



Republic of the Philippines  
Presidential Electoral Tribunal  
Manila

NOTICE

Sirs/Mesdames:

*Please take notice that the Tribunal issued a Resolution dated NOVEMBER 6, 2018, which reads as follows:*

**“P.E.T. Case No. 005** (Ferdinand ‘Bongbong’ R. Marcos, Jr. vs. Maria Leonor ‘Leni Daang Matuwid’ G. Robredo).- Acting on the following Incident Reports relative to the on-going revision of ballots, the Tribunal Resolved to

(i) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 13 (Precincts 28A, 28B, 29A and 29B), Brgy. Haring, Canaman, Camarines Sur, at Table No. 21, which reads ‘Wet and spoiled ballots’; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots;

(ii) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 16 (Precincts 0033A, 0033B and 0034A), Brgy. Mangayawan, Canaman, Camarines Sur, at Table No. 2, which reads ‘Wet/Spoiled Ballots’; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots;

(iii) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 21 (Precincts 42A, 42B, 43A and 43B), Brgy. San Agustin, Canaman, Camarines Sur, at Table No. 8, which reads ‘Wet/Spoiled Ballots’; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots;

(iv) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 11 (Precincts 0024A and 0024B), Brgy. Fundado, Canaman, Camarines Sur, at Table No. 30, which reads ‘Spoiled Ballots/Spoiled Ballot Box’; **DIRECT** the Revision Committee to **REVISE** the decrypted



ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots and ballot box;

(v) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 02 (Precincts 3A, 4A and 5A), Brgy. Dinaga (Pob.), Canaman, Camarines Sur, at Table No. 20, which reads 'Wet/Spoiled Official Ballots'; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots;

(vi) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 22 (Precincts 44A, 44B, 45A and 45B), Brgy. San Agustin, Canaman, Camarines Sur, at Table No. 21, which reads 'Wet/Spoiled Ballots, damaged ballot box'; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots and ballot box;

(vii) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 8 (Precincts 0015A, 0015B, 0016A, 0017A and 0017B), Brgy. Baras (Pob.), Canaman, Camarines Sur, at Table No. 44, which reads 'Wet/Spoiled Ballots'; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots;

(viii) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 26 (Precinct 50A), Brgy. San Juan, Canaman, Camarines Sur, at Table No. 18, which reads 'Wet/Spoiled Ballots'; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots;

(ix) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 7 (Precincts 0012A, 0012B, 0013A and 0014A), Brgy. Baras (Pob.), Canaman, Camarines Sur, at Table No. 17, which reads 'Wet/Spoiled Ballots; ballot box also heavily damaged; ballots and other contents removed and placed in PET-provided plastic storage box'; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from



notice hereof, the above condition of the ballots and ballot box;

(x) **NOTE** the Incident Report dated October 18, 2018 re: Clustered Precinct No. 28 (Precincts 0053A, 0053B and 0054A), Brgy. San Roque, Canaman, Camarines Sur, at Table No. 26, which reads 'Water in ballot box, Soaked Ballots'; **DIRECT** the Revision Committee to **REVISE** the decrypted ballot images; and **REQUIRE** the Municipal Treasurer of Canaman, Camarines Sur, to **EXPLAIN**, within ten (10) days from notice hereof, the above condition of the ballots;

(xi) **NOTE** the Incident Report dated October 19, 2018 re: Clustered Precinct No. 21 (Precincts 53A, 54A, 54B and 54C), Brgy. Bolilao, Dumangas, Iloilo, at Table No. 47, which reads 'No ER for national positions inside ballot box'; and **DIRECT** the Revision Committee to (1) **RETRIEVE** the decrypted election return and (2) **CONTINUE** thereafter the revision using the decrypted election return; and


(xii) **NOTE** the Incident Report dated October 19, 2018 re: Clustered Precinct No. 3 (Precincts 6A and 6B), Brgy. Buenaflor Embarkadero (Pob.) Dumangas, Iloilo, at Table No. 18, which reads 'No ER in Ballot Box; ER provided by Comelec does not contain national positions'; and **DIRECT** the Revision Committee to (1) **RETRIEVE** the decrypted election return and (2) **CONTINUE** thereafter the revision using the decrypted election return.

