



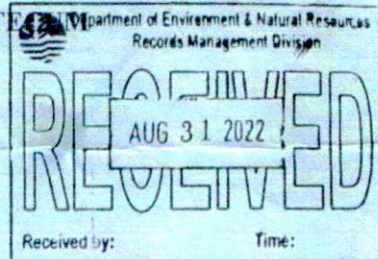
Republic of the Philippines  
**OFFICE OF THE OMBUDSMAN**  
Office of the Deputy Ombudsman for Luzon  
Agham Road, Diliman, Quezon City 1104

FF-L-17-0313

X-----X

**SUBPOENA DUCES TECUM**

The Head of Office  
Or his/her duly Authorized Representative  
Legal Affairs Office  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman Quezon City



CERTIFIED TRUE AND CLEAR COPIES

Pursuant to the provisions of Section 13, Article XI of the Philippine Constitution and Section 15 (8) of R.A. 6770 (The Ombudsman Act of 1989), you are hereby directed to SUBMIT before the Field Investigation Bureau, Office of the Deputy Ombudsman for Luzon, 3<sup>rd</sup> Floor, Office of the Ombudsman, Agham Road, Diliman, Quezon City, **within five (5) days from receipt hereof, Certified True and Clear Copies** of the following documents:

RMD

RMD

RMD

EPD Palawan

EPD Cebu City

- ✓ a. DENR Department Order dated 26 January 2017 Re: In the matter of the illegal cutting of mangroves in Sitio Baringbing, Brgy. San Manuel, Puerto Princesa City, Palawan. (See attached copy for reference);
- ✓ b. DENR Notice to Vacate (Final Notice) dated 6 January 2017 issued by Emer D. Garraez, Community Environment and Natural Resources Officer (CENRO), Puerto Princesa City, Palawan;
- c. DENR Special Order No. 2017-47 issued by Secretary Regina Lopez deputizing the NBI Environment Crimes Division in the enforcement of Environmental laws;
- d. CY 2016-2017 Monitoring Reports of DENR-CENRO Puerto Princesa on the status of the mangrove area in Sitio Baringbing, Brgy. San Manuel, Puerto Princesa City, Palawan;
- ✓ e. Letter-reply of Rafael Cervantes dated 17 January 2017 on the DENR Notice to Vacate (Final Notice) dated 6 January 2017 issued by Emer D. Garraez;
- ✓ f. Complaint filed against Rafael Cervantes in violation of environmental laws; and
- g. All notices, Orders, and other records relevant to the DENR Department Order dated 26 January 2017.

In your compliance, cite FF-L-17-0313 as reference and attach a copy of this subpoena. You are enjoined to issue a Certification under oath if said documents are not available explaining clearly the reason/s therefor. You are further reminded of the strict confidentiality of this investigation pursuant to section 7(c) of Republic Act No. 6713.

If prompt transmittal of the documents cannot be made via personal courier or registered mail, you are directed to submit digital copies of the certified documents to





Republic of the Philippines  
**Department of Environment and Natural Resources**  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. 929-6626 to 29; 929-6633 to 35  
929-7041 to 43; 9296252; 929-1669  
Website: <http://www.denr.gov.ph> E-mail: [web@denrgov.ph](mailto:web@denrgov.ph)

**IN THE MATTER OF THE ILLEGAL  
CUTTING OF MANGROVES IN  
SITIO BARINGBING, BRGY. SAN  
MANUEL, PUERTO PRINCESA  
CITY**

X-----X

**ORDER**

This refers to the previously issued Notice to Vacate (Final Notice) dated January 6, 2017 issued by Community Environment and Natural Resources (CENR) Officer Emer D. Garraez of Puerto Princesa City giving Mr. Rafael Cervantes ten (10) days to vacate the mangrove area in Sitio Baringbing, Brgy. San Manuel, Puerto Princesa City and remove the fence and illegal structures therein.

It has been observed that the Notice was not heeded by Mr. Cervantes until today. Thus, this Office is constrained to order CENR Officer Emer D. Garraez to ask the assistance of law enforcers from the Philippine National Police as well as from the Armed Forces of the Philippines to effect the removal of the fence and structures that are presently erected over the area and to cause the apprehension of persons who are actually cutting and causing destruction to the mangroves for violation of the provisions of Proclamation 2152 and Section 77 of Presidential Decree (PD) No. 705, as amended.

**SO ORDERED.**

Quezon City, Philippines, January 26, 2017.

**ATTY. MARIA PAZ LUNA**  
Undersecretary for Legal Affairs

**CERTIFIED PHOTOCOPY**

**NOVA BILLE B. GARCELLANO-VITERBO**  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
MIMAROPA REGION  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

January 06, 2017

Exh. "18" provisional  
07/19/18 Jma

NOTICE TO VACATE  
(Final Notice)

**RAFAEL CERVANTES**

Sitio Baringbing, Brgy. San Manuel  
Puerto Princesa City, Palawan

Dear Mr. Cervantes,

This pertains with your continued occupancy, illegal cutting of mangrove, monumenting, fencing and reclamation of portion of Mangrove area in Brgy. San Manuel, Puerto Princesa City which is a violation to Presidential Decree 705 as amended by PD 7161 or the Revised Forestry Reform Code of the Philippines and Presidential Proclamation 2152 Series of 1981 declaring the entire Province of Palawan and certain parcels of the public domain and/or parts of the country as Mangrove Swamp Forest Reserves.

On July 11, 2016 this Office issued a Notice to Vacate and given you ten (10) days upon receipt of said Notice to vacate the said area and remove your fence and other structures built in the area. However, up to this writing you still ignore the said notice and continue to occupy the area.

