



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

July 26, 2023

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region

THRU : The Chief, Legal Services Division

FROM : The OIC-PENRO
Oriental Mindoro


SUBJECT : **SUBMISSION OF ANSWER OF FORESTER REYNALDO D. PUDIQUET AND REPLY OF ATTY. FRANCES MARGARETTE A. MENDOZA REGARDING NOTICE TO EXPLAIN PER MEMORANDUM DATED JUNE 29, 2023**

This refers to the *Memorandum*¹ dated June 29, 2023 issued by this Office to Forester Reynaldo D. Pudiquet seeking explanation from him why no administrative case should be filed against him regarding letter dated June 20, 2023 addressed to Hon. Judge Erwin Y. Dimayacyac pertaining to *People vs. Albert Dit-ag y Villegas (Criminal Case No. R-21-3337)* and *People vs. Richard Cabang Paclita (Criminal Case No. M-21-3400)* that he filed on June 23, 2023 before the Regional Trial Court, Branch 43, Roxas stating that it was the DENR PENRO Oriental Mindoro that filed the Motions for Reconsideration. Furthermore, he was instructed to explain why the said letter was prepared and filed without prior coordination with the handling lawyer, Atty. Frances Margarette A. Mendoza.

Relative thereto, the following are forwarded for your consideration:

1. Answer of Forester Reynaldo D. Pudiquet;² and
2. Reply of Atty. Frances Margarette A. Mendoza.³

For your evaluation and appropriate action.


ALAN VALLE

¹ A copy of which is attached hereto as first attachment.

² A copy of which is attached hereto as second attachment.

³ A copy of which is attached hereto as third attachment.

Receives



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

JUN 29 2023

June 29, 2023

MEMORANDUM

TO : The CENR Officer
Roxas, Oriental Mindoro

ATTENTION: Reynaldo D. Pudiquet
Forester III/Chief MES

FROM : The OIC-PENRO
Oriental Mindoro

SUBJECT : **NOTICE TO EXPLAIN LETTER DATED JUNE 20, 2023
ADDRESSED TO HON. JUDGE ERWIN Y. DIMAYACYAC
REGARDING PEOPLE VS. ALBERT DIT-AG AND PEOPLE VS.
RICHARD CABANG PACLITA**

This refers to the *Letter*¹ dated June 20, 2023 addressed to Hon. Judge Erwin Y. Dimayacyac regarding *People vs. Albert Dit-ag y Villegas (Criminal Case No. R-21-3337)* and *People vs. Richard Cabang Paclita (Criminal Case No. M-21-3400)* that your Office filed on June 23, 2023 before the Regional Trial Court, Branch 43, Roxas stating that it is the DENR PENRO Oriental Mindoro that filed the Motions for Reconsideration. Per information from the handling lawyer, the said *Letter* was prepared and filed without prior coordination with her. The *Letter* shows that the same was dated June 20, 2023 and thus prepared on the same date, two days prior your meeting with her at a hearing on June 22, 2023 for a different case.

Relative thereto, in the observance of due process, you are instructed to submit an explanation, within five (5) days from receipt hereof, why no administrative case should be filed against you.

For your immediate compliance.


ALAN L. YALLE

¹ A copy of the Letter dated June 20, 2023 addressed to Hon. Judge Erwin Y. Dimayacyac is attached hereto as Annex "A".



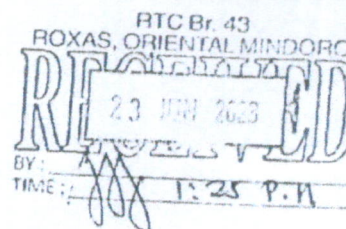
Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro

Annex "A"

June 20, 2023

HON. JUDGE ERWIN Y. DIMAYACYAC
Acting Presiding Judge
Regional Trial Court Br. 43
Roxas, Oriental Mindoro

ATTENTION: **ATTY. CINDEE V. GUNO-SIBULAN**
Clerk of Court VI
Regional Trial Court Br. 43
Roxas, Oriental Mindoro



Dear Hon. Judge Dimayacyac:

Isang Maka-Kalikasang Araw po!

Our office, DENR CENRO Roxas, Oriental Mindoro acknowledges and complies with the Orders you promulgated on June 13, 2023, denying the Motions for Reconsideration filed by the DENR PENRO Oriental Mindoro, in Criminal Case No. R-21-3337 (*Pp. v. Albert Dit-ag y Villegas*) and Criminal Case No. M-21-3400 (*Pp. v. Richard Cabang Paclita*) - both for violation of P.D. 705, as amended. Both Orders include a directive mandating our office to release the vehicle of the accused to them or its registered owner.

In line with this, our office already released the motor vehicle involved in Criminal Case No. M-21-3400 (*Pp. v. Richard Cabang Paclita*) to its registered owner – HH All Ventures Enterprises Corp. on May 19, 2023. Attached herein is a copy of the Acknowledgement Receipt signed by their authorized representative, Alejandro A. Gremio, and attested by the undersigned.

