

REPUBLIC OF THE PHILIPPINES  
SENATE ELECTORAL TRIBUNAL  
ELECTORAL TRIBUNAL BUILDING  
COMMONWEALTH AVENUE, QUEZON CITY

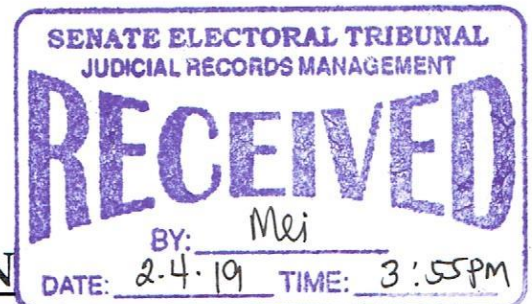
FRANCIS N. TOLENTINO,  
*Protestant,*

*-versus-*

SET Case No. 001-16

LEILA M. DE LIMA,  
*Protestee.*

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**URGENT MOTION**

(To Release the Results of Revision and Appreciation of Ballots in  
the 25% Pilot Protested Precincts)

Protestee, **LEILA M. DE LIMA** ("*De Lima*"), by counsel,  
respectfully states:

1. On 22 November 2018, this Honorable Tribunal issued Resolution No. 16-140 denying Tolentino's Motion to Suspend Proceedings and/or Archive the Protest.

2. Following such denial, Tolentino this time filed on 03 January 2019 his Motion to Withdraw. He reasons that he "*will have to indulge himself into few weeks from now, being a senatorial candidate in the upcoming May 2019 elections for which his undivided attention for the same is indispensable ...*". He also stated in his Motion that such withdrawal is borne out of pure employment of practicality, and by no means to be taken as a surrender of his cause in proving and exposing election fraud committed against him.

3. De Lima does not intend to interpose any objection to Tolentino's Motion. It is his prerogative and discretion to withdraw his baseless protest anytime, and save himself from a

very embarrassing inevitable defeat...again. However, Tolentino has publicly lashed out at De Lima claiming over and over that he was cheated and that De Lima was responsible. He claims that there were allegedly some two million votes that were not counted in his name<sup>1</sup>.

4. This is Tolentino's false narrative that he feeds the public who may be unaware of the true state of facts. For all those times that he maintains this claim, De Lima is shamed, ridiculed, and dishonored, and the integrity of the electoral process is viciously assaulted.

5. In order to stop the misinformation and to finally stop Tolentino from playing the victim, De Lima invokes the plenary authority of the Honorable Tribunal as the "sole judge" of electoral contests involving members of Congress,<sup>2</sup> and urges the Honorable Tribunal to not simply grant Tolentino's Motion and dismiss the entire protest but to make public the results of its initial determination of the concluded revision of pilot precincts pursuant to Rule 76 of the SET Rules of Procedure.

6. After all, the mere filing of the motion to withdraw protest does not by itself divest the Honorable Tribunal of its jurisdiction over the case. Jurisdiction, once acquired, is not lost upon the instance of the parties but continues until the case is terminated.<sup>3</sup>

7. As will be confirmed by the Honorable Tribunal, after the completion of the revision of the pilot protested precincts, Tolentino neither had a significant vote recovery nor was there a discovery of any fraud or irregularity that could substantiate his preposterous accusation.

8. More than the private interests of the parties, the public has the right to know that there was not an iota of truth to Tolentino's claims. It is most imperative for the Honorable

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<sup>1</sup> Read more: <https://newsinfo.inquirer.net/1080546/tolentino-withdraws-election-protest-vs-de-lima#ixzz5eUQPUqfZ> (visited 03 February 2019)

<sup>2</sup> Sec. 17, Art. VI, 1987 Constitution.

<sup>3</sup> Regina Ongsiako Reyes vs. Commission on Elections and Joseph Socorro B. Tan, G.R. No. 207264, October 22, 2013

Tribunal to make public the results of the revision proceedings and appreciation of the contested and claimed ballots as reflected in the Revision Reports.

9. When these official results are out in the open, Tolentino can finally make peace with the fact that he was not cheated. He was defeated, and there should be no shame in that.

**PRAYER**

WHEREFORE, premises considered, it is respectfully prayed of the Honorable Tribunal that the results of the revision proceedings of the pilot protested precincts, as well as the appreciation rulings made on the parties' contested and claimed ballots, as reflected in the Revision Reports be made public.

Other proper and just reliefs are likewise prayed for.

Quezon City, 04 February 2019.

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NOTICE**ATTY. CRISANTA V. VALERA***Acting Secretary of the Tribunal*

Senate Electoral Tribunal

COA-NCR Bldg., Batasan Road

Commonwealth Avenue, Quezon City

**GREETINGS:**

Kindly submit the instant *Urgent Motion* for the consideration and approval of this Honorable Tribunal immediately upon receipt hereof without further argument.


**TEDDY ESTEBAN F. RIGOROSO**
EXPLANATION ON SERVICE BY REGISTERED MAIL

In compliance with the Rules on Service of Pleadings, protestee will attempt to personally serve the foregoing **URGENT MOTION** upon protestant Tolentino's counsel. In the event, however, of an intermittent weather, lack of time, and due to limited personnel to effect personal filing and service, the same will be served by registered mail pursuant to Rule 22 of the Rules of the Tribunal.


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