



Republic of the Philippines
Department of Environment and Natural Resources
Document Action Tracking System
Document Routing Slip

Document No: DENRCO - FMS AD-2022-000491

Sender: Nillosan, Dña M.

Address: FMS - Accounting Division
Visayas Avenue, Diliman QC

Subject: INDO DTD 11/11/2022 REQUEST FOR NCA - P 300,000.00 -

RUSH PLS.
T.Y. PO
Deadline: Nov 15, 2022

Addressee(s): AS - Records Management Division (DENRCO - AS RMD)

CC Addressee(s):

Date/Time Received: 11/11/2022 01:23:00 PM

ROUTING AND ACTION INFORMATION				
FROM	DATE/TIME RECEIVED	FOR/TO	DATE/TIME RELEASED	ACCEPTANCE REMARKS/ACTION REQUIRED/TAKEN REMARKS/STATUS
	11/11/2022 01:25:15 PM	DENRCO - FMS AD		

DOA

11-11-22

Transmitted to DBM for your review
& initial please.
Thank you.

Asst. Dir.

Dr. PMS

11.11.22

For your comment/initial, pls.

Thank you.

DII. PMS 11/11/22

Asst. Dir. 11.11.22 attached letter for
signature pls. thank you.

Signed

Asst. Dir.
Dr.

11/14/22
11:25 am

RMD

11/14/2022

For mailing to CC - RMD DENR MIMAROPA,
original already forwarded to DBM.

Thank you!
Asst. Dir.

Anna

11/14/22

2:00

9/11

9/11

9/11

Dr. 2234

NCA. CC R+P

DBM 142 1337

ASOCT22-452

Rush, Pl. email
13/11

Pls. see deadline 15, 2022



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. (632) 929-66-26 to 29 • (632) 929-62-52
929-66-20 • 929-66-33 to 35
929-70-41 to 43

NOV 14 2022

SECRETARY AMENAH F. PANGANDAMAN
Department of Budget and Management
General Solano Street
San Miguel, Manila

Attention: **GEMMA G. ILAGAN**
OIC- Director, Budget and Management Bureau- E

Dear Secretary Pangandaman:

This refers to the memorandum of Atty. Gandhi G. Flores, Chief, Legal Division, DENR-MIMAROPA Region dated November 10, 2022. Atty. Flores is requesting for the issuance of Notice of Cash Allocation amounting to **Three Hundred Thousand Pesos (P300,000.00)**, for the refund of Cash Bond paid by Ms. Edna L. Dimagan.

Per attached certification of Director Marites B. Masarap, Director III, Accounting Service, Bureau of the Treasury, the deposited collections were credited to the account of the Provincial Environment and Natural Resources – Oriental Mindoro (10 001 05 00030), under Funding Source Code 07-308602. The amount requested above is a part of the amount certified.

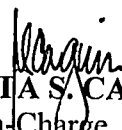
Attached are the following documents to support the request:

1. Certification from the Bureau of the Treasury dated October 19, 2022;
2. Copy of the Official Receipt No. 4712884 dated November 22 2016;
3. Letter request from Ms. Edna Dimagan dated May 12, 2022; and
4. Copy of Release Order signed by Ms. Ma Lourdes F. Ferrer dated August 20, 2020.

We hope that you find the documents in order. We look forward to the immediate release of our request.

Thank you.

Very truly yours,


ENGR. NONITA S. CAGUIOA
Officer-In-Charge,
Office of the Undersecretary for Finance,
Information Systems and Climate Change

Cc: **Regional Executive Director**
DENR-MIMAROPA Region



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. (632) 929-66-26 to 29 • (632) 929-62-52
929-66-20 • 929-66-33 to 35
929-70-41 to 43

NOV 14 2022

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Department of Budget and Management
General Solano Street
San Miguel, Manila

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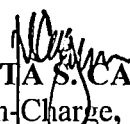
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Very truly yours,


ENGR. NONITA S. CAGUIOA
Officer-In-Charge,
Office of the Undersecretary for Finance,
Information Systems and Climate Change
H

Cc: **Regional Executive Director**
DENR-MIMAROPA Region



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

NOV 10 2022

MEMORANDUM

FOR : The Director, Financial Management Service

FROM : The Regional Executive Director

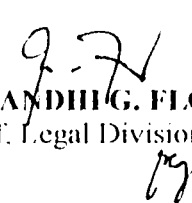
SUBJECT : **REQUEST TO ISSUE NOTICE OF CASH ALLOCATION (NCA)
IN THE AMOUNT OF THREE HUNDRED THOUSAND PESOS
PHP 300,000.00 FOR CASH BOND OF MS. EDNA L. DIMAGAN
UNDER MDS TRUST ACCOUNT**

Respectfully forwarding herewith is the request of PENRO Oriental Mindoro for the issuance of Notice of Cash Allocation (NCA) under MDS Trust Account No. 2050-90172-9 for the refund of the cash bond of Ms. Edna L. Dimagan amounting to Three Hundred Thousand Pesos Only (Php 300,000.00).

