

**CLIENT'S COPY**

Republic of the Philippines  
**PRESIDENTIAL ELECTORAL TRIBUNAL**  
Manila

**FERDINAND "BONGBONG" R. MARCOS, JR.,**

*Protestant,*

-versus-

**MARIA LEONOR "LENI DAANG MATUWID" G. ROBREDO,**

*Protestee.*

X ----- X

PRESIDENTIAL ELECTORAL TRIBUNAL  
**RECEIVED**  
JUL 10 2017  
BY: *[Signature]*  
TIME: *4: 05*

**PET Case No. 005**  
For: Election Protest  
Vice-President

*no file*

**MOTION FOR TECHNICAL EXAMINATION**

Protestant **FERDINAND "BONGBONG" R. MARCOS, JR.** ("protestant Marcos"), through the undersigned counsels, unto this Honorable Presidential Electoral Tribunal ("PET"), most respectfully alleges the following:

**1.** On **25 April 2017**, this Honorable Tribunal issued a *Resolution* granting protestant's motion for the immediate setting of the preliminary conference and scheduling the conduct thereof on 21 June 2017 at 2:00 o'clock in the afternoon. However, on 6 June 2017 the Honorable Tribunal issued a *Resolution* resetting the preliminary conference to **11 July 2017**.

**2.** With the setting of the preliminary conference on July 11, 2017, it is expected that the trial proper in the above-entitled case shall immediately commence thereafter. In this regard, protestant Marcos is now constrained to request this Honorable Tribunal to immediately **DIRECT** the **CONDUCT** of **TECHNICAL EXAMINATION** of the voters' signatures appearing on the Election Day Computerized Voter's List (EDCVL) as against the voters' signatures appearing on the Voters Registration Records (VRRs) in each of the **two thousand seven hundred fifty six (2,756)** protested clustered precincts of Lanao Del Sur, Maguindanao, and Basilan. The technical examination may be conducted by the handwriting experts of the Commission on Elections (COMELEC).

**3.** Protestant Marcos intends to use the results of the technical examination of the voters' signatures appearing on the EDCVL as against the voters' signatures appearing on the VRRs as part of his

evidence in support of his election protest, particularly his claim that there is substantial basis for the annulment of the election results in the provinces of Lanao Del Sur, Maguindanao, and Basilan.

4. It may be recalled that protestant Marcos asserted the **massive presence of pre-shaded ballots and substitute-voting in Lanao Del Sur, Maguindanao, and Basilan** in his election protest. That is the reason why he did not include the **two thousand seven hundred fifty six (2,756)** protested clustered precincts of Lanao Del Sur, Maguindanao, and Basilan in his prayer for judicial recount/revision of the paper ballots and/or ballot images. Instead, protestant Marcos requested for the conduct of the **technical examination** and **forensic investigation** of the election documents and paraphernalia in the said areas.

5. Although protestant Marcos is aware of the express provision of **Rule 46** of the **2010 Rules of the Presidential Electoral Tribunal<sup>1</sup>** ("PET Rules") with regard to the conduct of the technical examination, the said rule is **INAPPLICABLE** in this case because the technical examination requested in this Motion is **limited to the technical examination of the voters' signatures appearing on the EDCVL as against the voters' signatures appearing on the VRRs.**

6. On the other hand, the technical examination contemplated by **Rule 46** of the **2010 PET Rules** pertains to the technical examination of the ballots and election returns in support of the objections made in the course of the revision of votes. As mentioned earlier, protestant Marcos is not asking for the judicial recount and revision of the **two thousand seven hundred fifty six (2,756)** protested clustered precincts of Lanao Del Sur, Maguindanao, and Basilan.

7. In view of the foregoing, it is respectfully submitted that the conduct of the technical examination of the voters' signatures appearing on the EDCVL as against the voters' signatures appearing on the VRRs in each of the **two thousand seven hundred fifty six (2,756)** protested clustered precincts of Lanao Del Sur, Maguindanao, and Basilan is now proper pursuant to **Rule 47** of the **2010 PET Rules** which empowers this Honorable Tribunal to grant the motion for technical examination in its discretion and under such conditions as it may impose.

8. This Motion is without prejudice to the conduct of **TECHNICAL EXAMINATION** and **FORENSIC INVESTIGATION** of

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<sup>1</sup> A.M. No. 10-4-29-SC

the paper ballots and/or the ballot images, voter's receipts, election returns, audit logs, transmission logs, the lists of voters, particularly the Election Day Computerized Voter's List (EDCVL), and voters registration records (VRRs), the books of voters and other pertinent election documents and/or paraphernalia used in the elections, as well as the automated election equipment and records such as the Vote Counting Machines (VCM), Consolidation and Canvass System (CCS) units, Secure Digital (SD) cards (main and back up), and the other data storage devices containing electronic data and ballot images in in each of the **two thousand seven hundred fifty six (2,756)** protested clustered precincts of Lanao Del Sur, Maguindanao, and Basilan that functioned during the 09 May 2016 National and Local Elections.