The Court further Resolved to

(a) **NOTE** the Letter dated October 22, 2018 of Atty. Michael L. Garcia, Division Clerk of Court, Commission on Elections (COMELEC), and **GRANT** his request for authority, approval and/or clearance for the temporary prior custody of the ballot boxes and recount of ballots and other documents and storage devices relative to EPC No. 2016-35 (Anuoar R. Abdulrauf vs. Arafat Salic) for the position of Vice Mayor, Marawi City, Province of Lanao del Norte, involving the therein enumerated clustered precincts in Marawi, Lanao Del Norte;

(b) **NOTE** the following comments on protestee Maria Leonor G. Robredo's Fourth Manifestation of Grave Concern with Urgent Motion for the Immediate Investigation of the Leaked Data from the Province of Camarines Sur dated September 10, 2018, filed in compliance with the resolution dated September 18, 2018:

(i) Comment dated October 22, 2018  
filed by counsel for Atty. Glenn A. Chong; and





(ii) Comment dated October 20, 2018  
filed by counsel for protestant Ferdinand  
'Bongbong' R. Marcos, Jr.; and

(c) **NOTE** the Letter dated October 19, 2018 of Atty.  
Jose M. Tolentino, Jr., Executive Director, COMELEC, and  
**GRANT** the request of Lorna Veronica B. Nuevo, Municipal  
Treasurer, Naval, Biliran, for authority to transfer the ballot  
boxes used in the 2016 Elections from the Municipal Bodega  
to the vacant room within the Health Center Building.

Acting on the Manifestation of Appreciation for Sustaining Rule 43  
(L) of the 2010 Rules of the Presidential Electoral Tribunal with Omnibus  
Motion (for [i] Partial Reconsideration and/or Clarification of PET  
Resolution dated September 18, 2018 with Regard to the Amendment of  
Rule 62 of the PET Revisor's Guide and the Directive to the Head Revisors  
to Refer to the Election Returns [ERs] to Mimic or Verify the Total Number  
of Votes as Read and Counted by the Vote Counting Machines [VCMs]; and  
[ii] Partial Reconsideration of the Denial of Protestant's Strong Opposition  
[on the use of Decrypted Ballot Images for the Judicial Revision and  
Recount of Ballots for the Pilot Protested Precincts Subject of this Election  
Protest]) dated October 5, 2018 filed by counsel for protestant Marcos, Jr.,  
the Court Resolved to **AWAIT** the comment required in the resolution  
dated October 16, 2018.

The Tribunal further Resolved, upon the recommendation of the  
PET Commissioners, to **APPROVE** the following Guidelines in the  
Appreciation of Ballots under the Automated Election System (Ballot  
Appreciation Guidelines), which shall supersede and replace the existing  
Guidelines approved on January 16, 2018:

The Presidential Electoral Tribunal (PET), the sole judge of all  
contests relating to the election, returns and qualifications of the President or  
Vice-President pursuant to Section 4, Article VIII of the Constitution,  
hereby adopts and promulgates the following *PET Guidelines in the  
Appreciation of Ballots under the Automated Election System*.

### **GUIDELINES IN THE APPRECIATION OF BALLOTS UNDER THE AUTOMATED ELECTION SYSTEM**

#### ***General Doctrines:***

1. The object of appreciation of ballots is to ascertain and  
carry into effect the **intention of the voter**, if it can be determined  
with reasonable certainty.<sup>1</sup> The cardinal objective in ballot

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<sup>1</sup> *Cordia v. Monforte*, 599 Phil. 729, 734 (2009).



appreciation is to discover and give effect to, rather than frustrate, the intention of the voter.<sup>2</sup>

2. In the reading and appreciation of ballots, every ballot shall be presumed to be valid unless there is clear and good reason to justify its rejection.<sup>3</sup> Extreme caution is observed before any ballot is invalidated and doubts are resolved in favor of the ballot's validity.<sup>4</sup>

3. The power of the Tribunal in the appreciation of ballots is not limited to the ballots claimed or objected to by the parties during the revision proceedings.

4. The burden of proof is on the party alleging irregularities in the casting of votes in protested precincts. Evidence *aliunde* must be presented to prove allegations of fraud and election irregularities.

5. Picture images of the ballots have the same evidentiary weight as the official physical ballots. The printouts thereof are the functional equivalent of the paper ballots.<sup>5</sup>

6. Picture images of the ballots are to be used only when it is first shown that the official ballots are lost or their integrity have been compromised. The rules adopted for the proceedings consider the official ballots to be the primary or best evidence.<sup>6</sup>

## I. Specific Objections

The following are illustrations of objections:

### A. Spurious Ballot (SB)

Spurious ballots are those ballots which were not issued by the COMELEC and do not contain the security features. Official Ballots where the signature of the Board of Election Inspectors (BEI) chairperson is different when compared to his/her signature appearing in the other ballots and other election paraphernalia are also considered spurious.

#### 1. Lack of the security features – Fake Ballots (SB – FAKE)

<sup>2</sup> *Locsin v. House of Representatives Electoral Tribunal*, 706 Phil. 590, 604 (2013).

