



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 - 97**

It will be recalled that during the retrieval of ballot boxes pertaining to Protestant Tolentino's pilot precincts, ten (10) ballot boxes used during the 2013 national and local elections were erroneously turned over to the SET Collection Teams, namely: Pagbilao, Quezon - 9 ballot boxes and Calbayog City, Western Samar- 1 ballot box.

Further, it was discovered during revision that three (3) ballot boxes contained ballots and election documents which are not part of the pilot precincts. These are: Clustered Precinct No. 15 of San Jorge, Western Samar; Clustered Precinct No. 8 of Dumangas, Iloilo; and Clustered Precinct No. 15 of Tongkil, Sulu.

Likewise, the SET Collection Team failed to retrieve fifteen (15) ballot boxes from Al-Barka, Basilan as these were then in the custody of the Regional Trial Court, Branch 2, Isabela City, Basilan in connection with the proceedings in *Election Protest Case No. 04-14 (Bhenzar J. Yusoph vs. Darussalam S. Lajid)* while one (1) ballot box from Gutalac, Zamboanga del Norte was not retrieved as it was part of the Random Manual Audit conducted by the Commission on Elections (COMELEC).

In compliance with the directives of the Tribunal in Resolution No. 16-83 dated 22 November 2017, the Municipal Treasurer of Pagbilao, Quezon and Assistant City Treasurer of Calbayog City delivered to the custody of the Tribunal the ballot boxes purportedly containing the ballots and election documents used during the 2016 elections. Likewise, the Municipal Treasurer of San Jorge, Western Samar delivered to the custody of the Tribunal the ballot box which presumably contains the correct ballots and election documents for Clustered Precinct No. 15.

Similarly, in compliance with Resolution No. 16-88 dated 15 January 2018, the ballot box which supposedly contains the correct ballots and election documents for Clustered Precinct No. 8 of Dumangas, Iloilo was delivered to the custody of the Tribunal by the Municipal Treasurer, accompanied by the Election Officer III of Dumangas, Iloilo and the Provincial Election Supervisor.

On 07 February 2018, the ballot box pertaining to Gutalac, Zamboanga del Norte was retrieved from COMELEC and is now in the custody of the Tribunal while the fifteen (15) ballot boxes of Al-Barka, Basilan is scheduled to be retrieved from the COMELEC on 20 February 2018. As prayed for by the Protestant, only three (3) out of the fifteen (15) ballot boxes from Al-Barka, Basilan are for revision while the other twelve (12) are for the annulment of the election results.

Finally, the Canvass Board Service of the Tribunal reported that one (1) ballot box from Pantao Ragat, Lanao del Norte which was collected in July 2017 was not revised during the revision proceedings conducted from 18 October to 05 December 2017 as this was inadvertently mixed with the ballot boxes where annulment of election results was prayed for by the Protestant.

Thus, to complete the revision proceedings of the pilot precincts of Protestant Tolentino, the continuation of the revision proceedings for the remaining seventeen (17) ballot boxes is set on 05 March 2018, Monday, at 8:00 o'clock in the morning at the Tribunal Session Hall.

For this purpose, five (5) revision teams are hereby created. Each revision team shall be composed of a Head Revisor (HR) to be appointed by the Tribunal

and one (1) representative to be designated by each party. Also to be appointed are two (2) Alternate Head Revisors (AHR).

