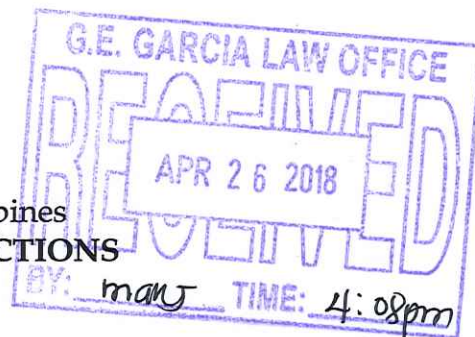




Republic of the Philippines
COMMISSION ON ELECTIONS
Manila



SECOND DIVISION

ABDUSAKUR M. TAN,
Protestant,

-versus-

EPC No. 2016-37

MUJIV S. HATAMAN,
Protestee.

x-----x

NOTICE

BRILLANTES ARCILLA MARTINEZ
DIOKNO & DELA CRUZ LAW
OFFICES

Counsel for Protestant Tan
105 ECJ Condominium Building
Real corner Arzobispo Streets
Intramuros, Manila (x)

ATTY. GEORGE ERWIN M. GARCIA
ATTY. JOAN M. PADILLA
(Counsel for Protestant Marcos in
PET Case No. 005)

G.E. GARCIA LAW OFFICE
G/F LAIKO Bldg., Cabildo St.
Intramuros, Manila (x)

THE SECRETARY
HOUSE OF REPRESENTATIVES
ELECTORAL TRIBUNAL
Electoral Tribunal Building
Commonwealth Avenue,
Quezon City (x)

THE SECRETARY
SENATE ELECTORAL TRIBUNAL
COA-NCR Building
Batasan Road, Quezon City (x)

ATTY. ROMULO B. MACALINTAL
ATTY. ANTONIO CARLOS B.
BAUTISTA

ATTY. MA. JINEL G.
MACALINTAL-BAUTISTA
Counsel for Protestee Hataman
(Counsel for Protestee Robredo in PET
Case No. 005)
13 Cagayan Valley Street
Philamlife Village, Las Piñas City (x)

SANTIAGO CAIRO REY
ARBOLADURA LAW OFFICES
Collaborating Counsel for the Protestee
2/F Raha Sulayman Bldg.
108 Benavides Street
1229 Legaspi Village, Makati City (x)

DIR. ESTER VILLAFLOR-ROXAS
Director IV
Election Records Statistics Department
Commission on Elections
Intramuros, Manila (x)

MS. LOLITA D. ZARA
Chief, VID-RSD
Commission on Elections
Intramuros, Manila (x)

THE SECRETARY
PRESIDENTIAL ELECTORAL
TRIBUNAL
Supreme Court of the Philippines
Padre Faura, Manila (x)

ATTY. ALLEN FRANCIS B. ABAYA
Clerk of Court of the Commission
Electoral Contests Adjudication
Department
Commission on Elections
Intramuros, Manila (x)

MR. MARCELO MENDEZ
Ballot Box Custodian
Philpost Warehouse
Delpan, Tondo, Manila (x)

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 April 26, 2018 in the above-entitled case.

Given this 26th day of April 2018, Manila, Philippines.

FOR THE DIVISION:


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

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

/mvst



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

SECOND DIVISION

ABDULSAKUR M. TAN,
Protestant,

- versus -

EPC No. 2016-37

MUJIV S. HATAMAN,
Protestee.

x-----x

ORDER

Finding the *Motion to Conduct Technical Examination (of the Voters' SIGNATURES and THUMBMARKS Appearing on the EDCVL and VRRs in the Pilot Protested Clustered Precincts)* filed by the protestant on April 12, 2018 to be in order, the Commission (Second Division) hereby **GRANTS** the same.

The records reveal that the protestant included in the prayer of the protest the *technical examination of the signatures and thumbmarks appearing in the Voter Registration Record (VRR), Book of Voters and the EDCVL in all the Protested Clustered Precincts of all the Municipalities of Basilan, Tawi-Tawi, Maguindanao and Lanao del Sur.*¹ The same prayer was likewise expressed in the Protestant's Preliminary Conference Brief when he moved for the *referral of the protest to signatures and thumbmark experts for the technical examination and comparison of the signatures and thumbmarks as appearing in the VRRs and in the EDCVL.*² The Commission (Second Division) then noted the manifestation in the Preliminary Conference Order.³

¹ Records, page 15.