<sup>3</sup> OMNIBUS ELECTION CODE, Sec. 211.

<sup>4</sup> *Locsin v. HRET*, supra note 2.

<sup>5</sup> *Vinzons-Chato v. House of Representatives Electoral Tribunal*, 702 Phil. 40, 59-60 (2013).

<sup>6</sup> *Maliksi v. COMELEC*, 709 Phil. 265, 282 (2013).

The ballot is spurious for lack of any of the security features of official ballots. In the 2016 National and Local Elections, the security features of the official ballots under COMELEC Resolution No. 16-0471<sup>7</sup> are the following:

- a) **Timing Marks** – The black square marks that run along all sides, upper and bottom of the ballot. Said timing marks are printed on the front and back of the ballot.
- b) **Ultra-Violet Ink Mark** – Security features using UV ink are the Philippine Flag found at the middle portion of the ballot, and the National Printing Office (NPO) logo UV mark at the right top portion of the ballot. The UV marks are not visible to the naked eye and require ultra violet ray lamp for visual detection.
- c) **Box for Signature of BEI chairperson** – The box where the BEI chairperson signs his/her name.
- d) **Ballot ID** – An eight-digit code consisting of the province code (first two digits), municipal code (next two digits), and the clustered precinct (last four digits)
- e) **Precinct in Cluster** – An enumeration of the established precincts comprising the Clustered Precinct.
- f) **Bar Code** – Rectangular shapes representing the ballot ID and variable ballot serial number which appears above the timing marks. Said shapes are different for every ballot. After a certain serial number is read by the Vote-Counting Machine (VCM), the VCM will reject the ballot which contains the same number for having been previously scanned.

2. **Different signatures of BEI chairperson (SB – BEI)**

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<sup>7</sup> Promulgated July 19, 2016.



The ballot is spurious if the signature of the BEI chairperson in the ballot is *glaringly* different from that of the BEI chairperson as appearing on other election documents. If the differences in signature of BEI on the ballot and other election documents are not glaring, the ballot must be admitted.

The failure of the BEI Chairperson to sign or initial a ballot will not invalidate the ballot. To rule otherwise would disenfranchise the voters and place a premium on official ineptness and make it possible for a small group of functionaries, by their negligence or their deliberate inaction, to frustrate the will of the electorate.

**B. Substituted Ballot (SuB)**

Substituted ballots are ballots where the ballot ID on the paper ballot does not match the precinct assigned ballot ID, *i.e.*, the ballots of a different precinct were mixed with the ballots of the contested precinct.

**C. Shaded by One (SBO)**

SBO ballots are two or more ballots which were filled-up by one person. Evidence *aliunde* must be presented as proof. If no evidence *aliunde* is presented, the ballots shall be admitted by the Tribunal.

**D. Shaded by Two or More (SBT)**

SBT ballots are those which clearly appear to have been filled up by two or more distinct persons. Evidence *aliunde* must be presented as proof. If no evidence *aliunde* is presented, the ballots shall be admitted by the Tribunal.

**E. Marked Ballot (MB)**

Marked ballots are those which are marked by the voter himself/herself for the purpose of identifying the ballot as the one accomplished by him/her. Two elements must concur to invalidate a marked ballot: a.) voter must have placed the mark himself/herself and b.) mark was placed deliberately for the purpose of identifying the voter or the ballot. Unintentional marks made by the voter or by some other person do not invalidate the ballot.<sup>8</sup>

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<sup>8</sup> *Locsin v. House of Representatives Electoral Tribunal*, supra note 2 at 604-605.

**Kinds of Markings:****1. Marked Ballot due to Unnecessary Markings (MB-UM)****a) The following are examples of markings:**

- 1) names, signatures, initials of voters; erasures of the candidates' names, written names of candidates, the words "valid," "rejected" if written by the voter;
- 2) irrelevant or impertinent expressions, comments and epithets prominently written by the voter in order to identify him/her or the ballot; and
- 3) use of marking which is prominent from a distance.

**b) The following are NOT considered as markings:**

- 1) Ink smudges;
- 2) Ink bled or blots;
- 3) Dirt on the face of the ballots which seems to be unintentional;
- 4) Random finger prints, unless they are clearly made to easily identify the ballot or the voter;
- 5) Any other unintentional markings, which are not prominent from a distance; and
- 6) Desistance Markings, which may be:
  - a. Lines indicative of desistance (LID);
  - b. "X" marks or cross marks indicative of desistance (XID);



c. Erasure indicative of desistance (EID); and

d. Signs/Symbols indicative of desistance (SID)

2. **Marked Ballot due to Over-Voting in Positions other than the contested position (MB OV)**

An ordinary over-vote does not invalidate the ballot. It must be shown that the over-voting was done deliberately to mark the ballots.<sup>9</sup>

3. **Marked Ballot due to Pattern Voting (MB PV)**

Marked ballots due to pattern voting are those which were marked by several voters in an identical manner for the purpose of identifying themselves or their ballots. Evidence *aliunde* must be presented.<sup>10</sup> In the absence thereof, the ballot should be admitted.<sup>11</sup>

**F. Pre-Shaded Ballot (PSB)**

Pre-shaded ballots are ballots which have been shaded prior to the conduct of the elections. Evidence *aliunde* is required to prove pre-shading; otherwise, the ballot shall be admitted.