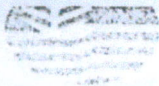
However, in Criminal Case No. R-21-3337 (*Pp. v. Albert Dit-ag y Villegas*), the accused is yet to coordinate with our office regarding the release of the motor vehicle involved to its registered owner. We are striving to send a letter to the accused regarding this matter but we still do not know the whereabouts of the accused as of the moment. As such, we are currently ready for the motor vehicle's release to its registered owner upon the presentation of proper documents. Attached herein is a copy of the letter to Albert Dit-ag y Villegas.

Thank you and warm regards.

Respectfully,

REYNALDO P. PUDIQUET
Forester III/Chief MES
Technical Services Supervisor

Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com



ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

This is to acknowledge the receipt of the Mitsubishi Fighter Wing Van with Plate Number NAE 4498 owned by HH ALL VENTURES ENTERPRISES CORP. with Certificate of Registration No. 275434294. Said vehicle has Engine Number 6M61-013255 and Chassis Number EK61HK-750880, subject of the Criminal Case No. M-21-3400 entitled People of the Philippines vs. Richard Cabang Paclita before Regional Trial Court of Roxas, Branch 43.

The vehicle was released pursuant to an Order dated April 27, 2023, made in open court, by Hon. Judge Erwin Y. Dimayacyac.

This Acknowledgement Receipt was issued in compliance with the said Order.

Received this 19th day of May 2023 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

HH ALL VENTURES ENTERPRISES CORP.
Owner of Conveyance

Received by:

ALEJANDRO A. GREMIO

A representative with duly executed
Special Power of Attorney
notarized on May 18, 2023
by **Atty. Jomar P. Pajardo**
Decemehr 31, 2024 ROLL 49129
PTR No. 12459592 J-1/3 2023
IBP No. 238343/10-21-22

Noted by:

LOLITA Q. ALFANTE
Forester II

Attested by:

REYNALDO B. PUDIQUET
Forester III/Chief MES

Purok Camia 2, Barangay San Mariano, Roxas, Oriental Mindoro
cenroroxas_orientalmin@yahoo.com

CS CamScanner



ACKNOWLEDGEMENT RECEIPT

DATE: 10/10/2014

I have received the sum of \$100.00 from the account of the above named person for the purpose of the above stated account.

The receipt was issued to me by the above named person for the sum of \$100.00.

THE RECEIPT WAS ISSUED TO ME BY THE ABOVE NAMED PERSON FOR THE SUM OF \$100.00.

ALL THE ABOVE STATED INFORMATION IS TRUE AND CORRECT.

[Signature]
ALEXANDRO A. GARCIA
I have received the sum of \$100.00 from the account of the above named person for the purpose of the above stated account.

10/10/2014
ALEXANDRO A. GARCIA

10/10/2014
ALEXANDRO A. GARCIA

10/10/2014



Community Health Center
10/10/2014
ALEXANDRO A. GARCIA



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572

MEMORANDUM

FOR : The OIC, PENR Officer
DENR, PENRO, Calapan City

ATTN: ATTY. FRANCES A. MARGARETH MENDOZA

FROM : REYNALDO D. PUDIQUET
Forester III/Chief MES
Roxas, Oriental Mindoro

SUBJECT : **ANSWER TO THE NOTICE TO EXPLAIN IN LETTER DATED JUNE 20, 2023 ADDRESSED TO HON. JUDGE ERWIN Y. DIMAYACYAC REGARDING PEOPLE VS. ALBERT DIT-AG AND PEOPLE VS. RICHARD CABANG PACLITA**

DATE : July 5, 2023

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	JUL 10 2023
TIME:	

On July 03, 2023, our office, DENR CENRO Roxas, Oriental Mindoro, received a Memorandum from your good office dated June 29, 2023, addressed to the undersigned. The said Memorandum instructs the undersigned to submit a written explanation as to the Letter dated June 20, 2023, addressed to the Hon. Judge Erwin Y. Dimayacyac regarding the cases of *Pp v. Dit-ag y Villegas* (Crim. Case No. R-21-3337) and *Pp v. Paclita* (Crim. Case No. M-21-3400) that our office filed on June 23, 2023, before the Regional Trial Court Br. 43 of Roxas, Oriental Mindoro.

I, the undersigned, humbly intend to clarify some matters. Regarding the case of *Pp v. Paclita* (Crim. Case No. M-21-3400), the handling lawyer is fully informed of the release of the conveyance subject of the case. The said release is based on the Order of Judge Dimayacyac dated April 27, 2023, which I assumed that the handling lawyer was given a copy of by the court. I communicated with the handling lawyer via a cellphone call for the needed documents for the release of the said conveyance to its registered owner. In fact, it is the handling lawyer who drafted the Acknowledgement Receipt dated May 19, 2023, which was given to the registered owner of the said conveyance after the latter complied with the presentation of the needed documents.