In this regard, you are hereby directed for the last time to **VACATE** the area and voluntarily remove your fence and all structure built in the area within seven (7) days upon receipt hereof. Should you still fail to comply, this Office will be taking legal action against you.

We trust that you are properly informed.

Truly yours,



*[Signature]*  
EMER D. GARRAEZ  
CENRO

Copy furnished:

- Chairman, Brgy. San Manuel
- The City-ENRO, City Hall PPCity
- The PENRO, Sta. Monica, PPCity
- File

South National Highway, Brgy. Sta. Monica, Puerto Princesa City  
Tel. No.: (048) 433-0660  
Email address: cenroppchuc@yahoo.com

CERTIFIED XEROX COPY

*[Signature]*  
NOVA BILLE B. GARCELLANO  
ADMINISTRATIVE OFFICER I  
7/14/17

CERTIFIED PHOTOCOPY

*[Signature]*  
NOVA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. 929-6626; 929-6628; 929-6635; 929-4028; 929-4028  
929-3618; 426-0465; 426-0001; 426-0347; 426-0480  
VOIP Trunkline (632) 988-3367  
Website: <http://www.denr.gov.ph> / E-mail: [web@denr.gov.ph](mailto:web@denr.gov.ph)

DENR SPECIAL ORDER  
NO. 2017- 47

SUBJECT: **DEPUTATION OF FIFTEEN (15) NATIONAL BUREAU OF INVESTIGATION ENVIRONMENTAL CRIME DIVISION (EnCD) PERSONNEL AS DEPUTY ENVIRONMENT AND NATURAL RESOURCES OFFICERS (DENROs)**

Pursuant to the provisions of Section IX of DENR Administrative Order No. 206-2017, otherwise known as Revised/Updated Manual of Approval issued on May 19, 2016 by the DENR Secretary and in accordance with the provisions of DENR Administrative Order No. 22, Series of 2008 and all other exiting environment and natural resources laws, rules and regulations, the following are hereby deputized as **Deputy Environment and Natural Resources Officers (DENROs)**:

1. HA Czar Eric M. Nuqui  
Chief-NBI EnCD
2. SA Gerald V. Geralde, CPA  
Executive Officer EnCD
3. AGT. Ariel Ross L. Calub
4. AGT. Eiffel Q. Isidro
5. AGT. Abner O. Teeson
6. AGT. Wilfredo L. Atienza, Jr.
7. SI Marvin R. Matamis
8. SI Felix B. Odencio
9. SI Doriente R. Durian
10. SI Wilfred T. Umaming
11. SI Edsel C. Pelete
12. SI Roy Rufino C. Sunega
13. Mr. Roldan F. Follosco
14. Mr. Hilario S. Yalong
15. Mr. Glenn B. Basallote

The above-named officers shall exercise the power and authority provided for in the aforesaid laws, rules and regulations effective upon the receipt hereof, of which this Office shall be informed accordingly. By virtue of this deputation, they are authorized to intercept/investigate any violation of forestry laws, rules and regulations and to arrest even without any warrant any person who has committed, is committing or is about to commit in

Let's Go Green!!!

**CERTIFIED PHOTOCOPY**

*Ngumillan*  
NOVA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I



their presence any of the criminal offenses defined in Chapter IV of Presidential Decree 705, as amended within the territorial jurisdiction of DENR.

They are also authorized to apprehend/seize the tools, equipment and conveyances used in the commission of the offense(s) including all natural resources products extracted/cut/gathered/removed and possessed by the offender(s) in the process of committing the offense(s). In all instances of detention, arrest and/or seizure they shall deliver within the period as prescribed by law from the time of the arrest and/or seizure including the offender/s and the apprehended/seized natural resources, products, tools, equipment and conveyance used, and file the appropriate complaint. In coordination with the concerned DENR and other officials designated by law to conduct preliminary investigation and likewise file the information in court in coordination with the concerned CENRO/PENRO/RD.

They are further authorized to administer oath and take acknowledgement on official matters connected with the functions of their office and to take the testimony in official investigations conducted under the authority of the aforesaid laws, as amended and its implementing rules and regulations.

Furthermore, they shall assist in the enforcement of natural resources laws, rules and regulations and in the conduct of environmental information and education campaign such as public meetings/assemblies and other extension activities of the concerned CENRO in coordination with its official/personnel and/or private agencies involved in similar work.

They shall submit to the DENR Secretary, a monthly accomplishment report using standard reporting form provided under DENR administrative Order No. 22, Series of 2008.

DENR Forrest Management Bureau through its Human Resource Development Section shall provide the necessary trainings and seminars to the aforesaid newly deputized ENROs upon receipt of this Order.

This order authorizes the above SDENROs to exercise the power and authority conferred herein within the Philippines, and is not transferable.

This Order takes effect immediately.

  
Secretary REGINA PAZ L. LOPEZ



**CERTIFIED PHOTOCOPY**

  
NOMA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER (RECORDS OFFICER)

  
Rex MPEC LARUA PAZ  
Lara



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
MIMAROPA REGION  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

*Final  
for endorsement  
1/10/17*  
**MEMORANDUM**

*Plaw 10 Corp., 1/10/17  
for further act.*

FOR : The CENR Officer  
Puerto Princesa City, Palawan

FROM : Forest Protection and Law Enforcement Unit



SUBJECT : **SUBMISSION OF WEEKLY MONITORING REPORT ON THE UNABATED CUTTING OF MANGROVE TREES IN BGY. SAN MANUEL, PUERTO PRINCESA CITY, PALAWAN**

This pertains to the information we received from the Barangay Official of Barangay San Manuel, This city on December 20, 2016 regarding on alleged removal/exclusion of printed tarpaulin recently put up/established last December 19, 2016 at 11:30 A.M. along the boundary of mangrove area claimed by Mr. Rafael Cervantes.

