform the task were hired for a limited period of engagement.

As a rule, Motions which unduly delay the proceedings are not allowed. Considering, however, that the instant *Motion* requests an extension of only ten (10) days and for a justifiable reason, the Tribunal may grant the request subject to the condition that for failure to identify his substitute pilot precincts within said period, fifty-four (54) clustered precincts shall be deemed withdrawn and shall no longer form part of his pilot precincts.

ACCORDINGLY, the Executive Committee of the Tribunal Resolves to **GRANT** Protestant Tolentino a non-extendible period of ten (10) days from 02 October 2017, or until 12 October 2017, within which to designate his substitute pilot precincts. Failure of Protestant Tolentino to identify his substitute pilot precincts within the given period shall be deemed as a withdrawal of fifty-four (54) clustered precincts from his list of pilot precincts.

SO ORDERED.

10 October 2017.



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson



TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Member



LUCAS P. BERSAMIN
Associate Justice
Member