**G. No Stated Objection (NSO)**

The parties must specify their objections to the ballots based on the objections listed above. Otherwise, ballots, which have been objected to without specifying the grounds therefor according to the foregoing, shall be admitted.

**II. Claims**

The following are illustrations of claims on ballots:

**A. Ambiguous Votes (AV)**

Ballots with ambiguous votes are those where the intent of the voter cannot be readily seen upon cursory inspection. This may occur when the voter did not fully shade the oval next to the

<sup>9</sup> *Dominguez v. Dalog*, HRET Case No. 10-048, March 22, 2012.

<sup>10</sup> *Ermita v. Apacible*, HRET Case No. 10-035, October 15, 2012.

<sup>11</sup> *Dominguez v. Dalog*, supra note 9.



name of the candidate or when the voter placed a different mark on the oval (provided that the mark is not meant to identify the ballot). Extreme caution must be observed before any ambiguous vote is invalidated and doubts are to be resolved in favor of the validity of the vote.


### 1. **Admitted Ambiguous Vote (AAV)**

A claim for ballots with Ambiguous Votes shall be admitted in the following circumstances:

- a) the shade made by the voter on the oval next to the name of the claimant is clear and well-defined (**Clear Shading Rule**); or
- b) the shade made by the voter on the oval next to the name of the claimant is not clear or is otherwise ambiguous, but the same is consistent with his/her manner of shading for the other positions (**Uniform Shading Rule**); or
- c) the voter, instead of shading the oval to indicate his/her vote, made a different mark for the contested position (e.g., check (✓) mark), but such marking as manner of voting by the voter is consistent for the other positions in the ballot (**Uniform Marking Rule**).

### 2. **Rejected Ambiguous Vote (RAV)**

A claim for ballots with Ambiguous Votes shall be rejected in the following circumstances:

- a) the shade on the oval next to the name of the claimant is not clear or appears to have been made inadvertently and is inconsistent with the manner of shading for the other positions; or
- b) the oval next to the name of the claimant contains a mark which is inconsistent with the markings made for other positions; *i.e.*, the voter placed an "X" 



mark on the oval for the contested position but placed check (✓) marks for the other positions; or

- c) the voter placed any other mark which indicate his/her desistance from voting for the claimant; or
- d) the voter, instead of shading the oval next to the claimant's name, placed marks outside such oval, unless they fall under the Uniform Marking Rule.

## B. Ballots with Over-Votes

Over-votes occur where the voter voted for more than the allowed number of votes for a position (*i.e.*, more than 1 for the position of President or Vice-President). The vote will NOT be counted for any of the candidates.

### 1. Admitted Over-Vote (AOV)

A claim on an over-vote shall be admitted and counted for the claimant if:

- a) there is actually only one vote cast for the contested position as when the oval next to the name of the claimant is clearly shaded (**Clear Shading Rule**) and the shaded ovals for other candidates have marks indicating desistance; or
- b) the shaded ovals for other candidates have marks indicating desistance, while the shading of the oval for the claimant is not clear or is otherwise ambiguous, but the same is consistent with the voter's shadings for other elective positions (**Uniform Shading Rule**); or
- c) the shaded ovals for other candidates have marks indicating desistance, while the oval next to the name of the claimant is not shaded but contains marks consistent with the voter's manner of



voting for the other positions (**Uniform Marking Rule**).

## **2. Rejected Over-Vote (ROV)**

A claim on an over-vote shall not be admitted for the claimant in the following instances:

- a) Where the voter shaded clearly more than one oval in the contested position and there are no marks indicating desistance from voting for any candidate in that position, the vote shall not be counted for either protestant or protestee; or
- b) If the shaded ovals for the other candidates have markings indicating desistance but the shading made by the voter on the oval for the claimant is not clear and not otherwise consistent with his/her manner of voting for the other elective positions; and
- c) If the shaded ovals for other candidates have marks indicating desistance and the oval for the claimant contains marks not consistent with the voter's manner of voting for the other elective positions.