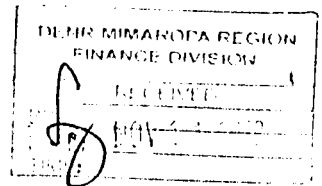
Attached herewith are the certification from Bureau of Treasury National Cash Accounting Division, Monthly Disbursement Program, Deposit Slip and other documents relevant on the said request.

For your information, consideration and approval

"For and in the Absence of the Regional Executive Director"


ATTY. GANDHI G. FLORES
Chief, Legal Division





November 04, 2022

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

THRU : Assistant Regional Director
Management Services Division

ATTN. : Chief Accountant

FROM : In-Charge, Office of the PENRO

SUBJECT : **REQUEST FOR THE ISSUANCE OF NOTICE OF CASH ALLOCATION TO COVER THE REFUND OF THE CASH BOND OF MS. EDNA L. DIMAGAN AMOUNTING TO THREE HUNDRED THOUSAND PESOS (P 300,000.00)**

We request the issuance of a Notice of Cash Allocation to cover the refund of a cash bond amounting to Three Hundred Thousand Pesos (P 300,000.00) in favor of Ms. Edna L. Dimagan. Please be informed that on September 4, 2020, we deposited the total amount of P 1,148,225.00 to the account of the Bureau of the Treasury, and part of this amount is the cash bond of Ms. Edna Dimagan which she is requesting to be refunded in her favor.

Please see the following details needed for the issuance of NCA:

Account Name : PENRO-ORMIN-TRUST
MDS Account No. : 2050-90172-9
LBP Branch : Calapan City

Attached is a copy of the Certification from the Bureau of Treasury acknowledging that the deposit was credited to their account, a letter request from Ms. Dimagan, a Cash Deposit Slip/OnColl Payment Slip, a Journal Entry Voucher, Trial Balance as of March 31, 2022, and other documents to support our request.

For consideration and approval.


ALMA E. GIBE

Ilang-Ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro



REPUBLIKA NG PILIPINAS
KAGAWARAN NG PANANALAPI
KAWANIHAN NG INGATANG - YAMAN
(BUREAU OF THE TREASURY)
Intramuros, Manila



Funding the Republic

MS. ALMA E. GIBE

In Charge, Office of the PENRO

Provincial Environment and Natural Resources Office - Oriental Mindoro

Department of Environment and Natural Resources-RO IVB

Suqui, Calapan City, Oriental Mindoro

Cert. No. 13D1-PVY-2022-2777

Date: 10/19/2022

CERTIFICATION

This is to certify that the following national collection/s was/were credited to the account of the Bureau of the Treasury per records of the National Cash Accounting Division.

National Government Agency Information

Agency Name: Department of Environment and Natural Resources (DENR) -
Office of the Secretary - PENRO Oriental Mindoro
Organization Code: 100010500030

Deposited Collections Information

Period Coverage: September 04, 2020

Bank Branch: LBP CALAPAN ORIENTAL MINDORO

Bank Branch Code: 0744

General Fund		Special Account in the General Fund		Trust Fund	
UACS Funding Source Code	Amount	UACS Funding Source Code	Amount	UACS Funding Source Code	Amount
	P0.00		P0.00	07 308602	P1,093,083.73
	P0.00		P0.00		P0.00

Amount in Figures: P1,093,083.73
Amount in Words: ONE MILLION NINETY THREE THOUSAND EIGHTY
THREE PESOS AND 73/100

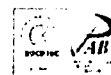
Purpose: For whatever legal purpose it may serve.

Further we require the Utilization/Disbursement Report relative to the above transaction/s be submitted to NCAD together with the succeeding request for Certification of Deposits or within 30 days upon receipt of this Certification. Attached for your ready reference is a sample format of the Utilization Report.

