



REPUBLIC OF THE PHILIPPINES
SENATE ELECTORAL TRIBUNAL



FRANCIS N. TOLENTINO,
Protestant,

- versus -

SET CASE NO. 001-16

LEILA M. DE LIMA,
Protestee.

X- -----X

NOTICE OF RESOLUTION

SIR/MADAM:

Attached hereto is a copy of **Resolution No. 16-79** of the Senate Electoral Tribunal dated 22 November 2017 in the above-entitled case.

Please acknowledge receipt hereof.

Quezon City, 27 November 2017.

Very truly yours,

Walwa

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Acting Secretary of the Tribunal

Copy furnished:

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SET LEGAL SERVICE

SET FINANCIAL MANAGEMENT SERVICE

SET HUMAN RESOURCES MGT. SERVICE

**SET INFORMATION AND COMMUNICATION
SYSTEMS AND JUDICIAL RECORDS
MANAGEMENT SERVICE**



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 – 79

The Tribunal resolves to CONFIRM the following resolutions issued by the Executive Committee:

1. **Resolution No. 16-66** dated 28 September 2017 GRANTING Protestant Tolentino an extension of fifteen (15) days from 28 September 2017, or until 13 October 2017, within which to file his Comment on the written explanation of the COMELEC on the impact of the proposed system date change of the Consolidation and Canvassing System (CCS) laptops.
2. **Resolution No. 16-67** dated 10 October 2017 GRANTING Protestant Tolentino a non-extendible period of ten (10) days from 02 October 2017, or until 12 October 2017, within which to designate his substitute pilot precincts with warning that failure to identify within the given period shall be deemed as a withdrawal of fifty-four (54) clustered precincts from his list of pilot precincts.
3. **Resolution No. 16-68** dated 11 October 2017 GRANTING the request of the HRET for authority or clearance to decrypt and print the picture

images of the ballots pertaining to the clustered precincts of Panglima Sugala (Balimbing), Turtle Islands, South Ubian, Languyan and Sapa Sapa of the Province of Tawi-Tawi for its use in connection with HRET Case No. 16-007 (*Ajihil vs. Sahili*), *provided, however*, that SET and the parties in the instant election protest shall be given prior notice of the decryption activity; *provided, further*, that the parties shall be allowed to observe the decryption and printing of the picture images of the ballots.

4. **Resolution No. 16-69** dated 11 October 2017 which resolved to GRANT accreditation to all revisors, alternate revisors, supervisors, and counsel of the parties which are included in their respective lists.
5. **Resolution No. 16-70** dated 11 October 2017, which
 - a. GRANTED the request of Protestee de Lima, to photocopy the objected and claimed ballots and other election documents and paraphernalia, such as the Minutes of Voting and Counting (MOVs), Election Returns (ERs), Initialization Reports, Audit Log Reports, and Voter's Receipts from each of the precincts to be revised, subject to the conditions set forth in the Resolution; and
 - b. REQUIRED Protestant Tolentino to inform the Tribunal within two (2) days from receipt of the Resolution whether or not he will also photocopy the objected and claimed ballots, as well as the Minutes of Voting and Counting (MOVs), Election Returns (ERs), Initialization Reports, Audit Log Reports, and Voter's Receipts from each of the precincts to be revised.
6. **Resolution No. 16-71** dated 18 October 2017, GRANTING accreditation to the legal counsel of Protestant Tolentino listed in Annex "A" of his *Manifestation* dated 11 October 2017.
7. **Resolution No. 16-72** dated 18 October 2017, which
 - a. GRANTED the *Ex-Parte Motion* of Movant Ma. Leonor G. Robredo to observe the revision proceedings, subject to the following conditions:
 - 1) Only one representative may be allowed to enter the revision area at any given time. The substitution of representative shall take place during break time so as not to disturb the proceedings;