Regarding the case of *Pp v. Dit-ag y Villegas* (Crim. Case No. R-21-3337), I was constrained to write a letter to the accused for the release of the conveyance subject of the case. The reason is that there are Orders from Judge Dimayacyac dated June 13, 2023¹, obliging us for the last time to

¹ A copy of the Orders by the Hon. Judge Erwin Y. Dimayacyac dated June 13, 2023 is attached herein.



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572

comply with the said Order to Release the subject conveyances in *Pp v. Dit-ag y Villegas (Crim. Case No. R-21-3337)* and *Pp v. Paclita (Crim. Case No. M-21-3400)* within 48 hours. The Order contained a stern warning that a failure to comply with such directive, our officers will be cited for contempt of court for improper conduct and degrading the administration of justice. I assumed that the handling lawyer was also given a copy of the said Orders by the court.

As such, upon receipt of the Order, I immediately wrote a letter to Judge Dimayacyac expressing that we acknowledge and comply with his Order. I stated that the subject conveyance in *Pp v. Paclita (Crim. Case No. M-21-3400)* was already released to its registered owner last May 19, 2023, and that the accused in *Pp v. Dit-ag y Villegas (Crim. Case No. R-21-3337)* is yet to coordinate with our office for the release of his conveyance. I also stated that as of the letter's writing, the whereabouts of the accused are still unknown but we are fully ready for the release of the conveyance to its registered owner upon presentation of proper documents.

With that then, I only strive to comply immediately with the Orders of the Hon. Judge Erwin Y. Dimayacyac in the abovementioned cases in good faith. Honestly, I do not have the intention to disrespect the handling lawyer and her noble efforts and accomplishments in the abovementioned cases. I humbly apologize if my actions cause some harm or negative feedback. I was not able to communicate this matter with the handling lawyer due to time constraints of just 48 hours as per the Order. Hence, hope that this serves as a lesson for me to be more cautious in my actions and communicate well with the handling lawyer regarding all the cases assigned to her.

Be certain that I am one with you in the proper administration of justice and in protecting our environment. Rest assured that I will continue to do my job in serving the public faithfully, fairly, and efficiently to the best of my abilities.

For records, information, and consideration.

REYNALDO D. PUDIQUET

Republic of the Philippines
Regional Trial Court
Fourth Judicial Region
Branch 43
Roxas, Mindoro Oriental
e-mail address: rtc2rcm4@doj.gov.ph
contact number: 043-7281 520

PEOPLE OF THE PHILIPPINES,
Plaintiff,

versus

Criminal Case No. M-21-3400
For Violation of PD 705
as amended

RICHARD CABANG PACLITA,
Accused.

X-----X

ORDER

A Motion for Reconsideration was filed by the plaintiff through the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023. Upon perusal of the motion, it does not deserve to be set for hearing.

The order of this Court granting the motion to quash the Information filed against the accused had already attained its finality. The order was given in open court on 25 November 2021. The order includes the directive to the evidence custodian of Community Environment and Natural Resources Office (CENRO)-Roxas, Oriental Mindoro, to release the vehicle, a Mitsubishi Van bearing plate no. NAE 4498 to the accused or to its registered owner. The Supreme Court held:

"Settled is the rule that after a judgment becomes final, no additions can be made thereto and nothing can be done therewith except its execution. Once a judgment becomes final and executory, it can no longer be disturbed no matter how erroneous it may be. (Natalia Realty, Inc. v. Hon. Rivera, G.R. No. 164914, 05 October 2005, King Integrated Security Services v. Gatao, G.R. No. 143813, 07 July 2003, and Toledo-Banaga v. Court of Appeals, 361 Phil. 1006)" (Emphasis supplied)

Further,

"Considering that the RTC decision had already attained finality, there is no longer need to discuss whether the RTC and the CA erred in ruling that PSB failed to prove its cause of action. A decision that has acquired finality becomes immutable and unalterable, and may no longer be modified in any respect, even if

4

the modification is meant to correct erroneous conclusions of fact and law, and whether it be made by the court that rendered it or by the Highest Court of the land. Any act which violates this principle must immediately be struck down. (Philippine Savings Bank v. Papa, G.R. No. 200469, *Gadrinab v. Salazar*, 26 Phil. 279)" (Emphasis supplied)

In view of finality of the order of this Court, it can not be altered or modified in any aspect. Clearly, the motion must be immediately denied.

For obvious reason, the motion is dilatory in nature in order to postpone the release of the vehicle of the accused and to degrade the administration of justice. Stern warning is given to PENRO and to its counsel. Filing of another dilatory motion will be meted with severe penalty.

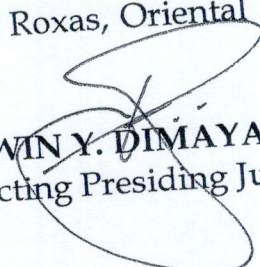
WHEREFORE, the Motion for Reconsideration filed by the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023 is hereby DENIED for utter lack of merit. The Order dated 25 November 2021 had already attained its finality.

Stern warning is given to PENRO and to its counsel that filing of another dilatory motion will be meted with severe penalty.