Please be informed that on the same date at 4:00 in the afternoon, the team immediately coordinated with the Barangay Officials of Bgy. San Manuel to be able gather preliminary information and asked for assistance and representative that will accompany us to the area.

Based on our findings, the tarpaulin that we put up along the boundary of the mangrove area claimed by Mr. Rafael Cervantes to prevent further expansion of the said area and serve as reminder to passersby of the assertion of Presidential Proclamation 2152 has been removed and the cannot be found anywhere in the area. (Please see attached geo-tagged pictures).

For your information and further instructions

*[Signature]*  
**DENNIS ALDRIN O. VELASCO**  
Forester I

*[Signature]*  
**JEZRIEL L. VILLAS**  
Forest Technician I

*[Signature]*  
**JESSIE M. ESCANDALIO**  
Forester I

**CERTIFIED TRUE COPY.**

**CERTIFIED PHOTOCOPY**

*[Signature]*  
**NUVA BILLE B. GARCELLANO-VITERBO**  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I

*[Signature]*  
**ELIZABETH C. PALATINO**  
ADM. AIDE VI/ASST. RECORDS OFFICER  
*February 1, 2017*



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
MIMAROPA REGION  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

October 12, 2016

**MEMORANDUM**

FOR : The PENR Officer  
Puerto Princesa City, Palawan

FROM : The CENR Officer

SUBJECT : SUBMISSION OF WEEKLY MONITORING REPORT ON THE UNABATED CUTTING OF MANGROVE TREES IN BRGY. SAN MANUEL, PUERTO PRINCESA CITY, PALAWAN.

CENR PENRO  
PALAWAN RECORDS  
**RECEIVED**  
BY: *[Signature]*  
DATE: 10/13/16 / CN  
1:45 pm

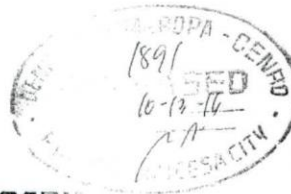
In compliance with PENRO Memorandum dated September 30, 2016 instructing to submit report on a weekly basis regarding the cutting of mangrove in Brgy. San Manuel, Puerto Princesa City, forwarded is the Memorandum of Enforcement Unit personnel of this Office dated October 10, 2016.

Three Foresters of this Office assisted Professor Joel Becira an expert from Western Philippines University (WPU), Puerto Princesa Campus. Prof. Becira was commissioned by this Office because of his expertise when it comes to natural resources valuation. The mangrove assessment and valuation in Sitio Barimbing, San Manuel is very vital in obtaining the total damages/destruction made by Mr. Rafael Cervantes and his group for the filing of another case in court for violation of Sec. 78 of PD 705 (illegal occupancy) and Presidential Proclamation 2152 (declaring the entire province of Palawan as Mangrove Swamp Forest Reserve).

It can be recalled that on October 06, 2016 the undersigned together with Punong Barangay Luz Abadiano of Brgy. San Manuel, this City filed a case against Mr. Rafael Cervantes and his privies before the Regional Trial Court (RTC) of Palawan for issuance of an Environmental Protection Order (EPO) and a Temporary Environmental Protection Order (TEPO).

For your information and record.

*[Signature]*  
EMER D. GARRAEZ



**CERTIFIED TRUE COPY**

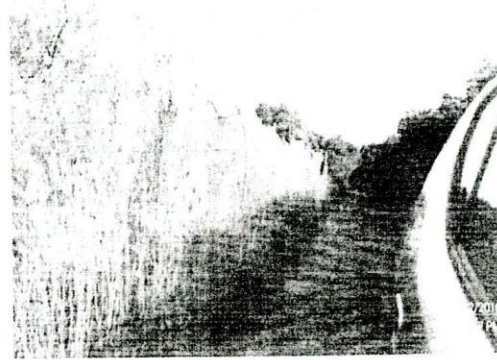
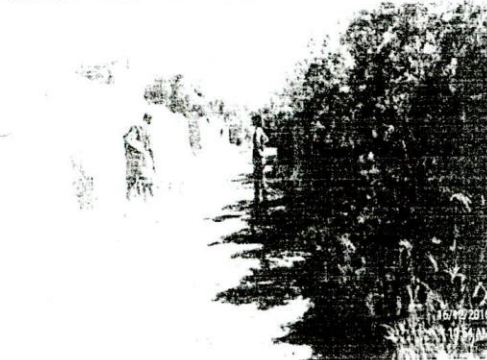
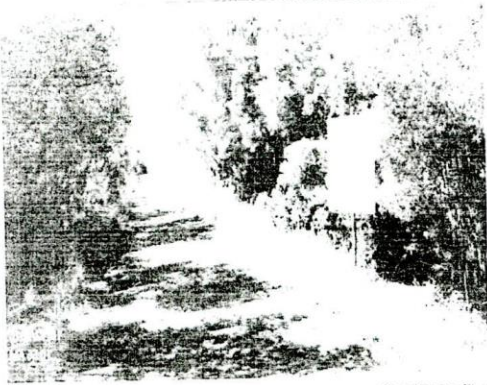
*[Signature]*  
ELIZABETH C. PALATINO  
ASST. RECORDS OFFICER  
February 1, 2017

**CERTIFIED PHOTOCOPY**

*[Signature]*  
NOVABILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I



Republic of the Philippines  
Department of Environment and Natural Resources  
Region IV-B MIMAROPA  
COAGULATED ENVIRONMENTAL AND NATURAL RESOURCES OFFICE  
South National Highway, Iloilo, Marikina, Marikina City, Palawan



