



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 – 112

During the collection of ballot boxes pertaining to the pilot precincts of Protestant Tolentino in July 2017, the Tribunal's collection team failed to retrieve the ballot boxes of fifteen (15) Clustered Precincts 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. 04-16 (*Yusoph vs. Lajid*), a local protest.

In a letter dated 18 January 2018, the Commission on Elections (COMELEC), Second Division, informed the Tribunal that the ballots and other documents involved in the aforesaid local election protest were transmitted to its custody as the case was elevated on appeal and docketed as EAC No. 25-2017 (*Yusoph vs. Lajid*). Invoking the Tribunal's preferential right in the custody of contested ballot boxes as provided for in COMELEC Resolution No. 2812 dated 17 October 1995, the ballot boxes pertaining to the fifteen (15) Clustered Precincts of Al-Barka, Basilan were retrieved from the COMELEC on 20 February 2018.

Although the revision of ballots and election documents pertaining to the aforesaid precincts had been completed, Tribunal proceedings are not yet over. The Tribunal needs to retain custody of the ballot boxes for the conduct of further validation and verification process.

While an order of preference in the custody and revision of ballots and election documents had been set, the Tribunal and the other adjudicatory bodies are not precluded from coordinating with one another so as not to delay the resolution of electoral protests pending before their respective jurisdictions, particularly with respect to local protests as the term of office being contested therein is limited to only three (3) years.

In the past, the Tribunal had allowed the COMELEC and the courts to conduct their respective proceedings within the Tribunal premises. In Resolution No. 16-103 dated 08 March 2018, the Tribunal suggested that the COMELEC Electoral Contests Adjudication Department (ECAD) conducts its revision and/or appreciation proceedings in relation to EPC Case No. 2016-37 (*Tan vs. Hataman*), within the premises of the Tribunal. The same offer may be made with respect to EAC No. 25-2017 (*Yusoph vs. Lajid*).

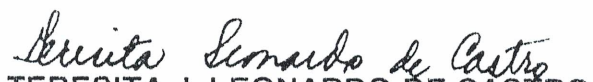
ACCORDINGLY, the Executive Committee of the Tribunal Resolves to **INFORM** the Commission on Elections, Second Division, that it may conduct its proceedings in relation to EAC No. 25-2017 (*Yusoph vs. Lajid*) in the premises of the Senate Electoral Tribunal located at the Electoral Tribunals Building, COA Compound, Batasan Road, corner Commonwealth Avenue, Quezon City, upon prior coordination of its preferred schedule with the Acting Secretary of the Tribunal.

SO ORDERED.

15 May 2018.



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson



TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Member



LUCAS P. BERSAMIN
Associate Justice
Member