## **C. Machine-Rejected Ballots (MRB)**

Machine-Rejected Ballots are ballots not read by the machines when fed during the election.

### **1. Admitted Machine-rejected Ballot (AMRB)**

A claim on a vote on a machine-rejected ballot may be admitted in favor of a party if, upon physical examination thereof, it is found to contain a valid vote for the claimant; provided the ballot is authentic (contains all the security features of an official ballot) and belongs to the contested clustered precinct concerned and is not otherwise a marked ballot (MB).

### **2. Rejected Machine-rejected Ballot (RMRB)**

A claim on a vote on a machine-rejected ballot may be rejected if the ballot does not contain a vote for the claimant even if the ballot does not suffer from any



infirmity, OR the ballot contains a vote for the claimant but the ballot suffers from an infirmity.

#### D. No Specific Claim (NSC)

The parties must specify the grounds for their claims on ambiguous votes, ballots with over-votes and machine-rejected ballots. Otherwise, their claims shall be denied.

### *Summary of Claims, Objections, and Rulings*

#### 1. WHEN TO REJECT BALLOTS

SPECIFIC OBJECTION	MANNER OF IDENTIFICATION IF VOTE SHOULD BE REJECTED	DESCRIPTION	RULING/ CODE
Spurious Ballot – because ballot is fake.	Check the presence of security features: a.) timing marks b.) ultra violet mark c.) box for signature of BEI chairperson d.) ballot ID e.) precinct in cluster f.) bar code	The ballot lacks one or more of the security features of a genuine ballot	SB-FAKE
Spurious Ballot – because the signatures of the BEI Chairperson, as appearing on the ballot and the other election documents, are different	Compare the signature of the BEI chairperson on the ballot with those found in other election documents	The signature of the BEI chairperson on the ballot is <b><u>glaringly different</u></b> from those found in other election documents	SB-BEI
Substituted Ballot	The Ballot ID does not match the precinct – assigned Ballot ID	The ballot pertains to another precinct	SuB
Shaded by One	Evidence <i>aliunde</i> is necessary to prove SBO	Two or more ballots were shaded by one person as proven by evidence <i>aliunde</i>	SBO



Shaded by Two or more	Evidence <i>aliunde</i> is necessary to prove SBT	One ballot was shaded by two or more persons as proven by evidence <i>aliunde</i>	SBT
Marked Ballot due to Unnecessary Markings	Unnecessary markings are found on the face or back of the ballot	The ballot contains unnecessary markings made by the voter to identify himself/herself or the ballot	MB-UM
Marked Ballot due to Over-Voting	Examine the votes in positions other than the one contested	The ballot contains votes in excess of the allowed number of candidates for an office other than in the contested position made by the voter for the purpose of identifying himself/herself or the ballot.	MB-OV
Marked Ballot due to Pattern Voting	Evidence <i>aliunde</i> is necessary to prove MB-PV	Several ballots contain markings made in an identical manner by several voters for the purpose of identifying themselves or the ballots	MB-PV
Pre-Shaded Ballot	Evidence <i>aliunde</i> is necessary to prove PSB	Ballot was shaded prior to the conduct of the elections.	PSB

## 2. WHEN TO ADMIT BALLOTS

SPECIFIC OBJECTION	MANNER OF IDENTIFICATION	DESCRIPTION	RULING/ CODE
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	IF VOTE SHOULD BE ADMITTED		
Spurious Ballot – because ballot is fake.	Determine the presence of security features	Contains all the security features of a genuine ballot	Not Spurious Ballot (NSB)
Spurious Ballot – because the signatures of the BEI Chairperson, as appearing on the ballot and the other election documents, are different	Compare the signature of the BEI chairperson on the ballot with those found in other election documents	The signature of the BEI chairperson on the ballot is similar to his/her signatures found in the other election documents  The difference between the BEI signatures is not glaring  BEI Chairperson failed to sign the ballot	Not Spurious Ballot (NSB)
Substituted ballot	The ballot ID matches the precinct-assigned ballot ID and/or the ballot ID in the ballot images	Ballots found inside the ballot box belong to the contested precinct concerned	Not Substituted Ballot (NSub)
Shaded by One	Evidence <i>aliunde</i> is necessary to prove SBO	Each ballot is shaded by a different person; no evidence <i>aliunde</i> is presented to prove the allegation or evidence presented is insufficient to prove SBO	Not Shaded By One (NSBO)
Shaded by Two or more	Evidence <i>aliunde</i> is necessary to prove SBT	Each ballot is shaded by one person only; no evidence <i>aliunde</i> is presented to prove the allegation or evidence presented is insufficient to prove SBT	Not Shaded By Two (NSBT)



