



REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
INTRAMUROS, MANILA

IN THE MATTER OF THE DECLARATION OF FAILURE OF ELECTION IN CLUSTERED PRECINCT NO. 35, BARANGAY KATULI, SULTAN KUDARAT, MAGUINDANAO, ARMM; CLUSTERED PRECINCT NO. 7, BARANGAY BINUCAYAN, LORETO, AGUSAN DEL SUR AND CLUSTERED PRECINCT NO. 61, BARANGAY PALAYOG, HINIGARAN, NEGROS OCCIDENTAL

BAUTISTA, J. Andres D.	Chairman
LIM, Christian Robert S.	Commissioner
GUIA, Luie Tito F.	Commissioner
PARRENO, Al A	Commissioner
LIM, Arthur D.	Commissioner
GUANZON, Ma. Rowena Amelia	Commissioner
ABAS, Sheriff M.	Commissioner

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Promulgated on: May 12, 2016 *[Signature]*

RESOLUTION NO. 10135 *[Signature]*

WHEREAS, based on the May 11, 2016 Memorandum of Acting Election Officer (AEO) Estelita B. Orbase of Sultan Kudarat, Maguindanao, no election was held in Clustered Precinct (CP) No. 35, Barangay Katuli, Sultan Kudarat, Maguindanao comprised of established precinct numbers 0074A, 0075A, 0076A and 0077A with 703 registered voters, because the ballot box including other election paraphernalia, was forcibly taken by more or less 20 unidentified men during the conduct of elections thereat, causing the members of the Board of Election Inspectors (BEIs) to escape and nowhere to be found. The VCM Technician was able to secure the Vote Counting Machine (VCM). Attached to the Memorandum of AEO Orbase is the May 9, 2016 memorandum of Police Chief Inspector Esmael A. Madin, Chief of Police of Sultan Kudarat Municipal Police Station.

WHEREAS, no election was held in CP No. 7 of Barangay Binucayan, Loreto, Agusan del Sur, composed of established precinct nos. 0016A, 0017A, 0017B, 0018A and 0018B with 746 registered voters due to lack of 291 official ballots; and

WHEREAS, no election was conducted in CP No. 61, Barangay Palayog, Hinigaran, Negros Occidental, composed of established precinct nos. 0175A, 0176A, 0177A and 0177B with 685 registered voters, due to misdelivered official ballots.

NOW, THEREFORE, the Commission, pursuant to the powers vested in it by the 1987 Philippine Constitution, Omnibus Election Code, other related statutes, and Resolution No. 10129, **RESOLVED**, as it hereby **RESOLVES** to:

A. For Cluster No. 35, Barangay Katuli, Sultan Kudarat, Maguindanao:

1. Declare failure of elections.
2. Direct the:
 - a. MBOC to suspend the proclamation of the winning candidates;
 - b. Printing Committee to reprint the 703 Official Ballots;
 - c. Allocation Committee to provide the necessary election forms, supplies and paraphernalia for the conduct of special election;
 - d. Packing and Shipping Committee to deliver the official ballots to the Municipal Treasurer's Office (MTO), with notice to the Election Officer (EO) and the election forms, supplies and paraphernalia to the Office of the EO (OEO); and
 - e. EO, immediately upon receipt of the official ballots by the MTO, to notify all interested parties by posting the notice of the conduct of special election on **May 14, 2016 (Saturday)** in the bulletin boards of the OEO, municipal hall and barangay hall of Barangay Katuli, if any. The concerned Regional Election Director (RED) and Provincial Election Supervisor (PES) shall supervise and monitor the conduct of the special election.

B. For Cluster No. 7, Barangay Binucayan, Loreto, Agusan del Sur:

1. Direct the:
 - a. MBOC to suspend the proclamation of the winning candidates;
 - b. Printing Committee to reprint the 291 official ballots;
 - c. Packing and Shipping Committee to deliver the official ballots to the Municipal Treasurer's Office (MTO), with notice to the Election Officer (EO); and
 - d. Direct the EO, immediately upon receipt of the official ballots by the MTO, to notify all interested parties by posting the notice of the conduct of special election on **May 14, 2016 (Saturday)** in the bulletin boards of the OEO, municipal hall and barangay hall of Barangay Binucayan, if any. The concerned Regional Election Director (RED) and Provincial Election Supervisor (PES) shall supervise and monitor the conduct of the special election.

2. After casting of votes, the BEI shall manually count the ballots cast, prepare the election returns by indicating in the electronically transmitted results and adding the manually counted result.

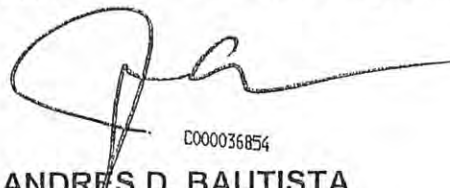
C. For Cluster No. 61, Barangay Palayog, Hinigaran, Negros Occidental:

1. Direct the EO, immediately upon receipt of the official ballots by the MTO, to notify all interested parties by posting the notice of the conduct of special election on **May 14, 2016 (Saturday)** on the bulletin board of the OEO, municipal hall and barangay hall of Barangay Palayog, if any. The concerned Regional Election Director (RED) and Provincial Election Supervisor (PES) shall supervise and monitor the conduct of the special election.

The Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) shall intensify efforts to ensure the holding of orderly and peaceful special elections in the aforementioned areas.

Let the Field Operations Group, Allocation Committee, Printing Committee, Packing and Shipping Committee and Project Management Office implement this Resolution.

SO ORDERED.



J. ANDRES D. BAUTISTA
Chairman



CHRISTIAN ROBERT S. LIM
Commissioner



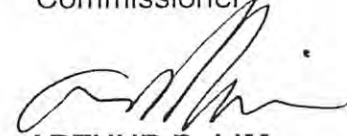
LUIE TITO F. GUIA
Commissioner



MARIA ROWENA AMELIA V. GUANZON
Commissioner



AL A. PARREÑO
Commissioner



ARTHUR D. LIM
Commissioner



SHERIFF M. ABAS
Commissioner