The Head Revisor's (HR) compensation shall be in accordance with Resolution No. 16-82 dated 22 November 2017. Thus, the HR's compensation may be estimated as follows:

Average rate per Ballot Box	-	Php1,400.00
No. of Ballot Boxes to be revised	-	17 Ballot Boxes
Total estimated cost	-	Php23,800.00

The HR compensation is shouldered by Protestant Tolentino. The AHR, acting as such, is entitled to a compensation of One Thousand Pesos (Php1,000.00) per day. This is shared equally by the parties. The compensation of the AHR is estimated as follows:

No. of Ballot Boxes	:	17 Ballot Boxes
No. of Alternate Head Revisors	:	2 AHRs
No. of Revision Days	:	4 days
Compensation of AHR	:	Php1,000.00/day

Below is the cost of revision to be charged against the parties:

Expenses	Protestant Tolentino	Protestee De Lima
Compensation of HRs for the 17 Ballot Boxes	Php 23,800.00	
Compensation of AHRs (2 AHRs @ Php1,000.00/day x 4 days / 2)	4,000.00	Php 4,000.00
<b>TOTAL</b>	<b>Php 27,800.00</b>	<b>Php 4,000.00</b>

For Protestant Tolentino, the aforesaid amount shall be charged against his cash deposit. Protestee de Lima, on the other hand, must deposit her share of the revision cost not later than 26 February 2018.

The parties are required to designate their respective revisors which should be equal in number to the revision teams formed, as well as their revision supervisors and/or counsel not later than 26 February 2018. If the designated representatives are among those who were already accredited and were issued



identification cards, submission of the names would suffice. Otherwise, the parties are required to submit the names, addresses and "1 x 1" ID pictures of new revisors, revision supervisors and/or counsel for accreditation pursuant to Rule 47 of the 2013 SET Rules. Only those who are accredited shall be allowed to participate in or observe the revision proceedings.

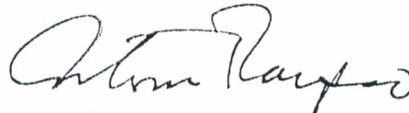
**IN VIEW OF THE FOREGOING**, the Executive Committee of the Tribunal Resolves to:

1. **SET** the continuation of the revision proceedings on 05 March 2018 at 8:00 o'clock in the morning at the Tribunal Session Hall;
2. **REQUIRE** the parties to submit the list of their duly accredited party revisors which should be equal in number to the revision teams formed, as well as their alternate party revisors, party supervisor and party counsel, or submit for accreditation the names, addresses and "1 x 1" ID pictures of their respective representatives, as the case may be, not later than 26 February 2018;
3. **REQUIRE** Protestee de Lima to deposit the amount of **FOUR THOUSAND PESOS** (Php4,000.00) not later than 26 February 2018 as her share in the revision cost;
4. **NOTE** the delivery to the Tribunal of nine (9) ballot boxes belonging to the pilot precincts of Protestant Tolentino in Pagbilao, Quezon on 06 December 2017 by Municipal Treasurer Aristeo G. Catalla in compliance with Resolution No. 16-83 dated 22 November 2017;
5. **NOTE** the delivery to the Tribunal of one (1) ballot box belonging to the pilot precincts of Protestant Tolentino in Calbayog City, Western Samar on 11 December 2017 by Assistant City Treasurer Ma. Evelyn O. Junio in compliance with Resolution No. 16-83 dated 22 November 2017;

6. **NOTE** the delivery to the Tribunal of one (1) ballot box belonging to the pilot precincts of Protestant Tolentino in San Jorge, Western Samar on 12 December 2017 by Acting Municipal Treasurer Ofelia C. Adesas, in compliance with Resolution No. 16-83 dated 22 November 2017; and
7. **NOTE** the delivery to the Tribunal of one (1) ballot box belonging to the pilot precincts of Protestant Tolentino in Dumangas, Iloilo on 30 January 2018 by Municipal Treasurer Grace A. Jomillo, Election Officer III Fralyn G. Marfori and the Provincial Election Supervisor, Atty. Elizabeth D. Doronilla, in compliance with Resolution No. 16-88 dated 15 January 2018

SO ORDERED.

20 February 2018.



ANTONIO T. CARPIO  
Senior Associate Justice  
Chairperson



TERESITA J. LEONARDO-DE CASTRO  
Associate Justice  
Member



LUCAS P. BERSAMIN  
Associate Justice  
Member