Before

December 12, 2016 10:54 A.M

After

December 19, 2016 4:40 P.M

ELIZABETH C. PALATINO  
ADM. AIDE VIAS ST. RECORDS OFFICE

CERTIFIED PHOTOCOPY

NOVA BALLE B. GARCILLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I



For file  
For copy  
monitors  
production  
person  
FOR 12/19/16



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
MIMAROPA REGION  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

MEMORANDUM

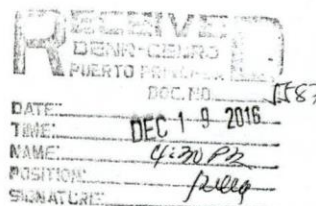
TO : The CENR Officer  
Puerto Princesa City, Palawan

FROM : Dennis Aldrin O. Velasco  
Forester I

Jezriel L. Villaos  
Forest Technician I

SUBJECT : SUBMISSION OF WEEKLY MONITORING REPORT ON THE  
UNABATED CUTTING OF MANGROVE TREES IN BGY. SAN  
MANUEL, PUERTO PRINCESA CITY, PALAWAN

DATE : December 16, 2016



This pertains to the Memorandum of the PENR Officer dated September 30, 2016 regarding the above subject.

That on December 14, 2016 the undersigned proceeded to San Manuel Barangay hall to inform the barangay officials of the printed tarpaulins to be put up along the boundary of the mangrove area claimed by Mr. Rafael Cervantes to prevent further expansion of the said area and serve as reminder to passersby of the assertion of Presidential Proclamation 2152.

The tarpaulins were set-up at around 11:30 am with the help of Kagawad Doven Gabo. (Please see attached geotagged pictures) We then advised the Bgy. LGU to monitor and report any further activities in the area as well as to look over the tarpaulins.

For your information and further instructions

DENNIS ALDRIN O. VELASCO  
Forester I

JEZRIEL L. VILLAOS  
Forest Technician I

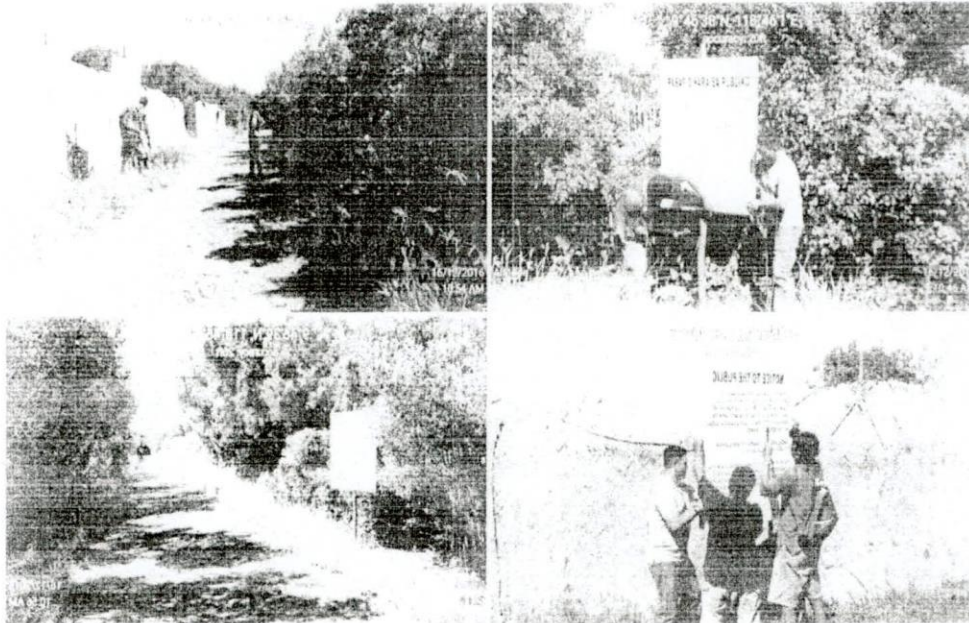
CERTIFIED TRUE COPY.

CERTIFIED PHOTOCOPY

NOVA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER

ELIZABETH C. PALATINO  
ADMIN. AIDE / ASST. RECORDS OFFICER  
February 1, 2017

Brgy. Sta. Monica, Puerto Princesa City, Palawan  
Tel. No.: (048) 433-0660, Email Address: cenropchuc@yahoo.com



### CERTIFICATION

THIS IS TO CERTIFY that the above geo-tagged pictures showing the undersigned together with the Barangay Official of San Manuel putting up of printed tarpaulins along the boundary of mangrove area claimed by Mr. Rafael Cervantes, located at So. Barimbing, Bgy. San Manuel, This City.

Further certifies that these pictures were taken by the undersigned last December 12, 2016 at 10:54 A.M.

DENNIS ALDRIN O. VELASCO  
Forester I

JEZRIEL L. VILLAOS  
Forest Technician I

ELIZABETH C. PALATINO  
ASST. AIDE V/ASST. RECORDS OFFICE

**CERTIFIED PHOTOCOPY**

NOVA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I





# CERTIFICATION

THIS IS TO CERTIFY that the above pictures taken during the inventory/valuation of mangrove area close to the mangrove area illegally occupied by Rafael Cervantes et. al. located at Sitio Barimung, Brgy. San Manuel, Puerto Princesa City

*[Signature]*  
JESSIE M. ESCANDALIO  
Forester-I

*[Signature]*  
DENNIS ALDRIN O. VELASCO  
Forester-I

**CERTIFIED PHOTOCOPY**

*[Signature]*  
NOVABILE E. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I

*[Signature]*  
ZENALDA T. CALALIN  
Forester-II

*[Signature]*  
ELIZABETH C. PALATINO  
ADMIN. AIDE V/ASST. RECORDS OFFICER  
February 6, 2017



#### CERTIFICATION

THIS IS TO CERTIFY that the above pictures taken during the inventory/valuation of mangrove area close to the mangrove area illegally occupied by Rafael Cervantes et. al. located at Sitio Barimbing, Brgy. San Manuel, Puerto Princesa City.