For the last time, CENRO-Roxas, Oriental Mindoro, is directed to release the vehicle of the accused to him or to its registered owner within 48 hours from receipt of this order. Failure to comply with this directive, its officers will be cited for contempt of court for improper conduct and degrading the administration of justice.

SO ORDERED.

Given in Chambers this 13th day of June 2023 at Roxas, Oriental Mindoro, the Philippines.


ERWIN Y. DIMAYACYAC
Acting Presiding Judge

Republic of the Philippines
Regional Trial Court
Fourth Judicial Region
Branch 43

Roxas, Mindoro Oriental
e-mail address: rtc2rxm043@judiciary.gov.ph
contact number: 043 7383 820

PEOPLE OF THE PHILIPPINES,
Plaintiff,

versus

Criminal Case No. R-21-3337
For: Violation of PD 705
as amended

ALBERT DIT-AG y VILLEGAS,
Accused.

x-----x

ORDER

A Motion for Reconsideration was filed by the plaintiff through the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023. Upon perusal of the motion, it does not deserve to be set for hearing.

The order of this Court granting the motion to quash the Information filed against the accused had already attained its finality. The order was given in open court on 05 August 2021. The order includes the directive to the evidence custodian of Community Environment and Natural Resources Office (CENRO)-Roxas, Oriental Mindoro, to release the motorcycle of the accused or to its registered owner. The Supreme Court held:

"Settled is the rule that after a judgment becomes final, no additions can be made thereto and nothing can be done therewith except its execution. **Once a judgment becomes final and executory, it can no longer be disturbed** no matter how erroneous it may be. (*Natalia Realty, Inc. v. Hon. Rivera*, G.R. No. 164914, 05 October 2005, *King Integrated Security Services v. Gatan*, G.R. No. 143813, 07 July 2003, and *Toledo-Banaga v. Court of Appeals*, 361 Phil. 1006)" (Emphasis supplied)

Further,

"Considering that the RTC decision had already attained finality, there is no longer need to discuss whether the RTC and the CA erred in ruling that PSB failed to prove its cause of action. **A decision that has acquired finality becomes immutable and unalterable, and may no longer be modified in any respect, even if**

the modification is meant to correct erroneous conclusions of fact and law, and whether it be made by the court that rendered it or by the Highest Court of the land. Any act which violates this principle must immediately be struck down. (*Philippine Savings Bank v. Papa*, G.R. No. 200469, *Gadrinab v. Salamancia*, 736 Phil. 279)" (Emphasis supplied)

In view of finality of the order of this Court, it can not be altered or modified in any aspect. Clearly, the motion must be immediately denied.

For obvious reason, the motion is dilatory in nature in order to postpone the release of the vehicle of the accused and to degrade the administration of justice. Stern warning is given to PENRO and to its counsel. Filing of another dilatory motion will be meted with severe penalty.

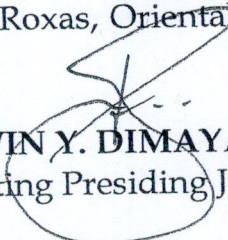
WHEREFORE, the Motion for Reconsideration filed by the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023 is hereby DENIED for utter lack of merit. The Order dated 05 August 2021 had already attained its finality.

Stern warning is given to PENRO and to its counsel that filing of another dilatory motion will be meted with severe penalty.

For the last time, CENRO-Roxas, Oriental Mindoro, is directed to release the motor cycle of the accused to him or to its registered owner **within 48 hours** from receipt of this order. Failure to comply with this directive, its officers will be cited for contempt of court for improper conduct and degrading the administration of justice.

SO ORDERED.

Given in Chambers this 13th day of June 2023 at Roxas, Oriental Mindoro, the Philippines.


ERWIN Y. DIMAYACYAC
Acting Presiding Judge



July 21, 2023

MEMORANDUM

FOR : The OIC-PENRO
Oriental Mindoro

FROM : Frances Margarette A. Mendoza
Attorney III

SUBJECT : **REPLY TO THE ANSWER OF NOTICE TO EXPLAIN DATED JULY 5, 2023 OF FORESTER REYNALDO D. PUDIQUET REGARDING THE LETTER DATED JUNE 20, 2023 FILED BY HIM ADDRESSED TO HON. JUDGE ERWIN Y. DIMAYACYAC RELATING TO PEOPLE VS. ALBERT DIT-AG AND PEOPLE VS. RICHARD CABANG PACLITA**

This refers to the *Memorandum*¹ dated June 29, 2023 signed by the OIC-PENRO with subject "*Notice to Explain Letter Dated June 20, 2023 Addressed to Hon. Judge Erwin Y. Dimayacyac Regarding People vs. Albert Dit-ag and People vs. Richard Cabang Paclita*" duly indorsed to the CENR Officer, Roxas, particularly addressed to Forester Reynaldo D. Pudiquet (Forester Pudiquet) instructing the latter to explain the *subject Letter*² which states that it was the DENR PENRO Oriental Mindoro that filed the Motions for Reconsideration. Likewise, the *Memorandum* dated June 29, 2023 sought an explanation from Forester Pudiquet about the fact that the undersigned, who is the handling lawyer for the above-mentioned cases, was not informed about the filing of the subject letter.