Signed by:

MARITES B. MASARAP
Director III, Accounting Service

ISO 9001:2015 Quality Management System
Certificate No.: SCP000233Q



Ayuntamiento Building, Cabildo Street corner A. Soriano Avenue, Intramuros, Manila 1002
Trunkline: (+632) 663-2287 URL: www.treasury.gov.ph

Re: January, 1992

**Official Receipt
of the
Republic of the Philippines**

Date 11-22-10

Fund

Nature of Collection

Account
Code

Amount

300,000.00

TOTAL

340.000. ~

[Signature]

☒ Cash.☐ Check☐ Money Order

Drawee
Bank

Number

Date _____

Received the amount stated above.

Collecting Officer

NOTE: Write the number and date of this receipt on the back of check or money order received.

Assessment of Fees and Charges

Date: Nov. 22, 2016

Address: Finasla, Cainta, Rizal

Nature of Application/Permit/Documents being secured

Cash Bond for the release of impounded/confiscated vehicle (refrigerator truck/

ran) w/ LTO Cert. Of Reg. No. 214091570, O.R. No. 634887203 and w/ Plate No. PIV 825

Legal Basis

No.	Description and Computation	Amount
1	Fees and Charges Assessed	

Amount

DAO 16 s.

2004

Other Payables (299999990)

(Cash Bond 125% of

Php 240,000.00)

300,000.00

300,000.00

Prepared By:

DOMINGO E. SANTOS

DIC, Chief, FMS


Approved By:

ELPIDIO E. ATIENZA

CENR Officer


ONCOLL PAYMENT SLIP

This is your receipt when machine validated

 LAND BANK OF THE PHILIPPINES ONCOLL PAYMENT SLIP		Date September 4, 2020	
Please check the appropriate mode of payment: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check <input type="checkbox"/> Debit from Account		MERCHANT/AGENCY NAME NATIONAL TREASURY DEPT BRIGIDA IV	
MERCHANT/AGENCY DEPOSIT ACCOUNT NUMBER 3402 2433 30		Printed Name and Signature of Payor/Depositor/Representative BRIGIDA A. DE ROSA	
Reference Number 1 D-1497		Teller's Validation	
Reference Number 2 DEBIT			
Reference Number 3 (Numeric) 2,148,225.00			
Amount P2,148,225.00			

CASH BREAKDOWN			CHECK PAYMENT		
NO. OF PIECES	DENOMINATION	AMOUNT	NAME OF BANK/BRANCH	CHECK NUMBER	AMOUNT
			DBP-CALAPAN	0098631008	P2,148,225.00
	P1,000.00				
	500.00				
	200.00				
	100.00				
	50.00				
	20.00				
	COINS				
TOTAL CASH PAYMENT					
AUTHORIZED SIGNATURE		DEBIT ACCOUNT ACCOUNT NAME ACCOUNT NUMBER AMOUNT			
Signature Verified By:		BANK'S USE ONLY - APPROVAL FOR DEBIT ACCOUNT Checked By:			
		Approved By:			
		Posted By:			

In view of check payment transaction, I hereby agree to pick-up any returned check at this branch upon notice at any stated address or contact number.

Depositor's Signature: 
 Address: **DBP-PISO**
 Tel. No.: **288-3006** Date: **9-4-2020**

May 12, 2022

MS. MARY JUNE F. MAYPA

PENR Officer

DENR PENRO , Calapan City

DENR-PENRO CALAPAN	
REGIONAL ENVIRONMENTAL AND NATURAL RESOURCES OFFICE	
RECEIVED BY:	<i>[Signature]</i>
DATE:	<i>[Signature]</i>

**Re: Request for Release of Cash Bond
and Permanent Release of Truck
With Plate No. PIV-825**

Dear Ms. Maypa,

The undersigned hereby request for the permanent release of truck van bearing plate no. PIV-825. Likewise, may I also request for the release of CASH BOND paid under Official Receipt OR No. 4712884 dated November 22, 2016 in the amount of Three Hundred Thousand Pesos (P300,000.00) involving the apprehended truck particularly, ISUZU ELF truck van bearing plate no. PIV 825.

Attached are the pertinent documents relative to the release of the vehicle under your custody.