Marked Ballot due to Unnecessary Markings	Examine the markings	The ballots contain markings <b>not</b> made by the voter himself/herself and/or not made to identify the voter or the ballot	Not Marked Ballot (NMB)
Marked ballot due to pattern voting	Evidence <i>aliunde</i> is necessary to prove MB-PV	The ballots contain markings <b>not</b> made in identical manner by several voters.  No evidence <i>aliunde</i> is presented to prove the allegation or evidence presented is insufficient to prove MB-PV	Not Marked Ballot (NMB)
Marked ballots due to over-voting	Examine the votes in positions other than the one contested	1. No over-voting; or  2. Ballot contains votes in excess of the allowed number of candidates for an office other than the contested position but no indication that over-voting was made to identify the voter or the ballot	Not Marked Ballot (NMB)
Pre-shaded Ballot	Evidence <i>aliunde</i> is necessary to prove PSB	Evidence <i>aliunde</i> was not presented or insufficient to prove fact of pre-shading	Not Pre-Shaded Ballot (NPSB)
No specific objection	The ballot has an exhibit number but no specific objection in the Revision Report	Party-revisor objected but failed to specify objection	No Specific Objection (NSO)



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### 3. WHEN TO REJECT CLAIMS:

SPECIFIC CLAIM	DESCRIPTION	RULING / CODE
On Ambiguous Votes	<ol style="list-style-type: none"> <li>1. The oval next to the name of the claimant has a shading which is not clear or is ambiguous, or appears to have been made inadvertently, and is inconsistent with the voter's manner of shading for the other positions;</li> <li>2. The oval next to the name of the claimant contains a marking which is inconsistent with the markings made for the other positions to indicate the voter's vote; <i>e.g.</i>, the voter placed an "X" mark on the oval for the contested position but placed check (✓) marks for the other positions;</li> <li>3. The voter placed marks which indicate his/her desistance from voting for the claimant.</li> <li>4. The voter, instead of shading the oval next to the claimant's name, placed marks outside such oval, <u>unless it falls under the Uniform Marking Rule.</u></li> </ol>	Rejected Ambiguous Votes (RAV)
On Over-votes	1. Votes cast for more than	Rejected Over-Vote



	<p>one candidate for the contested position without any markings clearly showing desistance; or</p> <p>2. Votes for other candidates contain markings clearly showing desistance, and shading made by voter on oval for claimant is not clear or is otherwise ambiguous and not consistent with the voter's manner of voting for other positions.</p> <p>3. Votes for other candidates contain markings showing desistance, and the oval for claimant contains marks not consistent with the voter's manner of voting for other positions.</p>	(ROV)
On Machine-Rejected Ballots	<p>1. Ballot does not suffer from any infirmity but there appears no valid vote in favor of claimant; or</p> <p>2. Ballot suffers from an infirmity</p>	Rejected Machine-Rejected Ballot (RMRB)
No Specific Claim	When no ground for the claim is specified.	Rejected No Specific Claim (RNSC)

**4. WHEN TO ADMIT CLAIMS**

SPECIFIC CLAIM	DESCRIPTION	RULING / CODE
On Ambiguous Votes	1. The shading of the	Admitted Ambiguous Vote



	<p>oval next to the name of the claimant is clear and well-defined (<b>Clear Shading Rule</b>);</p> <p>2. The shade made by voter on the oval next to the name of the claimant is not clear or is ambiguous, but the same is consistent with the voter's manner of shading for the other positions (<b>Uniform Shading Rule</b>);</p> <p>3. The voter, instead of shading the oval next to the name of the claimant to indicate his/her vote, made a different mark for the contested position (e.g. check (✓) mark), but such marking as manner of voting by the voter is consistent for the other positions in the ballot (<b>Uniform Marking Rule</b>).</p>	(AAV)
On ballots with over-votes for the contested position	<p>1. The oval next to the name of the claimant is clearly and definitely shaded (<b>Clear Shading Rule</b>) while the shading of the ovals for other candidates is not well-defined or appears to have been made inadvertently;</p> <p>2. The shaded ovals for other</p>	Admitted Over-Vote (AOV)



	candidates for the same position have marks indicating desistance, while the oval next to the name of the claimant is shaded or contains marks consistent with the voter's manner of voting for the other elective positions <b>(Uniform Shading Rule or Uniform Marking Rule).</b>	
Machine-Rejected Ballots	The ballot does not suffer from any infirmity and there is a valid vote in favor of claimant.	Admitted Machine-Rejected Ballot (AMRB)

*(Original Signed)*  
**ANTONIO T. CARPIO**  
Senior Associate Justice  
Acting Chairperson