Office protocol dictates that issuance of memoranda should be coursed through the proper channel. With this, the answer of Forester Pudiquet to *Memorandum* dated June 29, 2023 should have been duly addressed to the OIC-PENRO and not to the undersigned as the signatory on the said *Memorandum* was the OIC-PENRO. Forester Pudiquet is aware that the undersigned belongs to the Legal Division of the DENR MIMAROPA Region, making it improper to attention his answer to her. Further, the answer of Forester Pudiquet must be duly indorsed by the CENR Officer of CENRO Roxas (CENR Officer) which Forester Pudiquet did not observe in his answer *Memorandum*³ dated July 5, 2023 (Answer Memorandum for brevity) with subject "*Answer to the Notice to Explain in Letter dated June 20, 2023 addressed to Hon. Judge Erwin Y. Dimayacyac regarding People vs. Albert Dit-ag and People vs. Richard Cabang Paclita.*" Per conversation over the mobile phone last July 18, 2023, CENR Officer confirmed that he did not indorse the *Memorandum* dated July 5, 2023 of Forester Pudiquet nor did it reach his attention about the issuance of the same.

With due respect, the undersigned does not want to be involved in the matter as she belongs to the Legal Division of DENR MIMAROPA Region which is responsible for the evaluation of propriety of filing of administrative cases. But since Forester Pudiquet wrongfully addressed his *Answer Memorandum* to the undersigned, she is left with no choice but to clarify matters.

¹ A copy of the Memorandum dated June 29, 2023 is attached hereto as Annex "A".

² A copy of the Letter dated June 20, 2023 is attached hereto as Annex "B"; Annex "A" of the Memorandum dated June 29, 2023, attached hereto as Annex "A".

³ A copy of the Answer Memorandum dated July 5, 2023 is attached heretot as Annex "C".

To set things straight, the main issue at hand is the misleading statement in the *Letter*⁴ dated June 20, 2023 putting in bad light the undersigned and the DENR PENRO Office. Everything that transpired prior that is beside the point. For transparency, the excerpt of the letter is quoted hereunder:

“Our Office, DENR CENRO Roxas, Oriental Mindoro acknowledges and complies with the Orders you promulgated on June 13, 2023, denying the Motions for Reconsideration filed by the DENR PENRO Oriental Mindoro, in Criminal Case No. R-21-3337 (*Pp. v. Albert Dit-ag y Villegas*) and Criminal Case No. M-21-3400 (*Pp. v. Richard Cabang Paclita*) – both for violation of P.D. 705, as amended. Both Orders include a directive mandating our office to release the vehicle of the accused to them or its registered owner.” (Emphasis and Underscoring Supplied)

Clearly, the misleading statement in his Letter that it was the DENR PENRO Oriental Mindoro that filed the Motions for Reconsideration was equivalent to denying the representation of the undersigned for the CENRO – Roxas which Forester Pudiquet knew all along is being represented by the undersigned within its area of jurisdiction. It was a clear indication of passing the blame to the DENR PENRO and the undersigned as she was the signatory of the Motions for Reconsideration.

Unfortunately, by denying the representation of the undersigned for the CENRO Roxas, the efforts of the undersigned were not sincerely recognized despite the flowery statements made by Forester Pudiquet in his *Answer Memorandum*. To clear things up, on April 27, 2023, Hon. Judge Erwin Y. Dimayacyac, after the hearing in the above-mentioned cases, promulgated *Orders*,⁵ in open court, directing the immediate release of the subject vehicles. In *People vs. Richard Cabang Paclita*, the directive was so specific that the instruction was to release it within 48 hours. Out of genuine concern for the staff of CENRO-Roxas and to make sure that no one will be cited in contempt, the undersigned rushed to the CENRO-Roxas after the hearing and assisted in the drafting of the template for the Acknowledgement Receipt. The same is an editable general template where the names and other information can be substituted. There is no truth that the undersigned drafted the Acknowledgement Receipt dated May 19, 2023 which was given to the registered owner as stated by Forester Pudiquet in his *Answer Memorandum*. May 19, 2023 fell on a Friday, while hearings in RTC Roxas are scheduled every Thursday when the undersigned usually frequent Roxas. Further, she did not have a Travel Order on May 19, 2023 to CENRO Roxas. There is likewise no receipt of e-mail showing that she drafted the Acknowledgment Receipt dated May 19, 2023 because none exists. This is to respectfully remind Forester Pudiquet to be cautious of his statements.