1. Order dated August 14, 2017 issued by Regional Trial Court Branch 39 Calapan City entitled People of the Philippines vs. Gemma G. Tadeo et.al, docketed as Criminal Case No. CR 17-13-361
2. Letter dated November 25, 2021 from CEJR Officer Fodel M. Boyles
3. Notice of Issuance of Order by Atty. Gandhi Gagni-Flores September 22, 2020
4. Photocopy of Official Payment of Cash Bond
5. Photocopy of OR/CR of vehicle

Thank you very much.

Very truly yours,

[Signature]
EDNA L. DIMAGAN

101 Mulave Street Fina Asia Homes
San Isidro, Cainta, Rizal
Cellphone Number 099999943902



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Provincial Environment and Natural Resources Office

May 31, 2022

EDNA L. DIMAGAN
101 Mulave Street Fina Asia Homes
San Isidro, Cainta, Rizal

Dear Ms. Dimagan,

This refers to your letter dated May 12, 2022 which was received by this office on May 13, 2022, pertaining to your request for the release of Cash Bond of apprehended one (1) unit Isuzu Elf Van Truck with Plate# PIV-825 in the amount of Three Hundred Thousand Pesos (P300,000.00) only.

Please be informed that the cash bond you are requesting for release was deposited to the account of Bureau of Treasury (BTR) on September 04, 2020, as our compliance with the COA Auditors recommendation in our cash bond collections. Also, be informed that since it was deposited to the account of BTR, the management will request the downloading of cash necessary for the payment of this cash bond to the Bureau of Treasury (BTR) and Department of Budget and Management (DBM).

Be assured that we will facilitate the payment/release of your cash bond once the cash for this purpose is available already.

Thank you and hoping for your understanding.

Very truly yours,


ALMA E. GIBE

TSD Chief/ In-Charge, Office of the PENRO



the intended
ness or shall not then

September 19, 2022

Rosarilla V. De Leon

Bureau of Treasury

Department of Finance

Ayuntamiento Building , Cabildo Street

Corner A . Soriano Ave. Intramuros, Manila

**Re: Follow up / Request for Early Release of Cash Bond
in favor of Edna L. Dimagan**

Dear Ms. De Leon ,

The undersigned hereby request for the early release of Cash Bond in the amount of Three Hundred Thousand Pesos (P300,000.00) involving the apprehended truck particularly Isuzu Elf Truck van bearing a plate no. PIV 825.

Please be advised that as early as May 12, 2022 , I made a formal request for the release of said cash bond to the Ms. Mary June F. Maypa , PENR Officer, DENRO PENRO , Calapan City and I was advised that said cash bond was deposited to the account of Bureau of Treasury on September 4, 2020 .

In view thereof, this is to formally follow up the release of cash bond in my
favor .

Attached is my letter addressed to Ms. Mary June F. Maypa dated May 12, 2022 and the letter reply from Ms. Alma E. Gibe , TSD Chief/ In -Charge, Office of the PENRO dated May 31, 2022 for your easy reference.

Thank you very much.

Very truly yours,


EDNA L. DIMAGAN

101 Mulave Street Fin Asia Homes

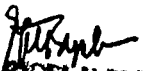
San Isidro, Cainta, Rizal

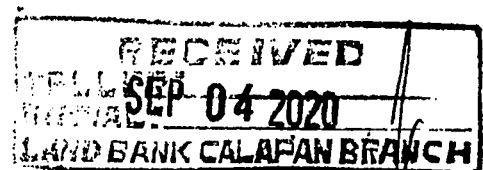
Cellphone Number 09999943902

SUMMARY OF DETAILED DEPOSITED COLLECTION

Maintaining Balance	20,000.00
Collection - Bid Docs	16,554.74
Collection - Prang LGU	4,000.00
Cash Bond	1,093,083.73
1 Florencio Dalangin	2,771.23
2 Felix Saron	6,250.00
3 Salustiano Javier	15,000.00
4 Rosella Obrique	18,750.00
5 Olarisa Puntill	43,750.00
6 Marcos Grado	12,500.00
7 Edna Dinagan	300,000.00
8 Elvin Pongyan	300,000.00
9 Angelito Panganiban	106,562.50
10 Meynard de Guzman	100,000.00
11 Roger Santiago	87,500.00
12 Melkezedick Rosales	100,000.00
Excess payment of Pre-Reconciliation	14,586.53
Grand Total	1,148,225.00

Certified correct:


MARCEL V. SUPLEO
PENRO Accountant



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
PENRO ORIENTAL MINDORO
Ilang-Ilang Street, Brgy. Suqui, Calapan City