### **P R A Y E R**

**ACCORDINGLY**, it is most respectfully prayed of this Honorable Tribunal to immediately **DIRECT** the **CONDUCT** of **TECHNICAL EXAMINATION** of the voters' signatures appearing on EDCVL as against the voters' signatures appearing on the VRRs in each of the **two thousand seven hundred fifty six (2,756)** protested clustered precincts of Lanao Del Sur, Maguindanao, and Basilan during the 09 May 2016 National and Local Elections by the handwriting experts of the COMELEC.


Other reliefs, just and equitable under the premises, are also prayed for.

City of Manila, Philippines, **July 10, 2017.**

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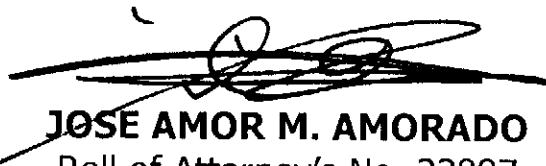
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**NOTICE OF SUBMISSION**

**THE CLERK OF THE TRIBUNAL**

Presidential Electoral Tribunal

Padre Faura, Manila

**ATTY. ROMULO B. MACALINTAL**  
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**THE SOLICITOR GENERAL**  
134 Amorsolo Street  
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*Greetings:*

Please take notice that the foregoing *Motion for Technical Examination* shall be submitted for the consideration and approval of this Honorable Tribunal immediately upon receipt hereof.



**GEORGE ERWIN M. GARCIA**

**EXPLANATION**

[Pursuant to Rule 30 and 31 of the PET Rules in relation to Section 11, Rule 13 of the 1997 Rules of Civil Procedure]

Copies of the foregoing *Motion for Technical Examination* were served to the above-mentioned parties by registered mail, personal service being impractical due to distance, time and manpower constraints.



**GEORGE ERWIN M. GARCIA**

**AFFIDAVIT OF SERVICE**

(Revised as of April 1, 1994)

I, **Jerry C. Guevarra**, a clerk of the G.E. GARCIA Law Office with office address at Ground Floor, LAIKO Bldg., Cabildo St., Intramuros, City of Manila, after being duly sworn, do hereby depose and say:

That on JUL 10 2017, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

**"MOTION FOR TECHNICAL EXAMINATION"**

In **PET Case No. 005** entitled "**FERDINAND "BONGBONG" R. MARCOS, JR., Protestant, -versus- MARIA LEONOR "LENI DAANG MATUWID" G. ROBREDO, Protestee**", pursuant to Sections 3, 4, 5 and 10, Rule 13 of the Rules of Court, as follows:

***By Registered Mail:***

***R. R. Nos.***

**ATTY. ROMULO B. MACALINTAL**  
c/o Sardillo Sardillo Salom Law Office  
Unit 802, Taipan Place, F. Ortigas Avenue  
Ortigas Center, Pasig City

NO 76568596432

**THE SOLICITOR GENERAL**  
134 Amorsolo Street  
Legaspi Village, 1229 Makati City

NO 76564557822

By depositing a copy at the post office in Manila, as evidenced by Registry Receipt(s) No(s) and indicated after the name(s) of the addressee(s), and with instructions to the postmaster to return the mail to the sender after ten (10) days if undelivered.

JUL 10 2017, Manila, Philippines.

**JERRY C. GUEVARRA**  
*Affiant*

**SUBSCRIBED AND SWORN** to before me this JUL 10 2017 at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

Doc. No. 69  
Page No. 14  
Book No. 01  
Series of 2017.

**ATTY. PEDRO D. GENATO**  
Notary Public until Dec. 31, 2017  
Notarial Commission 2016-011 Mla.  
BP# 1009339 Pasig 09-24-15 until 2017  
PTR# 5939951 - Mla. 1-3-2017  
Roll# 12088, TIN# 132-436-687  
MCLE Compl. No. V-0005232 until 4-14-19

**VERIFIED DECLARATION**

I, **JERRY C. GUEVARRA**, a clerk of the G.E. GARCIA Law Office with office address at Ground Floor, LAIKO Bldg., Cabildo St., Intramuros, City of Manila, hereby declare that the document/s (and annexes thereof) hereto submitted electronically in accordance with the Efficient use of Paper Rule is/are complete and true copy/ies of the document/s **"MOTION FOR TECHNICAL EXAMINATION"** in **PET Case No. 005** entitled **FERDINAND "BONGBONG" R. MARCOS, JR., Protestant, -versus- MARIA LEONOR "LENI DAANG MATUWID" G. ROBREDO, Protestee,** filed with the Presidential Electoral Tribunal.

Signature: \_\_\_\_\_  
Printed Name: **Jerry C. Guevarra**  
Position: Staff  
Date:   JUL 10 2017  , 2017

**SUBSCRIBED AND SWORN** to before me this   JUL 10 2017    
at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

\_\_\_\_\_  
Person Administering Oath

Doc. No.   70   ;  
Page No.   10   ;  
Book No.   41   ;  
Series on 2017.

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**ATTY. PEDRO D. GENATO**  
Notary Public until Dec. 31, 2017  
Notarial Commission 2016-011 Mla.  
IB# 1009339 basig 09-24-15 until 2017  
PTR# 5931951 - Mla. 1-3-2017  
Roll# 12088, TIN# 132-436-687  
**MCLE Compl. No. V-0005232 until 4-14-19**