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Republic of the Philippines  
**SUPREME COURT**  
Manila

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2024 FEB 29 PM 12:00

**MAYOR DATU TUCAO O. MASTURA**  
For himself and as representative of the  
**MUNICIPALITY OF SULTAN KUDARAT,**  
**MAGUINDANAO DEL NORTE,** and the  
**LIGA NG MGA BARANGAY OF THE**  
**MUNICIPALITY OF SULTAN KUDARAT,**  
**MAGUINDANAO DEL NORTE**  
Represented by **BAI ALIYYAH NADRAH**  
**M. MACASINDIL,**

Petitioners,

271972

-versus-

G.R. No. \_\_\_\_\_  
For: Certiorari and Prohibition  
under Rule 65 of the Rules of  
Court with Prayer for Preliminary  
Injunction / Temporary Restraining  
Order / Status Quo Ante Order

Bangsamoro Transition Authority (BTA)  
and Hon. Ahod Balawag Ebrahim in his  
capacity as Interim Chief Minister of the  
Bangsamoro Autonomous Region in  
Muslim Mindanao (BARMM), and  
the Commission on Elections,  
Respondents.

X-----X

**VERY URGENT MOTION**  
**(TO CONDUCT SPECIAL RAFFLE)**

Petitioners **HON. DATU TUCAO O. MASTURA,** THE  
**MUNICIPALITY OF SULTAN KUDARAT,** PROVINCE OF  
**MAGUINDANAO DEL NORTE,** and THE **LIGA NG MGA**  
**BARANGAY OF SULTAN KUDARAT,** **MAGUINDANAO DEL**  
**NORTE,** through counsel and to the Honorable Court, very urgently  
move for the conduct of special raffle of the above-entitled case and  
state in support thereof: THAT ---

1.The Petition in this case ultimately seeks to assail the  
constitutionality of the Bangsamoro Autonomy Act No. 53 (hereafter,  
BAA No. 53) entitled "*An Act Creating the Municipality of Nuling in*

***the Province of Maguindanao del Norte, Providing Funds Therefor, and for Other Purposes***, which contains infirm provisions contradicting Sections 3 and 10 of Article X and (b) Section 26 of Article VI of the Constitution. In connection with the mandate of Section 10, Article X of the Constitution that the creation of a local government unit shall be in accord with the criteria established in the local government code, BAA No. 53 likewise violated pertinent provisions of the R.A. No. 7160 or the Local Government Code of 1991 and its Implementing Rules and Regulations (LGC-IRR, hereafter).

2. Now, there is the directive of BAA No. 53 under its Section 10 providing that the *“Act shall take effect after fifteen (15) days from its publication in the Bangsamoro Gazette or in one (1) newspaper of regional circulation”*. As the same had been published on 28 December 2023<sup>1</sup>, the fifteenth day fell on 12 January 2024. Counting sixty (60) days therefrom, which is the period for the conduct of the Plebiscite, such could be held anytime but not beyond 12 March 2024. Thus, there is a grave danger that the plebiscite may result into the ratification of an unconstitutional and void law.

3. The Petition in this case is also accompanied with the prayers that the respondents and other persons tasked to implement BAA No. 53 should be enjoined from doing so, and from holding the plebiscite and campaign period in connection with BAA No. 53, which should thereafter be permanently enjoined.

4. Further, there is no other plain, speedy, and adequate remedy in the ordinary course of law. Hence, petitioners are seeking the succor of the Honorable Court to issue an Order for injunctive relief, restraining and enjoining the holding of the plebiscite and the respondents from implementing BAA No. 35.

5. Thus, the instant very urgent motion for the conduct of Special Raffle.

### **PRAYER**

**WHEREFORE**, the above premises considered, it is most respectfully prayed of the Honorable Court to issue an Order granting the Very Urgent Motion for the conduct of Special Raffle due to the urgency of the Petition.

Other measures of reliefs, just and equitable under the premises, are equally prayed for.

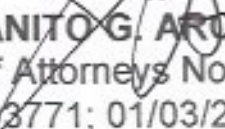
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<sup>1</sup>See Annexes “UU” and “VV” of the Petition


27 February 2024. City of Manila.

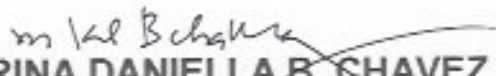
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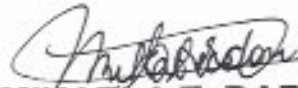
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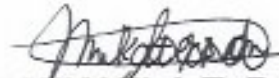
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**EXPLANATION**

Copies of the foregoing Motion were furnished to the above addressees by way of registered mail with return card due to time constraints, lack of manpower, and geographical distance to effect personal service.



**PATRICIA MIKAELA T. BARREDO**