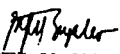
TRIAL BALANCE

As of March 31, 2021

FUND 107

PARTICULARS	UACS	DEBIT	CREDIT
Cash - Treasury/Agency Deposit, Trust	10104030-00	1,148,225.00	
Guaranty/Security Deposits Payable	20401040-00		1,093,083.73
Accumulated Surplus/(Deficit)	30101010-00		55,141.27
		1,148,225.00	1,148,225.00

Certified Correct:


MARICEL V. SUPLEO
PENRO Accountant

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH XXXIX (39)
Calapan City
-oOo-

THE PEOPLE OF
THE PHILIPPINES,
Plaintiff,

CRIMINAL CASE NO CR-17-13-661

-versus-

-for-

GEMMA G TADEO
y RONQUILLO, MELANIE
ESTARIS y MANLANGIT
AND ALLAN NOYNAY
y OBANIL,

VIOLATION OF SECTION 68
OF PD NO 705 AS AMENDED
BY EO 277 AS FURTHER
AMENDED BY R A NO 7161

Accused.

x-----x

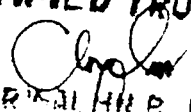
ORDER

Upon presentation of the original copy of the pertinent papers relative to the vehicle subject matter of the instant case by its registered owner, Edna L Dimagan, the Branch Clerk of Court of this Court is hereby directed to immediately cause the release of the said motor vehicle (Isuzu Elf truck) with plate number PIV 825 and its accessories to the registered owner

SO ORDERED
City of Calapan,
14 August 2017

ORIGINAL SIGNED
HON. EDRALIN C. REYES
Acting Presiding Judge

ECR:tbi

CERTIFIED TRUE COPY

ATTY. EDRALIN B. LUMANLA
CLERK OF COURT



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

November 25, 2021

MRS. MARY GRACE ALONARDO BINAAGAN
101 Molave St. Pinaric, Pinaric
Brgy. San Isidro, Calapan, Rizal

NOTICE OF ISSUANCE OF ORDER

Dear Mrs. Binaagan:

Greeting,

We are informing you that the Regional Executive Director, Mr. Lourdes G. Ferrer, CESO IV, regarding the apprehension of one (1) unit (suzuki Elf Ref. Van Truck (Closed Van) with Plate Number PIV-225 loaded with fifty one (51) sacks of wood charcoal at Calapan Pier, Brgy. San Antonio, Calapan City, Oriental Mindoro.

In this regard, kindly coordinate to the Accountant and Property Custodian of Provincial Environment and Natural Resources Office (PENRO) Oriental Mindoro for the permanent release of your vehicle and return of Cash Bond in connection therewith.

Thank you.

Respectfully yours,


RODEL M. BOYLES
CENR Officer

Field, Provincial Office, Oriental Mindoro

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
1515 LRB Bldg, Roxas Boulevard, Iloilo, Manila

CENRO Control No:

E-FMS No:

NOTICE OF ISSUANCE OF ORDER

IN RE : PERMANENT RELEASE OF ONE (1) UNIT ISUZU ELF BUS TRUCK
(CLOSED VAN) WITH PLATE NUMBER PU-123 AND CONFISCATION OF FIFTY-
ONE (51) BAGS OF WOOD CHARCOAL, ANTI-REBELL AT CALAPAN PIER,
BRGY. SAN ANTONIO, CALAPAN CITY, ORIENTAL MINDORO

TO:

CENRO
Socorro

Greetings!

Please be informed that an Order dated August 20, 2020 was issued by this Office on the
above-entitled subject, copy of which is enclosed. The original copy is on file in this Office.

Kindly inform this Office of the date of your receipt of this Order, for record purposes.

Date: 22 SEP 2020

9.7
Atty. GANDHI GAGNIA LORES
Chief, Legal Division

OUT 26 2020

LINO N. SINAPILIS
Chief, Unit

IN RE : PERMANENT RELEASE OF ONE (1) UNIT ISUZU ELF REF. VAN TRUCK (CLOSED VAN) WITH PLATE NUMBER PIV-825 AND CONFISCATION OF FIFTY-ONE (51) SACKS OF WOOD CHARCOAL APPREHENDED AT CALAPAN PIER, BRGY. SAN ANTONIO, CALAPAN CITY, ORIENTAL MINDORO