*(Original Signed)*  
**DIOSDADO M. PERALTA**  
Associate Justice

*(Original Signed)*  
**LUCAS P. BERSAMIN**  
Associate Justice

*(on official leave)*  
**MARIANO C. DEL CASTILLO**  
Associate Justice

*(Original Signed)*  
**ESTELA M. PERLAS-BERNABE**  
Associate Justice

*(Original Signed)*  
**MARVIC M.V.F. LEONEN**  
Associate Justice

*(Original Signed)*  
**FRANCIS H. JARDELEZA**  
Associate Justice



November 6, 2018

*(Original Signed)*  
**ALFREDO BENJAMIN S.  
CAGUIOA**  
Associate Justice

*(Original Signed)*  
**NOEL GIMENEZ TIJAM**  
Associate Justice

*(Original Signed)*  
**ANDRES B. REYES, JR.**  
Associate Justice


*(on official leave)*  
**ALEXANDER G. GESMUNDO**  
Associate Justice

*(on official leave)*  
**JOSE C. REYES, JR.**  
Associate Justice

*(Original Signed)*  
**RAMON PAUL L. HERNANDO**  
Associate Justice

The above Ballot Appreciation Guidelines shall be published once in a newspaper of general circulation." Del Castillo, Gesmundo and Reyes, J., Jr., JJ., on official leave. (1a)

Very truly yours,

  
**EDGAR O. ARICHETA**  
Clerk of the Tribunal

**Atty. George Erwin M. Garcia and  
Atty. Joan M. Padilla (x)**  
*Counsels for the Protestant*  
G.E. Garcia Law Office  
Ground Floor Laiko Building  
372 Cabildo Street  
Intramuros, 1002 Manila

**(Ret.) Justice Jose C. Vitug (x)**  
373 Matienzo Street, San Miguel, Manila

**Atty. Angelito C. Imperio (x)**  
17 Third Street, Saint Ignatius Village  
Quezon City

**Atty. Irene Ragodon-Guevarra (x)**  
Lot 12, Blk 25 Carnation Street  
Primrose Hills Subdivision  
Mahabang Parang, Angono, Rizal

**Atty. Romulo B. Macalintal (x)**  
*Lead Counsel for the Protestee*  
Sardillo Sardillo Salom Law Office  
Unit 802, Taipan Place  
F. Ortigas Avenue  
Ortigas Center, Pasig City

**The Revision Committee for Clustered Precinct  
(CP) No. 13 (Precincts 28A, 28B, 29A and 29B),  
Brgy. Haring, Canaman, Camarines Sur,  
at Table No. 21 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of Incident Report [IR] dated October  
18, 2018 re: CP No. 13 [Precincts 28A, 28B, 29A  
and 29B], Brgy. Haring, Canaman, Camarines Sur)



**The Municipal Treasurer (reg)**  
Office of the Municipal Treasurer  
Canaman, Camarines Sur  
(with copies of [i] [IR] dated October 18, 2018 re: CP No. 13 [Precincts 28A, 28B, 29A and 29B], Brgy. Haring, Canaman, Camarines Sur; [ii] IR dated October 18, 2018 re: CP No. 16 [Precincts 0033A, 0033B and 0034A] Brgy. Mangayawan, Canaman Camarines Sur; [iii] IR dated October 18, 2018 re: CP No. 21 [Precincts 42A, 42B, 43A and 43B] Brgy. San Agustin, Canaman, Camarines Sur; [iv] IR dated October 18, 2018 re: CP No. 11 [Precincts 0024A and 0024B], Brgy. Fundado, Canaman, Camarines Sur; [v] IR dated October 18, 2018 re: CP No. 2 [Precincts 3A, 4A and 5A], Brgy. Dinaga [Pob.], Canaman, Camarines Sur; [vi] IR dated October 18, 2018 re: CP No. 22 [Precincts 44A, 44B, 45A and 45B] Brgy. San Agustin, Canaman, Camarines Sur; [vii] IR dated October 18, 2018 re: CP No. 8 [Precincts 0015A, 0015B, 0016A, 0017A and 0017B], Brgy. Baras [Pob.] Canaman, Camarines Sur; [viii] IR dated October 18, 2018 re: CP No. 26 [Precinct 50A] Brgy. San Juan, Canaman, Camarines Sur; [ix] IR dated October 18, 2018 re: CP No. 7 [Precincts 0012A, 0012B, 0013A and 0014A] Brgy. Baras [Pob.], Canaman, Camarines Sur; and [x] IR dated October 18, 2018 re: CP No. 28 [Precincts 0053A, 0053B and 0054A], Brgy. San Roque Canaman, Camarines Sur)