² Id, 1,908.

³ Id, 2,191.

The Commission finds that it would be within the interest of the electorate of the Autonomous Region of Muslim Mindanao (ARMM) to allow the technical examination of the voting and election records to determine if there was massive substitution of voters as alleged by the protestant. The same shall aid the Commission (Second Division) in the determination of substantial recovery in the pilot protested precincts. Undeniably, the conduct of the technical examination is a reasonable, efficient and expeditious means to determine the truth or falsity of the allegation.

ACCORDINGLY, the Election Records and Statistics Department (ERSD) of this Commission is hereby directed to conduct the technical examination of the Election Day Computerized Voters List (EDCVL) and Voter's Registration Records (VRR) in the 167 pilot protested precincts relative to the instant case herein enumerated and indicated in the subject *Motion* :

Akbar, Basilan:	Lantawan, Basilan:	Tuburan, Basilan:	Tabuan-lasa, Basilan:
<i>Precinct ID No.</i>	<i>Precinct ID No.</i>	<i>Precinct ID No.</i>	<i>Precinct ID No.</i>
07080002	070030011	07070001	07130001
07080005	070030020	07070003	07130003
07080006	070030009	07070004	07130006
07080009	070030010	07070005	07130010
07080011	070030017	07070006	07130011
	070030025	07070007	07130013
Sumisip, Basilan:		07070009	07130015
<i>Precinct ID No.</i>	<i>Precinct ID No.</i>	07070010	07130016
07050003	07050026	07070012	
07050004	07050027	Sultan Kudarat, Maguindanao:	
07050007	07050028	<i>Precinct ID No.</i>	<i>Precinct ID No.</i>
07050008	07050029	38120008	38120049
07050009	07050033	38120015	38120050
07050011	07050034	38120019	38120051
07050013	07050035	38120020	38120052
07050014	07050036	38120021	38120053
07050015	07050037	38120026	38120058
07050016	07050038	38120032	38120059
07050022	07050039	38120033	38120060
07050023	Barira, Maguindanao:	38120034	38120061
07050024	<i>Precinct ID No.</i>	38120036	38120062
City of Lamitan, Basilan:	38180005	38120046	38120068

<i>Precinct ID No.</i>	38180006	38120047	38120074
07020019	38180008		38120075
07020020	38180009	Datu Odin Sinsuat, (Dinaig)	
07020021	38180010	<i>Precinct ID No.</i>	<i>Precinct ID No.</i>
07020023	38180011	38070002	38070066
07020031	38180014	38070006	38070067
07020034	38180015	38070008	38070072
07020035	38180018	38070018	38070073
07020036	Pandag, Maguindanao	38070019	38070074
07020059	<i>Precinct ID No.</i>	38070023	38070075
07020063	38330002	38070026	38070082
	38330003	38070027	38070085
	38330005	38070030	38070089
	38330010	38070031	38070049
	38330012	38070032	38070050
Taraka, Lanao Del Sur:		38070033	38070051
<i>Precinct ID No.</i>	<i>Precinct ID No.</i>	38070034	38070052
36270002	36270019	38070035	38070053
36270003	36270020	38070036	38070054
36270004	36270022	38070039	38070056
36270005	36270026	38070044	38070046
36270006	36270028	38070045	38070047
36270007	36270029	38070060	38070048
36270008	36270030	38070061	38070064
36270009	36270031	38070062	38070065
36270013	36270033		
36270017	36270035		
36270041	36270039		
36270043	36270040		

The Commission (Second Division) hereby **DIRECTS** the Judicial Records Division (JRD), Electoral Contests Adjudication Department under the direct supervision of its Division Chief to deliver the VRRs and EDCVLs pertaining to the protested precincts stored at the Comelec Philpost Warehouse to the Election Records and Statistics Department (ERSD), with prior notice to the parties who may wish to send their respective representatives to accompany the same. The Division Chief of the JRD is hereby directed to coordinate with the ERSD concerning the date, time and place of the delivery.


The Director IV of the ERSD shall make all the necessary steps to ensure the smooth and prompt conduct of the proceedings until its completion, in accordance with 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).

SO ORDERED.

Given this 26th day of April 2018, Manila, Philippines.

FOR THE DIVISION:


LUE TITO F. GUIA
Presiding Commissioner