ORDER

Records show that on August 12, 2016, at around 8:00 in the evening, the elements of Philippine National Police (PNP) of Oriental Mindoro Police Provincial Office, Provincial Intelligence Branch, Brgy. Suqui, Calapan City apprehended one (1) unit ISUZU ELF Ref. Van truck (Closed Van) with Plate Number PIV-825 loaded with fifty one (51) sacks of wood charcoal, at Calapan Pier, Brgy. San Antonio, Calapan City, Oriental Mindoro. The subject conveyance and forest products have an estimated fair market value of PHP 240,000.00 and PHP 7,650.00, respectively, and were hauled and deposited at the PENRO Calapan City, Oriental Mindoro compound for safekeeping. The Seizure Receipt and Seizure Order both dated August 16, 2016 were issued by Forester III Domingo B. Santos, Seizure/Hearing Officer.

In the Pinagsamang Sinumipaang Salaysay dated August 15, 2016 of SPO1 Rolan P. Reanzares and PO1 Mark Arlan C. Punay with assignment at Oriental Mindoro Police Provincial Office-Provincial Intelligence Branch (ORMINPPO-PIB), they narrated that they received information from a concerned citizen that there is a one (1) unit vehicle with Plate Number PIV-825 loaded with wood charcoal. On August 12, 2016, at around 8:00 in the evening, they saw the conveyance in front of Calapan Bayside Hotel, Brgy. San Antonio, Calapan City. They followed the vehicle until it reached the Port of Calapan City. They identified Mr. Allan O. Noyñay, driver and the passengers namely: Mrs. Gemma G. Tadeo, Mrs. Melanie Ma. Estaris, and Mr. Nikko Kyle Tidor who were regarding such load. It was disclosed that the conveyance was loaded with wood charcoal without permit from the DENR. Thereafter, they brought the conveyance to the PENR Office, Brgy. Suqui, Calapan City, for further investigation.

Pursuant to Section 7 of DAO 97-32, administrative hearings were conducted on August 16 and 18, 2016 at the DENR-PENR Office, Brgy. Suqui, Calapan City, Oriental Mindoro, which was presided by For. III Domingo B. Santos, Hearing Officer.

In the first hearing, Mrs. Gemma R. Tadeo claimed ownership of the forty (40) sacks of wood charcoal which were apprehended by the PNP of Oriental Mindoro Police Provincial Office on August 12, 2016. She admitted that the subject forest products had no permit to transport from the DENR. However, she presented a Barangay Certification issued by Barangay Chairman Roberto A. De Ocampo of Barangay Dulangan II, Baco, Oriental Mindoro, certifying that the Mahogany and Rambutan trees were planted in a titled property of Mr. Jose Valdez y Yoey of So. Sintala of the said barangay. The said trees were blown/felled during typhoon Nona that hit the province sometime in December 2015 and were manufactured by Mr. Valdez into charcoal. The charcoal were sold to her and Mrs. Melanie Estaris on June 12, 2016.

Mrs. Melanie Manlangit Estaris admitted that she owned the remaining eleven (11) sacks of wood charcoal loaded in the apprehended conveyance, and corroborated the statement of Mrs. Gemma R. Tadeo.

Mr. Nikko Kyle Tidor said that he was hired as helper of Mr. Allan O. Noyñay (driver). Accordingly, his job is to follow instructions from the driver and passengers/owners of the cargoes. Further, the shippers told him that the subject forest products have a corresponding Barangay Certification.

CERTIFIED XEROX COPY
DATE: 20 AUG 2020

LINO M. DIMAGAN
Chief, Enforcement Division
DENR - MINDORO

Mr. Allan O. Noynay admitted that he was the driver of the ISUZU Elf Ref. Van truck (closed van) with plate number PIV-825 loaded with fifty-one (51) sacks of wood charcoal apprehended at the Calapan City Pier, Calapan, Oriental Mindoro. He stated that the owner of the said conveyance is Ms. Mary Grace Leonardo Dimagan of So. San Isidro, Cainta, Rizal, who was not aware of the use of the subject conveyance to transport wood charcoal without permit from the DENR. Further, Mr. Noynay claimed that the shippers (Mesdames Tadeo and Estaris) informed him that they have the necessary transport documents. However, they did not give him any copy thereof, accordingly, it was left in Brgy. Dulañgan II, Baco, Oriental Mindoro.

