

Republic of the Philippines
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila

FERDINAND "BONGBONG" R. MARCOS, JR.,

Protestant,

-versus-

MARIA LEONOR "LENI DAANG MATUWID" G. ROBREDO,

Protestee.

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PRESIDENTIAL ELECTORAL TRIBUNAL
RECEIVED
JUN 01 2017
BY: *Licky*
TIME: *3:00* *0/100 filed*

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

MOTION FOR DECRYPTION AND PRINTING OF BALLOT IMAGES

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.

2. **Rule 29(a)**¹ of the *2010 Rules of the Presidential Electoral Tribunal (2010 PET Rules)* enumerated the items to be considered during the preliminary conference, which includes among others, such other matters as may aid in the prompt disposition of the election protest.

¹ RULE 29. Preliminary conference. – (a) Purpose. – After the filing of the last pleading, the Tribunal shall order a preliminary conference to consider: (1) the possibility of obtaining stipulations or admissions of facts and documents to avoid unnecessary proof; (2) the simplification of the issues; (3) the limitation of the number of witnesses; (4) the most expeditious manner for the retrieval of ballot boxes containing the ballots, election returns, certificates of canvass and other election documents involved in the election protest; and (5) such other matters as may aid in the prompt disposition of the election protest or petition for quo warranto.

3. Anent thereto, it is respectfully submitted by protestant Marcos that the conduct of the decryption and printing of ballot images will not only aid this Honorable Tribunal in the prompt disposition of this election protest, but will likewise assist herein protestant in the preparation for the recount proceedings and the presentation of his evidence for the protest.

4. In view of the foregoing, protestant Marcos most respectfully moves for immediate decryption and printing of the ballot images from the relevant Secure Digital (SD) cards and/or other data storage devices in **EACH** of the **thirty six thousand four hundred sixty five (36,465)** protested clustered precincts which functioned in the following protested areas: **CEBU PROVINCE, LEYTE, NEGROS OCCIDENTAL, NEGROS ORIENTAL, MASBATE, ZAMBOANGA DEL SUR, ZAMBOANGA DEL NORTE, BUKIDNON, ILOILO PROVINCE, BOHOL, QUEZON PROVINCE, BATANGAS, WESTERN SAMAR, MISAMIS ORIENTAL, CAMARINES SUR, 2ND DISTRICT OF NORTHERN SAMAR, PALAWAN, ALBAY, ZAMBOANGA SIBUGAY, MISAMIN OCCIDENTAL, PANGASINAN, ISABELA, ILOILO CITY, BACOLOD CITY, CEBU CITY, LAPU-LAPU CITY and ZAMBOANGA CITY** during the 09 May 2016 National and Local Elections.

5. The decryption and printing of the ballot images shall be conducted and supervised by the Election Records and Statistics Departments (ERSD) of the Commission on Elections (COMELEC).

6. This Motion is without prejudice to the conduct of **JUDICIAL RECOUNT/REVISION, TECHNICAL EXAMINATION** and **FORENSIC INVESTIGATION** of 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 each of the of the **thirty six thousand four hundred sixty five (36,465)** protested clustered precincts that functioned in the above-identified provinces/areas during the 09 May 2016 National and Local Elections.

PRAYER

ACCORDINGLY, it is most respectfully prayed of this Honorable Tribunal to **DIRECT** the COMELEC-ERSD to **CONDUCT** the **DECRYPTION** and **PRINTING** of the ballot images from the relevant Secure Digital (SD) cards and/or other data storage devices in **EACH** of the **thirty six thousand four hundred sixty five (36,465)** protested clustered precincts which functioned in the following protested areas: **CEBU PROVINCE, LEYTE, NEGROS OCCIDENTAL, NEGROS ORIENTAL, MASBATE, ZAMBOANGA DEL SUR, ZAMBOANGA DEL NORTE, BUKIDNON, ILOILO PROVINCE, BOHOL, QUEZON PROVINCE, BATANGAS, WESTERN SAMAR, MISAMIS ORIENTAL, CAMARINES SUR, 2ND DISTRICT OF NORTHERN SAMAR, PALAWAN, ALBAY, ZAMBOANGA SIBUGAY, MISAMIN OCCIDENTAL, PANGASINAN, ISABELA, ILOILO CITY, BACOLOD CITY, CEBU CITY, LAPU-LAPU CITY and ZAMBOANGA CITY** during the 09 May 2016 National and Local Elections.

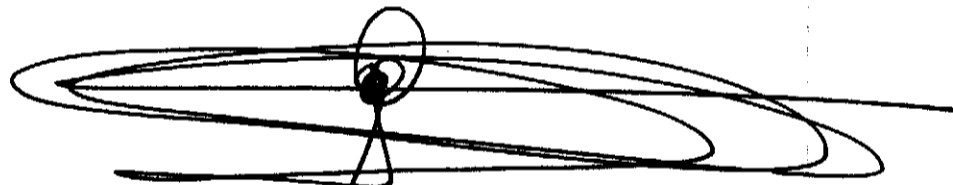
Other reliefs, just and equitable under the premises, are also prayed for.

City of Manila, Philippines, **01 June 2017.**

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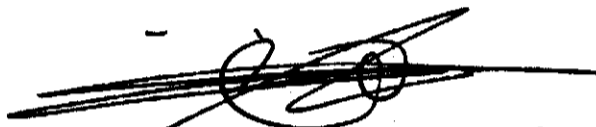
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NOTICE OF SUBMISSION

THE CLERK OF THE TRIBUNAL

Presidential Electoral Tribunal

Padre Faura, Manila

ATTY. ROMULO B. MACALINTAL

Lead Counsel for Protestee Robredo

c/o Sardillo Sardillo Salom Law Office

Unit 802, Taipan Place, F. Ortigas Avenue,

Ortigas Center, Pasig City

TRC #: TRO 7SD 648392 77

Marcos v. Robredo

PET Case No. 005

Motion for Decryption and Printing

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

M. 750 448401 22

Greetings:

Please take notice that the foregoing *Motion for Decryption and Printing of Ballot Images* 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 Decryption and Printing of Ballot Images* 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 June JUN 01 2017, 2017, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

"MOTION FOR DECRYPTION AND PRINTING OF BALLOT IMAGES"

In **PET Case No. 005** entitled "**FERDINAND 'BONGBONG' R. MARCOS, JR., Protestant, -versus- MARIA LEONOR 'LENI DAANG MATUWID' G. ROBREDO, Protested**", 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

1075064839232

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

1075064840122

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.

June JUN 01 2017, 2017, Manila, Philippines.

JERRY C. GUEVARRA
Affiant

JUN 01 2017

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

Doc. No. 37
Page No. 8
Book No. 30
Series of 2017.

ATTY. PEDRO D. GENATO
Notary Public until Dec. 31, 2017
Notarial Commission 2016-011 Mla.
IBP# 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 DECRYPTION AND PRINTING OF BALLOT IMAGES**" 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: JUN 01 2017, 2017

JUN 01 2017

SUBSCRIBED AND SWORN to before me this _____
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. 38 ;
Page No. 8 ;
Book No. 33 ;
Series on 2017.

ATTY. PEDRO B. GENATO
Notary Public until Dec. 31, 2017
Notarial Commission 2016-011 Mla.
IBP# 1009339 Pasig 09-24-15 until 2017
PTR# 5939951 - 3078 1-3-2017
Roll# 12083, TIR# 112-456-687
MCLE Compl. No. V-0005232 until 4-14-19