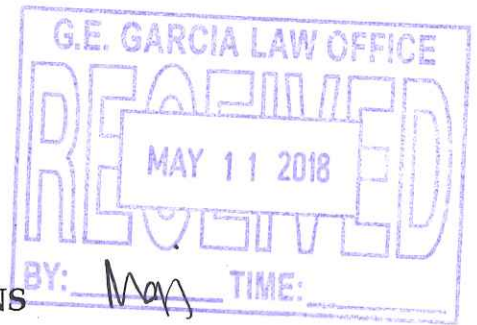




Republic of the Philippines  
**COMMISSION ON ELECTIONS**  
Manila



**SECOND DIVISION**

**ABDUSAKUR M. TAN,**  
*Protestant,*

-versus-

**EPC No. 2016-37**

**MUJIV S. HATAMAN,**  
*Protestee.*

x-----x

**NOTICE**

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Commission on Elections  
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PRESIDENTIAL ELECTORAL  
TRIBUNAL  
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**ATTY. ALLEN FRANCIS B. ABAYA**  
Clerk of Court of the Commission  
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Commission on Elections  
Intramuros, Manila (x)

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**DR. SAGA D. MABANING**  
Chief, Judicial Records Division  
Electoral Contests Adjudication  
Department (ECAD)  
Commission on Elections  
Intramuros, Manila (x)

**GREETINGS:**

Attached is a copy of the ORDER issued by the Commission (Second Division) on May 10, 2018 in the above-entitled case.

Given this 11th day of May 2018, Manila, Philippines.

FOR THE DIVISION:

**JOHN GERALD B. DE LA CRUZ**  
Division Clerk of Court of the Commission

By:

*Manuel T. Lucero*  
**MANUEL T. LUCERO**  
Attorney IV

Encl. as stated:  
(x) personal delivery  
(y) registered mail w/return card

/mvst



*Republic of the Philippines*  
**COMMISSION ON ELECTIONS**  
*Manila*

**SECOND DIVISION**

**ABDUSAKUR M. TAN,**  
*Protestant,*

*- versus -*

**EPC No. 2016-37**

**MUJIV S. HATAMAN,**  
*Protestee.*

X- - - - - X

**ORDER**

This treats the Motion 1. *To Allow Protestant to Defray the Cash Deposit for Technical Examination on Installments* 2. *And Partial Compliance; and* 3. *To Allow Protestant to Allocate the Unused Cash Deposit for Recount of Ballots for Payment of Fees for Technical Examination* filed by the protestant through counsel on May 2, 2018.

Per records of the Finance Services Department (FSD) of this Commission as of May 8, 2018, the protestant has a remaining cash deposit of Two Million Four Hundred Thirty-Seven Thousand Seven Hundred Ninety-Three Pesos (P 2,437,793.00) after defraying initial expenses for the recount of ballots in the 167 protested precincts.

Considering that the cash deposit required for the technical examination of documents can be covered by the said unused cash deposit, the *Motion to Allow Protestant to Allocate the Unused Cash Deposit for Recount of Ballots for Payment of Fees for Technical Examination*



is hereby **GRANTED** with the condition that in the event that the remaining balance of the cash deposit be insufficient for the residual incidents of the protest case, the protestant shall be made to pay the fourth and succeeding installments of the cash deposit which were declared suspended by the Commission (Second Division) in its *Order* issued on August 31, 2017,<sup>1</sup> pursuant to Section 2, Rule 11 of Comelec Resolution No. 8804 (*Comelec Rules of Procedure on Disputes in an Automated Election System*).<sup>2</sup>

**ACCORDINGLY**, the Commission (Second Division) hereby **RESOLVES** to:

1. **DIRECT** the Division Chief of the Judicial Records Division (JRD), Electoral Contests Adjudication Department (ECAD) to coordinate within three (3) days from receipt hereof with the Chief of the Voters Identification Division (VID), Election Records and Statistics Department (ERSD) in connection with the delivery of the subject EDCVLs and VRRs to the said Division. The delivery shall be made with notice to the Commission (Second Division) and the parties;
2. **DIRECT** the VID-ERSD, under the direct supervision of its Division Chief, to conduct and complete the technical examination on the Book of Votes and/or Voter's Registration Records *vis-a-vis* the Election Day Computerized Voters List (EDCVL) relative to the subject 167 clustered precincts in accordance with the procedure set forth in Comelec Resolution No 10200 (*The Uniform Procedure and Payment of Fees on the Technical Examination of Election Documents Related to election Protest Cases Filed Before the Commission on Elections*) within six (6) months from commencement thereof. The Division Chief of the VID shall submit a monthly report to the Commission (Second Division) reflecting the status of the technical examination.

**SO ORDERED.**

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<sup>1</sup> Records, Volume V, page 2581

<sup>2</sup>-xxx- When the Commission determines that the circumstances so demand, as when the deposit has been depleted, it may require additional cash deposits. Any unused cash deposit shall be returned to the party making the same after complete termination of the protest or counter-protest.

Given this 10<sup>th</sup> day of May 2018, Manila, Philippines.

FOR THE DIVISION:

  
LUIE TITO F. GUIA  
*Presiding Commissioner*