It is indeed bothersome that Forester Pudiquet did not communicate to the undersigned the filing of the said *Letter* and its contents as he admitted in his *Answer Memorandum*. The undersigned is easy to reach as she had given her two mobile numbers to him. In fact, in the desire of the undersigned to make sure that no one from CENRO Roxas will be cited in contempt regarding the *Orders* dated April 27, 2023 promulgated for the above-mentioned cases, she promptly acted on it by constantly monitoring with Forester Pudiquet if anyone claimed the subject vehicles until April 28 (Friday). The next working day then was May 2 (May 1 was a Holiday) which the undersigned deemed was best to have a Manifestation filed to prevent the court from exercising its contempt powers against the staff of CENRO Roxas. On May 2, 2023, even when the undersigned was actually on *sick leave*,⁶ she still managed to send Manifestations for the above-mentioned cases *via* e-mail⁷ to achieve the purpose of saving CENRO Roxas from contempt.

⁴ A copy of the Letter dated June 20, 2023 is attached hereto as Annex “B”; Annex “A” of the Memorandum dated June 29, 2023, attached hereto as Annex “A”.

⁵ A copy of the Orders dated April 27, 2023 are attached hereto as Annexes “D” and “D-1”.

⁶ A copy of the Leave Form for May 2, 2023 is attached hereto as Annex “E”.

⁷ A copy of the proof of e-mail is attached hereto as Annex “F”.

Reading through the *Answer Memorandum* of Forester Pudiquet, it is clear that he admitted that he did not communicate with the undersigned the subject letter stating that it was the DENR PENRO that filed the Motions for Reconsideration. Further, Forester Pudiquet did not offer a justifiable reason why he had to state such misleading statement in his *Letter*. Being pressed of time was not sufficient reason as explained above as the undersigned has her lines open for communication. Lastly, being pressed of time was not a justifiable reason to mislead the Honorable Court. Misleading statements negate good faith.

Respectfully submitted for information, clarification and your kind consideration.



FRANCES MARGARETTE A. MENDOZA

Cc: CENR-Officer
CENRO Roxas, Oriental Mindoro

Reynaldo D. Pudiquet
Forester III/Chief MES



June 29, 2023

MEMORANDUM

TO : The CENR Officer
Roxas, Oriental Mindoro

ATTENTION: Reynaldo D. Pudiquet
Forester III/Chief MES

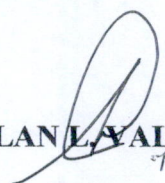
FROM : The OIC-PENRO
Oriental Mindoro

SUBJECT : **NOTICE TO EXPLAIN LETTER DATED JUNE 20, 2023
ADDRESSED TO HON. JUDGE ERWIN Y. DIMAYACYAC
REGARDING PEOPLE VS. ALBERT DIT-AG AND PEOPLE VS.
RICHARD CABANG PACLITA**

This refers to the *Letter*¹ dated June 20, 2023 addressed to Hon. Judge Erwin Y. Dimayacyac regarding *People vs. Albert Dit-ag y Villegas (Criminal Case No. R-21-3337)* and *People vs. Richard Cabang Paclita (Criminal Case No. M-21-3400)* that your Office filed on June 23, 2023 before the Regional Trial Court, Branch 43, Roxas stating that it is the DENR PENRO Oriental Mindoro that filed the Motions for Reconsideration. Per information from the handling lawyer, the said *Letter* was prepared and filed without prior coordination with her. The *Letter* shows that the same was dated June 20, 2023 and thus prepared on the same date, two days prior your meeting with her at a hearing on June 22, 2023 for a different case.

Relative thereto, in the observance of due process, you are instructed to submit an explanation, within five (5) days from receipt hereof, why no administrative case should be filed against you.

For your immediate compliance.


ALAN L. VALLE

¹ A copy of the Letter dated June 20, 2023 addressed to Hon. Judge Erwin Y. Dimayacyac is attached hereto as Annex "A".



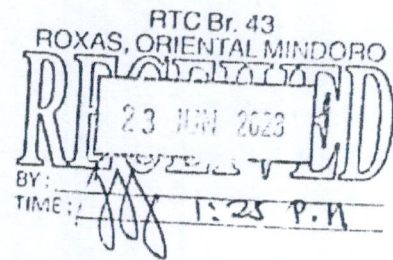
Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro

Annex "A"

June 20, 2023

HON. JUDGE ERWIN Y. DIMAYACYAC
Acting Presiding Judge
Regional Trial Court Br. 43
Roxas, Oriental Mindoro

ATTENTION: ATTY. CINDEE V. GUNO-SIBULAN
Clerk of Court VI
Regional Trial Court Br. 43
Roxas, Oriental Mindoro



Dear Hon. Judge Dimayacyac:

Isang Maka-Kalikasang Araw po!

Our office, DENR CENRO Roxas, Oriental Mindoro acknowledges and complies with the Orders you promulgated on June 13, 2023, denying the Motions for Reconsideration filed by the DENR PENRO Oriental Mindoro, in Criminal Case No. R-21-3337 (*Pp. v. Albert Dit-ag y Villegas*) and Criminal Case No. M-21-3400 (*Pp v. Richard Cabang Paclita*) - both for violation of P.D. 705, as amended. Both Orders include a directive mandating our office to release the vehicle of the accused to them or its registered owner.