alternate revisors,

2. Bringing of personal belongings such as bags, mobile phones, electronic devices, gadgets, writing instruments, as well as folders and printed materials inside the revision area;
 3. Bringing of cameras inside the revision area and taking pictures of the proceedings; and
 4. Handling of any of the ballots or election documents.
- b. DENIED Movant Robredo's request to observe the appreciation proceedings as these deliberations are no different from judicial deliberations which are considered confidential and privileged;
- c. REQUIRED Movant to submit the names, addresses, contact numbers and "1 x 1" ID pictures of her representatives immediately upon receipt of the Resolution; and
- d. DIRECTED the Human Resources Management Service of the Tribunal to issue the necessary Identification Cards to Movant's representatives, namely: Atty. Reagan de Guzman, Atty. Maria Bernadette V. Sardillo, Atty. Emilio Maranon III, Ronnill Carlo Enriquez, Aileen Tangonan, Fernando Javines and Vey Brillantes to allow them access to the revision room.
8. **Resolution No. 16-73** dated 24 October 2017 which REQUIRED Protestant Francis N. Tolentino to comment within five (5) days from receipt of the Resolution on Protestee de Lima's *Urgent Motion* dated 16 October 2017, praying for the dismissal of the instant Election Protest due to Protestant Tolentino's alleged permanent appointment as Head of the Office of the Political Adviser, under the Office of the President, on 27 June 2017.

9. **Resolution No. 16-74** dated 24 October 2017, which Resolved to:

- a. NOTE without action for being moot and academic Protestee de Lima's *Manifestation and Motion* dated 16 October 2017 reiterating her request for a page on "Additional Comments and Observations" to reflect the data on the Voter's Receipts; and
- b. NOTE the compliance, albeit belatedly, of Protestee de Lima with Resolution No. 16-65 dated 14 September 2017, by making a cash deposit on 09 October 2017 in the amount Thirty-Two Thousand Pesos (P32,000.00), as evidenced by Official Receipt No. 2183830.

10. **Resolution No. 16-75** dated 24 October 2017 GRANTING accreditation to the additional alternate revisors of Protestant Tolentino listed in Annex "A" of his *Manifestation with Motion for Leave* dated 18 October 2017.

11. **Resolution No. 16-76** dated 25 October 2017 which Resolved to GRANT accreditation to the additional party counsel of Protestant Tolentino contained in his *Motion to Admit* dated 23 October 2017, and to the additional alternate revisors of Protestee de Lima listed in her *Compliance* dated 23 October 2017.

12. **Resolution No. 16-77** dated 25 October 2017 which REQUIRED Protestant Tolentino to comment within five (5) days from receipt of the Resolution on Protestee de Lima's *Motion to Cite Protestant Tolentino In Contempt* dated 23 October 2017.


13. **Resolution No. 16-78** dated 6 November 2017 which Resolved to REQUIRE Protestant Tolentino to PROVIDE a photocopying machine and ensure that the same must be in good working condition every day from the start of photocopying until completion; and to SUBMIT the names and "1 x 1" ID pictures of his representatives who will observe the conduct of photocopying activities, both within two (2) days from receipt of the Resolution.

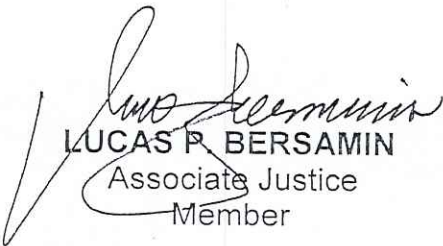
SO ORDERED.

22 November 2017.



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson

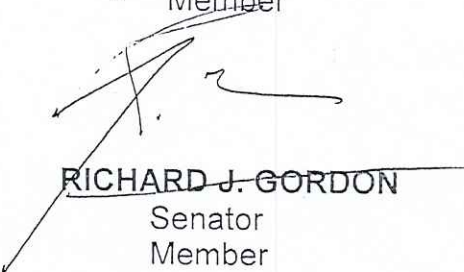

TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Member


LUCAS P. BERSAMIN
Associate Justice
Member


JOEL VILLANUEVA
Senator
Member


GRACE L. POE
Senator
Member


MA. LOURDES "NANCY" S. BINAY
Senator
Member


RICHARD J. GORDON
Senator
Member


FRANKLIN M. DRILON
Senator
Member

ANTONIO "SONNY" F. TRILLANES IV
Senator
Member