  
JESSIE M. ESCANDARIO  
Forester-I

  
DENNIS ALDRIN O. VELASCO  
Forester-I

**CERTIFIED PHOTOCOPY**

  
ZENAIDA T. CALALIN  
Forester-II

  
NOVA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER (RECORDS OFFICER)

  
ELIZABETH C. PALATINO  
AIDE VI/ASST. RECORDS OFF.

February 1, 2017





Republic of the Philippines  
Department of Environment and Natural Resources  
Region IV - MIMAROPA  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

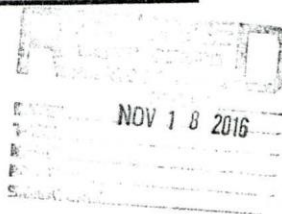
**MEMORANDUM**

FOR : The CENR Officer  
Puerto Princesa City, Palawan

FROM : Dennis Aldrin O. Velasco  
Forester I

SUBJECT : **SUBMISSION OF WEEKLY MONITORING REPORT ON THE  
UNABATED CUTTING OF MANGROVE TREES IN BGY. SAN  
MANUEL, PUERTO PRINCESA CITY, PALAWAN**

DATE : November 18, 2016



This pertains to the Memorandum of the PENR Officer dated September 30, 2016 regarding the above subject.

Please be informed that I was able to gather information by conducting an ocular inspection of the site as well as conducting informal brief interview with the Bgy. Tanod assigned in the area on November 11, 2016 at around 8:45 am about the current state of the area being occupied and developed by Mr. Rafael Cervantes. As a result, these were my findings:

- No further expansion of fences were done in the area
- No further cuttings of mangrove were visible at the area
- Laborers present in the area were still continuously collecting, gathering and putting into a pile the calcified corals found in the area
- Laborers also were seen going into the area with materials for building houses last November 16, 2016.
- Residents of the City Housing Project adjacent to the area occupied by Mr. Cervantes were being told by people inside Mr Cervantes' compound that their houses would also be demolished if Mr. Cervantes' site were to be demolished and vacated.
- Some of the residents from the city housing still don't have their electrification approved whereas the residents inside Mr. Cervantes' compound already had electricity, they mentioned that they might have been politicized for having been housing grantees from the previous administration.

At this point, before leaving the Bgy. Hall, I gave instructions to the Bgy. Tanod assigned in the area to continuously monitor the area and immediately inform us of any other development that Mr. Cervantes might introduce in the area.

For your information and further instructions

**CERTIFIED TRUE COPY**

**DENNIS ALDRIN O. VELASCO**

*Fulw*  
**ELIZABETH C. PALATINO**  
ADM. AIDE / ASST. RECORDS OFFICER  
South National Highway, Bgy. Sta. Monica  
Puerto Princesa City  
Email Address: [cenroppchuc@yahoo.com](mailto:cenroppchuc@yahoo.com)  
Tel Fax No.: (048) 433-0660

*February 1, 2017*

**CERTIFIED PHOTOCOPY**

*Sibgauran*  
**NOVA BILLE B. GARCELLANO-VITERBO**  
ADMINISTRATIVE OFFICER / RECORDS OFFICER



Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
MIMAROPA REGION  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

October 10, 2016

**RECEIVED**  
DENR-CENRO

MEMORANDUM

TO : The CENR Officer  
DENR-CENRO, Puerto Princesa City

DATE: Oct 10, 2016  
TIME: 11:00  
NAME: [Signature]  
FOR: [Signature]

FROM : Foresters Zenaida T. Calalin, Dennis Aldrin O. Velasco  
& Jessie M. Escandalio

SUBJECT : **INVENTORY AND VALUATION OF THE MANGROVE AREA  
ILLEGALLY OCCUPIED BY RAFAEL CERVANTES, ET. AL.  
LOCATED AT SITIO BARIMBING, BRGY. SAN MANUEL,  
PUERTO PRINCESA CITY.**

Per instruction of Forester III Norma D. Cayatoc, the undersigned assisted the Team commissioned by the Office from Western Philippines University Sta. Monica Campus to conduct inventory and valuation of resources found within the mangrove area being occupied by Mr. Rafael Cervantes and his group located at Sitio Barimbing, Barangay San Manuel, this City. The team was headed by Professor Joel Becira an expert when it comes to natural resources assessment and valuation.

About 7:20 in the morning of October 07, 2016 we proceeded to the subject area. We coordinated with Punong Barangay Luz Abadiano and asked for the assistance of the Barangay. We were accompanied by the Barangay Tanods of San Manuel and some Barangay Officials during the activity.

The Team established a 10 meters x 10 meters plot and conducted inventory of all plants found therein including all marine life. Stumps of felled mangrove found inside the plots were also recorded. We have established seven plots (4 plots on the left side of the road/close to the area illegally claimed by Rafael Cervantes and 3 on the right side of the road/opposite side of the area illegally occupied by Rafael Cervantes). Please see attached sketch map and photos.

While conducting inventory on the plot No. 7 which is opposite to the gate of the area illegally occupied by Rafael Cervantes, there were two men who shouted at us, wherein they were asking why were we again taking pictures in their area. One of them shouted "hindi ba talaga kayo itigil?" (will you not ever stop?) and he just kept on saying harsh words at us. Forester Velasco and one of the Tanods responded and told him that we were just doing research in the area and we never took pictures in their claimed area. The men eventually stop shouting but kept watching us until we left the area.