**The Revision Committee for CP No. 16 (Precincts 0033A, 0033B and 0034A) Brgy. Mangayawan, Canaman Camarines Sur, at Table No. 2 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 16 [Precincts 0033A, 0033B and 0034A], Brgy. Mangayawan, Canaman Camarines Sur)

**The Revision Committee for CP No. 21 (Precincts 42A, 42B, 43A and 43B) Brgy. San Agustin, Canaman Camarines Sur, at Table No. 8 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 21 [Precincts 42A, 42B, 43A and 43B], Brgy. San Agustin Canaman, Camarines Sur)

**The Revision Committee for CP No. 11 (Precincts 0024A and 0224B), Brgy. Fundado, Canaman, Camarines Sur, at Table No. 30 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 11 [Precincts 0024A and 0024B] Brgy. Fundado, Canaman, Camarines Sur)

**The Revision Committee for CP No. 02 (Precincts 3A, 4A and 5A), Brgy. Dinaga (Pob.) Canaman, Camarines Sur, at Table No. 20 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 02 [Precincts 3A, 4A and 5A] Brgy. Dinaga [Pob.], Canaman, Camarines Sur)

**The Revision Committee for CP No. 22 (Precincts 44A, 44B, 45A and 45B) Brgy. San Agustin, Canaman Camarines Sur, at Table No. 21 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 22 [Precincts 44A, 44B, 45A and 45B] Brgy. San Agustin, Canaman, Camarines Sur)

**The Revision Committee for CP No. 8 (Precincts 0015A, 0015B, 0016A, 0017A and 0017B), Brgy. Baras (Pob.), Canaman, Camarines Sur, at Table No. 44 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 8 [Precincts 0015A, 0015B, 0016A, 0017A and 0017B], Brgy. Baras [Pob.] Canaman, Camarines Sur)

**The Revision Committee for CP No. 26 (Precinct 50A), Brgy. San Juan, Canaman, Camarines Sur, at Table No. 18 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 26 [Precinct 50A] Brgy. San Juan, Canaman, Camarines Sur)

**The Revision Committee for CP No. 7 (Precincts 0012A, 0012B, 0013A and 0014A), Brgy. Baras (Pob.), Canaman Camarines Sur, at Table No. 17 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018 re: CP No. 7 [Precincts 0012A, 0012B, 0013A and 0014A], Brgy. Baras [Pob.] Canaman, Camarines Sur)





**The Revision Committee for CP No. 28**  
**(Precincts 0053A, 0053B and 0054A)**  
**Brgy. San Roque, Canaman**  
**Camarines Sur, at Table No. 26 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 18, 2018  
re: CP No. 28 [Precincts 0053A, 0053B and  
0054A], Brgy. San Roque  
Canaman, Camarines Sur)

**The Revision Committee for CP No. 21**  
**(Precincts 53A, 54A, 54B and 0054C)**  
**Brgy. Bolilao, Dumangas, Iloilo**  
**at Table No. 47 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 19, 2018  
re: CP No. 21 [Precincts 53A, 54A, 54B  
and 0054C], Brgy. Bolilao, Dumangas, Iloilo)

**The Revision Committee for CP No. 3**  
**(Precincts 6A and 6B), Brgy. Buenaflor**  
**Embarkadero (Pob.) Dumangas, Iloilo**  
**at Table No. 18 (x)**  
c/o PET Office  
SC-CA Compound  
Supreme Court, Manila  
(with copy of IR dated October 19, 2018  
re: CP No. 3 [Precincts 6A and 6B],  
Brgy. Buenaflor Embarkadero [Pob.]  
Dumangas, Iloilo)

**Chairperson Sheriff M. Abas (x)**  
**Atty. Jose M. Tolentino, Jr. (x)**  
Executive Director  
**Commissioner Robert S. Lim (x)**  
Project Director, 2016-AES Project  
**Commissioner Luie Tito F. Guia (x)**  
Commissioner-in-Charge,  
Random Manual Audit Committee  
**Ester L. Villaflor-Roxas (x)**  
Director IV  
Election Records and Statistics Department  
**Atty. Bartolome J. Sinocruz, Jr. (x)**  
Deputy Executive Director for Operations  
**Atty. Michael L. Garcia (x)**  
Division Clerk of Court  
Commission on Elections  
Intramuros, Manila

**Office of the Solicitor General (x)**  
134 Amorsolo Street  
Legaspi Village, 1229 Makati City

**Atty. Glenn Chong (x)**  
No. 1226 Acacia Street  
Dasmariñas Village, Makati City

**Lorna Veronica B. Nuevo (reg)**  
Municipal Treasurer  
Office of the Municipal Treasurer  
Naval, Biliran

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