In line with this, our office already released the motor vehicle involved in Criminal Case No. M-21-3400 (*Pp v. Richard Cabang Paclita*) to its registered owner – HH All Ventures Enterprises Corp. on May 19, 2023. Attached herein is a copy of the Acknowledgement Receipt signed by their authorized representative, Alejandro A. Gremio, and attested by the undersigned.

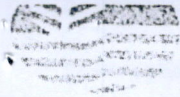
However, in Criminal Case No. R-21-3337 (*Pp. v. Albert Dit-ag y Villegas*), the accused is yet to coordinate with our office regarding the release of the motor vehicle involved to its registered owner. We are striving to send a letter to the accused regarding this matter but we still do not know the whereabouts of the accused as of the moment. As such, we are currently ready for the motor vehicle's release to its registered owner upon the presentation of proper documents. Attached herein is a copy of the letter to Albert Dit-ag y Villegas.

Thank you and warm regards.

Respectfully,

REYNALDO D. PUDIQUET
Forester III/Chief MES
Technical Services Supervisor

Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com



ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:


This is to acknowledge the receipt of the Mitsubishi Fighter Wing Van with Plate Number NAE 4498 owned by HH ALL VENTURES ENTERPRISES CORP. with Certificate of Registration No. 275434294. Said vehicle has Engine Number 6M61-013255 and Chassis Number FK61HK-750880, subject of the Criminal Case No. M-21-3400 entitled People of the Philippines vs. Richard Cabang Paclita before Regional Trial Court of Roxas, Branch 43.

The vehicle was released pursuant to an Order dated April 27, 2023, made in open court, by Hon. Judge Erwin Y. Dimayacyac.

This Acknowledgement Receipt was issued in compliance with the said Order.

Received this 19th day of May 2023 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

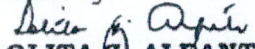
HH ALL VENTURES ENTERPRISES CORP.
Owner of Conveyance

Received by: 


ALEJANDRO A. GREMIO

A representative with duly executed
Special Power of Attorney
notarized on May 18, 2023
by **Atty. Jomar P. Pajardo**
Decemcebr 31, 2024 ROLL 49129
PTR No. 12459592 J-1/3 2023
IBP No. 238343/10-21-22

Noted by:


LOLITA Z. ALFANTE
Forester II

Attested by:


REYNALDO D. PUDIQUET
Forester III/Chief MES

Purok Camla 2, Barangay San Mariano, Roxas, Oriental Mindoro
cenroroxas_orientalmin@yahoo.com



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro

Hunyo 19, 2023

ALBERT DIT-AG y VILLEGAS
Brgy. Paclasan, Bayan ng Roxas,
Silangang Mindoro 5212

Ginoong Dit-ag:

Isang Maka-Kalikasang Araw po!


Ang aming tanggapan, ang Kagawaran ng Kapaligiran at Likas na Yaman (DENR) na nakatalaga sa Barangay San Mariano, Roxas, Silangang Mindoro ay lubos na iginagalang ang Kautusan (Order) na ipinagtibay ni Hukom Erwin Y. Dimayacyac ng *Regional Trial Court (RTC) Branch 43*, Roxas, Silangang Mindoro noong ika-13 ng Hunyo 2023 sa Kasong Kriminal Bilang R-21-3337 (*Pp v. Albert Dit-ag Villegas*). Ang Kautusan na iyon ay nagsasaad ng direktiba na ibalik ang motorsiklong sangkot sa kaso sa kanyang rehistradong may-ari.

Alinsunod dito, inaanyayahan po namin ang rehistradong may-ari ng motorsiklo na pumunta sa aming opisina para sa maayos na pagbabalik nito. Sa inyo pong pagpunta dito, mangyari po lamang na dalhin ninyo ng kumpleto ang mga sumusunod na orihinal na dokumento:

1. Valid I.D. ng rehistradong may-ari ng motorsiklo
2. Official Receipt (O.R.) ng motorsiklo mula sa LTO
3. Certificate of Registration (C.R.) ng motorsiklo mula sa LTO

Umaasa po kami sa inyong agarang tugon sa aming paanyaya. Maraming Salamat po!

Sumasaiyo,


REYNALDO P. PUDIQUET
Forester III / Chief, Monitoring and
Enforcement Section

Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com



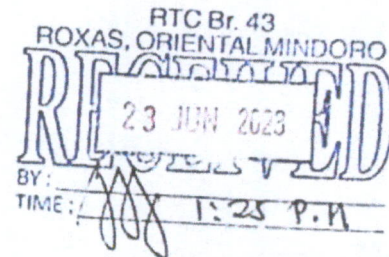
Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro

Annex "B"

June 20, 2023

HON. JUDGE ERWIN Y. DIMAYACYAC
Acting Presiding Judge
Regional Trial Court Br. 43
Roxas, Oriental Mindoro

ATTENTION: ATTY. CINDEE V. GUNO-SIBULAN
Clerk of Court VI
Regional Trial Court Br. 43
Roxas, Oriental Mindoro



Dear Hon. Judge Dimayacyac:

Isang Maka-Kalikasang Araw po!