We finished our activity at about 11:00 o'clock in the morning of same day. The Team proceeded to the Barangay Hall of San Manuel to inform the Barangay that the inventory and valuation was done. While we were in the Barangay hall we were informed by some residents of San Manuel that Mr. Rafael Cervantes was passed the Barangay hall going to the mangrove area he illegally occupied/claimed.

For information and further instruction.

JESSIE M. ESCANDALIO  
Forester-I

DENNIS ALDRIN O. VELASCO  
Forester-I

ZENAIDA T. CALALIN  
Forester-II

**CERTIFIED TRUE COPY:**

ELIZABETH C. PALATINO  
ADM. AIDE / ASST. RECORDS OFFICER

**CERTIFIED PHOTOCOPY**

NOVA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER / RECORDS OFFICER I



CENRO Emer D. Garraez  
DENR, Puerto Princesa City

January 17, 2017  
Puerto Princesa City

**RECEIVED**  
DENR-CENRO  
PUERTO PRINCESA  
JAN 19 2017  
TIME: 2:45 PM  
NAME: [Signature]  
POSITION: [Signature]  
SIGNATURE: [Signature]

Exh. "16"  
07/19/16  
Jm

Exh. "U"  
07/19/18  
Jm

Re: Notice to Vacate dated January 6, 2017

Greetings:

This is to formally inform you that I refuse to comply with your illegal and malicious directive to vacate my claimed area on grounds that: a.) the said property has been declared as Alienable and Disposable Land (A and D) of the state since 1923 and it is part or adjacent to Gss-402 per Land Classification Map No. 203; b.) your directive is unjust, unfair and discriminatory as the occupants and claimant of the coastal lots in Barangays Sta. Lourdes, San Jose, Socrates Road, Jacana, etc. do not experience the same harassment/annoyance from your office. While aggressive in handling my case, you are passive and have even tolerated the continued questionable possession, occupation and operations of the Princessa Garden Hotel and Badjao Seafront whose improvements and structures are located over the seas of Bancao-bancao and Circumferential Road and therefore, pose environmental hazards; c.) I have vested right over my claimed area as my predecessor-in-interest had been occupying and possessing it since 1984 and can now qualify to apply for judicial confirmation of imperfect title in accordance with Section 48 of the Public Land Act, as amended, and the equivalent provision in Section 11 of the Property Registration Decree; and d.) your continued annoyance and harassment tactics pushed you to commit perjury as you asserted falsehoods in filing an environmental case against me and other unnamed persons and you also allowed or instigated your subordinate employee named Denise Aldrin Velasco to commit a crime of libel when he maligned and defamed me over the nationwide news of ABS-CBN last December 7, 2016.

If you do not respect the national law classifying my area as A and D, you are into disrespecting the rights of private citizens as well. Nonetheless, in relation to Commonwealth Act No. 141 and in relation to P.D. 705, Series of 1975 and the long line of Supreme Court cases, Alienable and Disposable land is defined as: referring to lands of the public domain which have been subject of the present system of classification and declared as needed for forest purposes. My area is concededly an A and D.

Since my land is A and D I am free to improve, cultivate, develop and possess the same to the exclusion of strangers and other third persons.

I welcome any legal action that your office may take against me but I will protect my claim, possession and occupation within the bounds of the law.

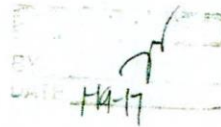
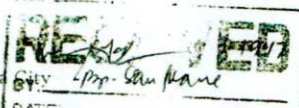
Sincerely,

*[Signature]*  
RAFAEL CERVANTES

Copy delivered to:

City Legal Officer, New City Hall  
Puerto Princesa City; and

The Barangay Chairperson  
San Manuel, Puerto Princesa



**CERTIFIED PHOTOCOPY**

*[Signature]*  
NOVABILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER I/RECORDS OFFICER I

**CERTIFIED XEROX COPY**

*[Signature]*  
7/24/18

**CERTIFIED PHOTOCOPY**

*Dr. Guilleno*  
**NOVA BILLE B. GARCELLANO-VITERBO**  
ADMINISTRATIVE OFFICER (RECORDS OFFICER)

Republic of the Philippines  
Department of Justice  
**CITY PROSECUTION OFFICE**  
Puerto Princesa City

**PROSECUTION OFFICE**  
**PUERTO PRINCESA CITY**

**RECEIVED**  
BY: *Acabuy*  
DATE: 1-14-11 TIME: 4:55 PM

**PEOPLE OF THE PHILIPPINES**

I.S. No. \_\_\_\_\_

Versus

For

MYRNA IBANEZ  
RAFAEL CERVANTES  
FEDERICO NEGRO COTEJO  
ROMEO DADIVAS  
LEONARDO DADIVAS  
TOMAS PADUL JR.  
GILBERT PADUL  
JOEY PADUL  
JONJON ARGANADOS  
FELISA ARGANADOS  
ALFREDO VALAROSO  
X-----X

Violation of Sec 77 (Formerly Sec  
68) of PD 705 as amended by EO  
277 series of 1987 and RA 7161

**CRIMINAL COMPLAINT**

The undersigned under oath accuses MYRNA IBANEZ, RAFAEL CERVANTES, FEDERICO NEGRO COTEJO, ROMEO DADIVAS, LEONARDO DADIVAS, TOMAS PADUL JR., GILBERT PADUL, JOEY PADUL, JONJON ARGANADOS, FELISA ARGANADOS AND ALFREDO VALAROSO all residents of Brgy. San Manuel, Puerto Princesa City for violation of Sec 77 (Formerly Sec 68) of PD 705 as amended by EO 277 series of 1987 and RA 7161 committed as follows:

That on March 13, 2010, June 17, 2010 and September 12, 2010 in Barangay San Manuel, Puerto Princesa City, Province of Palawan and within the jurisdiction of this Honorable Court, the above named accused did then and there willfully, unlawfully, feloniously, with intent to gain, cut Four Thousand Five Hundred Sixty (4,560) Bakawan (Sigpot) species/trees with an equivalent total volume 14,922 cubic meters with an estimated total value of TWO MILLION THREE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED NINETY TWO PESOS (P2,315,892.00) Philippine currency representing the market value, forest charges, surcharges and moral and exemplary damages to the environment and the government without having first secured the necessary permit and/or license.