The second hearing was conducted on August 18, 2016, which was attended by Mrs. Edna L. Dimagan, registered owner of the subject conveyance, who voluntarily submitted herself for oral questioning at the PENR Office, Calapan City, Oriental Mindoro. She presented and submitted to the Hearing Officer her proof of ownership of the apprehended vehicle, such as: Certificate of Registration, Official Receipt, and Deed of Sale of Motor Vehicle from Mary Grace Leonardo Dimagan, Vendor. During the hearing, Mrs. Dimagan vehemently denied any knowledge in the transport of wood charcoal using her cargo truck. She averred that her driver (Mr. Noynay) loaded the undocumented wood charcoal without her consent. She further presented various documents issued by different concerned agencies to serve as proof that she is a legitimate businesswoman, as operator of a trucking services called "Judy and Edna Trucking Services", engaged in the shipment of various goods/merchandise.

On November 22, 2016, For. Domingo B. Santos, Hearing Officer, issued a Temporary Release Order of the subject conveyance, after available evidences were established that the conveyance may be used for lawful purposes, such as, but not limited to: personal mode of transportation; commercial passenger transport; cargo hauling; or other similar legal use, and upon payment of cash bond in the amount of three hundred thousand pesos (PhP300,000.00), pursuant to Section 9 of DAO No. 97-32 by the registered owner (Mrs. Edna L. Dimagan).

The Apprehending Police Officers filed the criminal complaint before the Regional Trial Court (RTC) Branch 39, with Criminal Case No. CR-17-13, 661 against the accused namely: Gemma Ronquillo Tadeo, Allan Noynay y Obanil and Melanie Estaris y Manlangit for violation of Section 77 of PD No. 705, as amended.

On November 10, 2017, Judge Edralin C. Reyes of Regional Trial Court (RTC) Branch 39, issued a Decision that sentenced Mrs. Tadeo and Mr. Noynay to a crime of Simple Theft with penalty of imprisonment ranging from two (2) years and four (4) months of prison correccional, as minimum, to six (6) years of prison correccional, as maximum, and to pay the costs of the suit. A Warrant of Arrest was also issued against the accused Melanie M. Estaris, who is at large.

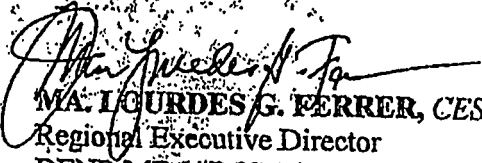
After a thorough evaluation of the attending facts and circumstances, Mrs. Edna L. Dimagan was able to prove that she did not have full knowledge in the commission of the offense, pursuant to Section 7 (3) (b) of DAO 1997-32. Thus, this Office finds no reason to continue to hold the Cash Bond which was posted as a requirement for the temporary release of the subject conveyance.

This Office concurs with the recommendation of the Hearing Officer, PENRO Socorro and PENRO Oriental Mindoro for the confiscation of the forest products in favor of the government.

WHEREFORE, FOREGOING PREMISES CONSIDERED, the apprehended fifty-one (51) sacks of wood charcoal with an estimated fair market value of PhP 7,650.00 are hereby **CONFISCATED** in favor of the government to be disposed of in accordance with the existing DENR laws, rules, and regulations. The one (1) unit ISUZU Elf Ref. Van truck (Closed Van) with Plate Number PIV-825 is hereby **PERMANENTLY RELEASED** to its rightful owner, Mrs. Edna L. Dimagan including the **RETURN** of the Cash Bond filed in connection therewith.

SO ORDERED.

Manila, Philippines AUG 20 2020


MA. LOURDES G. FERRER, CESO IV
Regional Executive Director
DENR MIMAROPA Region

Department of Environment
Natural Resources
MIMAROPA Region



ID: 4497

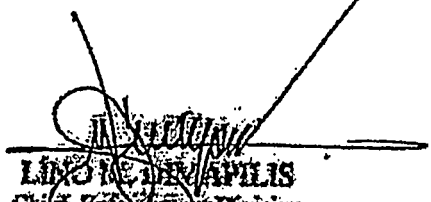
Cc:

PENRO
Oriental Mindoro

CENRO
Socorro, Oriental Mindoro

RTC Branch 39, Calapan City, Or. Mindoro
Criminal Case No. CR-17-13, 661

CONTINUED XEROX COPY
DATE: 20 AUG 2020


LINDA DE LA APILIS
Chief, Enforcement Division
DENR Region IV - MIMAROPA