**THIS CRIMINAL COMPLAINT IS AN ENVIRONMENTAL CASE.**

**CONTRARY TO LAW.**

Puerto Princesa City, Palawan, Philippines  
January 14, 2011

*Received:*

*Exhibits*  
*Benigno Dela Cruz*

*Eduardo Padojinog*  
**EDUARDO L. OCAMPO**  
Community Environment and  
Natural Resources Officer

- ☒ A. Joint Affidavit of FR Amadeo Rogel, FR Agapito Dimayuga and Bantay Gubat Edgardo Rivera with attached pictures.
- ☒ B. Pinagsamang Malayang Salaysay sa Paghahain ng Demanda of Eduardo Padojinog, Juan Batongbakal and Jose Collera Sr.
- ☒ C. Statement of Damages of Bakawan (Sigpot) species/trees cut by Myrna Ibanez et al.
- ☒ D. Tally sheet of Bakawan (Sigpot) species/trees cut by Myrna Ibanez et al.
- ☒ E. Pictures taken and certified by Mr. Eduardo Padojinog et al.



PINAGSAMANG MALAYANG SALAYSAY SA PAGHAHAIN NG

REPUBLIKA NG PILIPINAS)  
LUNGSOD NG PUERTO PRINCESA) S.S.



KAMI, **EDUARDO L. PADOJINOG, JUAN P. BATONGBAKAL** at **JOSE M. COLLERA SR.**, nasa mga hustong gulang, may asawa, Pilipino at naninirahan sa Barangay San Miguel, Rizal Avenue Extension at Barangay Sta. Monica, Puerto Princesa City, matapos manumpa ng naaayon sa batas ay nagsasalaysay ng mga sumusunod:

1. Na kami ay mga "Concern Citizen" at Mangrove Stewardship Agreement holders na nagmamalasakit sa ating kalikasan at kapaligiran kung kaya't dahil dito ay naglalahad kami ng katotohanan sa mga naganap na pangyayari na aming nakita at nasaksihan upang ipaabot sa kaalaman ng DENR MIMAROPA Region IV ang walang tigil na paninira at pamumutol ng mga kahoy mangrove sa lupang saklaw at mapagkakakilanlang "MANGROVE FOREST SWAMP RESERVE" at makikilala bilang Presidential Proclamation No. 2152 series of 1987 na matatagpuan sa Barangay San Manuel, Puerto Princesa City; (see CENRO records on file re-MSA holders and Presidential Proclamation No. 2152)
2. Na noong Marso 10, 2010 ay inireport namin sa tanggapan ng Barangay Chairman ng Barangay San Manuel at tanggapan ng DENR CENRO, Puerto Princesa City ang mga naganap na paninira at pamumutol ng mangrove sa nasabing lugar (see attached letter addressed to CENRO dated March 10, 2010 as Annex Exhibit "A");
3. Na noong Marso 13, 2010 dahil sa paninirang naganap kami, Eduardo L. Padojinog, Honorio Batongbakal at Juan P. Batongbakal pawang Mangrove Stewardship Agreement (MSA) holders (see CENRO records on file) ay nagtungo doon sa mangrove upang magmanman at alamin kung sino ang mga taong pumasok at gumawa ng mga paninira at pamumutol ng mga kahoy mangrove at doon ay nakita at nasaksihan namin ang mga taong ito at aming napagkilala na sina Myrna Ybanez, Rafael Cervantes at Tomas Padul Jr. samantala sa karatig naman na mangrove na hindi kalayuan sa MSA area ni Juan Batongbakal ang namumutol at naghahawan ng mga kahoy mangrove ay sina Romeo Dadivas, Leonardo Dadivas, Jonjon Arganados at Felisa Arganados, Gilbert Padul at Joey Padul na ang lahat ay pawang naninirahan sa Barangay San Manuel Puerto Princesa City. (see submitted pictures to Forester Conrado Corpuz of DENR CENRO, P.P. City);
4. Na noong June 17, 2010 kami, Eduardo Padojinog, Juan Batongbakal, Jose Collera na isa ring MSA holder at Kagawad Restituto de Jesus ng Barangay San Manuel, Puerto Princesa City ay pumunta sa mangrove na nasasakupan ni Jose Collera at doon ay nakita at nasaksihan namin na sa loob ng mangrove ay mayroong mga nakatayong bahay-kubo na ang iba ay hindi pa natatapos at napagkilala namin na ang isang bahay ay pag-aari at tirahan ni Federico Negro Cotejo at ni Robelina Landino Romano na nadatnan at nakita namin ang mga ito na naglilinis at namumutol ng mga kahoy mangrove at nagtitipon ng mga tipak-tipak na mga corals. Samantala sa karatig na bahay-kubo naman ay nakita namin at napagkilala ang isang Rafael Cervantes at isang Joey Padul na nagpapanday ng bahay samantalang si Rafael Cervantes gamit ang itak/gulok ay naglilinis at pinuputol ang mga kahoy mangrove sa kapaligiran ng

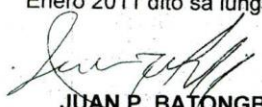
CERTIFIED PHOTOCOPY

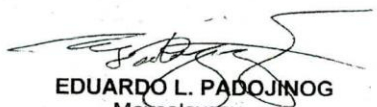
*Signature*  
NOVA BILLE B. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER / RECORDS OFFICER I

nakatayong bahay na pag-aari nito at ang mga nabanggit na individual ay pawang naninirahan sa Barangay San Manuel Puerto Princesa City.

5. Na noong September 12, 2010 kami, Eduardo Padojinog, Juan Batongbakal at Jose Collera ay muling bumalik sa mangrove area upang muling magmanman at sa panahong ito ay nakita namin sina Myrna Ybanez, Rafael Cervantes, Tomas Padul Jr., at iba pang mga tao na hindi namin nakikilala at doon sa sakop na mangrove ni Juan Batongbakal ay ginagawa ang bahay-kubo ni Myrna Ybanez (see attached letter of Myrna Ybanez dated September 16, 2010 at Tax declaration as Annexes Exhibits "B" and "C") na itinayo noong mga nakaraang buwan at patuloy nilang nililinis at binabakuran at patuloy ding pinuputol ang kahoy mangrove ni Rafael Cervantes, Tomas Padul Jr. at Myrna Ybanez at ng sandaling iyon ng makita nila kami ay narinig namin na sumisigaw si Tomas Padul Jr. at Rafael Cervantes ng ganito "WALANG SINO MANG MAKAAAGAW NG LUPANG KABAKAWAN SAPAGKA'T ITO AY SA AMIN PANG MGA NINUNO! PAPATAYIN NAMIN ANG SINO MANG PUMASOK DITO!" katunayan ang mga pangyayaring ito ay inireport namin sa CENRO at ang pagbabantang ito ay naging dahilan para kami ay naghain ng demanda for GRAVE THREATS laban sa mga nabanggit na mga tao. (for reference City Prosecutors Office, Puerto Princesa City dated November 16, 2010 attached as Annex Exhibit "D");
6. Na kami bilang "Concern Citizen" at stakeholders ng Mangrove Stewardship Agreement (MSA) na ipinagkaloob ng DENR ay kusang loob na ginawa ang malayang salaysay na ito upang patunayan na ang mga ginawang paninira at pamumutol ng mga kahoy mangrove ay totoo at upang ang tanggapan ng DENR ay gumawa ng nararapat na aksyon sa mga naninira ng ating "MANGROVE FOREST SWAMP RESERVE" sang-ayon sa **Presidential Proclamation No. 2152 series of 1987 at P.D. 705 as amended** (emphasis supplied) laban kina MYRNA YBANEZ, RAFAEL CERVANTES, FEDERICO NEGRO COTEJO, ROMEO DADIVAS, LEONARDO DADIVAS, TOMAS PADUL JR., GILBERT PADUL, JOEY PADUL, JON JON ARGANADOS, FELISA ARGANADOS AT ALFREDO VALAROSO. Na ayon sa mga saksi ay pinatunayan nila na siya (ALFREDO VALAROSO ay naghahakot ng mga bakawang kanyang pinutol. ( see attached exhibit as ANNEX "E" ) Na ang mga taong nabanggit sa itaas ay pawang naninirahan sa Bgy. San Manuel Puerto Princesa City.
7. Na ang reklamong ito para sampahan ng demanda ang mga lumabag sa batas P.D 705 as Amended and Presidential Proclamation number 2152 ay isang "ENVIRONMENTAL CASE".
8. Na ang Pinagsamang Salaysay na ito ay kusang loob naming ginawa upang patotohanan lamang ang nakasaad sa itaas.

**SA KATUNAYAN NG LAHAT NG ITO** kami ay lumagda ngayong ika-12 ng Enero 2011 dito sa lungsod ng Puerto Princesa.

  
**JUAN P. BATONGBAKAL**  
Maysalaysay  
Senior Citizen's ID No. 254718  
Date of Issue: November 25, 1999  
Issued at Puerto Princesa City

  
**EDUARDO L. PADOJINOG**  
Maysalaysay  
Senior Citizen's ID No. 1968879  
Date of Issue: May 7, 2003  
Issued at Puerto Princesa City

**CERTIFIED PHOTOCOPY**

  
**NOVABELLE B. GARCELLANO-VITERBO**  
ADMINISTRATIVE OFFICER (RECORDS OFFICER)



  
JOSE M. COLLERA Sr.

Maysalaysay

Professional Driver's License No. D 11-80-007250

Issued at Puerto Princesa City

Expiry Date: December 21, 2011

**SUBSCRIBED AND SWORN TO** before me this 13<sup>th</sup> day of JANUARY 2011 at Puerto Princesa City, affiants having exhibited to me their Senior Citizen's ID and Professional Driver's License / and this is to Certify further that I have personally examined the affiants and that I am fully convinced and satisfied that affiants voluntarily executed and understood the content of their affidavit.

DOC. NO.: 190  
PAGE NO.: 39  
BOOK NO.: V  
SERIES OF 2011

  
ATTY. NANNETTE D. MATA-TIMBREZA  
Notary Public

Until December 31, 2012

PTR No. 4068723 01-04-10 PALAWAN

IBP Lifetime No. 08339 / PALAWAN

Roll No. 56235

Unit 4 Lustre Bldg., Rizal Avenue  
Puerto Princesa City, Palawan

**CERTIFIED PHOTOCOPY**

  
NOVA BILLE S. GARCELLANO-VITERBO  
ADMINISTRATIVE OFFICER (RECORDS OFFICER)