Our office, DENR CENRO Roxas, Oriental Mindoro acknowledges and complies with the Orders you promulgated on June 13, 2023, denying the Motions for Reconsideration filed by the DENR PENRO Oriental Mindoro, in Criminal Case No. R-21-3337 (*Pp. v. Albert Dit-ag y Villegas*) and Criminal Case No. M-21-3400 (*Pp v. Richard Cabang Paclita*) - both for violation of P.D. 705, as amended. Both Orders include a directive mandating our office to release the vehicle of the accused to them or its registered owner.

In line with this, our office already released the motor vehicle involved in Criminal Case No. M-21-3400 (*Pp v. Richard Cabang Paclita*) to its registered owner - HH All Ventures Enterprises Corp. on May 19, 2023. Attached herein is a copy of the Acknowledgement Receipt signed by their authorized representative, Alejandro A. Gremio, and attested by the undersigned.

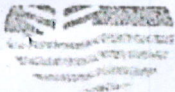
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Thank you and warm regards.

Respectfully,

REYNALDO SPUDQUET
Forester III/Chief MES
Technical Services Supervisor

Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com



ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

This is to acknowledge the receipt of the Mitsubishi Fighter Wing Van with Plate Number NAE 4498 owned by HH ALL VENTURES ENTERPRISES CORP. with Certificate of Registration No. 275434294. Said vehicle has Engine Number 6M61-013255 and Chassis Number FK61HK-750880, subject of the Criminal Case No. M-21-3400 entitled People of the Philippines vs. Richard Cabang Paclita before Regional Trial Court of Roxas, Branch 43.

The vehicle was released pursuant to an Order dated April 27, 2023, made in open court, by Hon. Judge Erwin Y. Dimayacyac.

This Acknowledgement Receipt was issued in compliance with the said Order.

Received this 19th day of May 2023 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

HH ALL VENTURES ENTERPRISES CORP.

Owner of Conveyance

Received by:

ALEJANDRO A. GREMIO

A representative with duly executed

Special Power of Attorney

notarized on May 18, 2023

by **Atty. Jomar P. Pajardo**

Decemembr 31, 2024 ROLL 49129

PTR No. 12459592 J-1/3 2023

IBP No. 238343/10-21-22

Noted by:

LOLITA Q. ALFANTE

Forester II

Attested by:

REYNALDO D. PUDIQUET

Forester III/Chief MES

Purok Camla 2, Barangay San Mariano, Roxas, Oriental Mindoro
cenroroxas_orientalmin@yahoo.com



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro

Hunyo 19, 2023

ALBERT DIT-AG y VILLEGAS
Brgy. Paclasan, Bayan ng Roxas,
Silangang Mindoro 5212

Ginoong Dit-ag:

Isang Maka-Kalikasang Araw po!


Ang aming tanggapan, ang Kagawaran ng Kapaligiran at Likas na Yaman (DENR) na nakatalaga sa Barangay San Mariano, Roxas, Silangang Mindoro ay lubos na iginagagalang ang Kautusan (Order) na ipinagtibay ni Hukom Erwin Y. Dimayacyac ng *Regional Trial Court (RTC) Branch 43*, Roxas, Silangang Mindoro noong ika-13 ng Hunyo 2023 sa Kasong Kriminal Bilang R-21-3337 (*Pp v. Albert Dit-ag Villegas*). Ang Kautusan na iyon ay nagsasaad ng direktiba na ibalik ang motorsiklong sangkot sa kaso sa kanyang rehistradong may-ari.

Alinsunod dito, inaanyayahan po namin ang rehistradong may-ari ng motorsiklo na pumunta sa aming opisina para sa maayos na pagbabalik nito. Sa inyo pong pagpunta dito, mangyari po lamang na dalhin ninyo ng kumpleto ang mga sumusunod na orihinal na dokumento:

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Umaasa po kami sa inyong agarang tugon sa aming paanyaya. Maraming Salamat po!

Sumasaiyo,


REYNALDO P. PUDIQUET
Forester III / Chief, Monitoring and
Enforcement Section

Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572

Annex "C"

MEMORANDUM

FOR : The OIC, PENR Officer
DENR, PENRO, Calapan City

ATTN: ATTY. FRANCES A. MARGARETH MENDOZA

FROM : REYNALDO D. PUDIQUET
Forester III/Chief MES
Roxas, Oriental Mindoro

SUBJECT : **ANSWER TO THE NOTICE TO EXPLAIN IN LETTER DATED JUNE 20, 2023 ADDRESSED TO HON. JUDGE ERWIN Y. DIMAYACYAC REGARDING PEOPLE VS. ALBERT DIT-AG AND PEOPLE VS. RICHARD CABANG PACLITA**

DATE : July 5, 2023

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	J. J. J.
DATE:	JUL 10 2023
TIME:	

On July 03, 2023, our office, DENR CENRO Roxas, Oriental Mindoro, received a Memorandum from your good office dated June 29, 2023, addressed to the undersigned. The said Memorandum instructs the undersigned to submit a written explanation as to the Letter dated June 20, 2023, addressed to the Hon. Judge Erwin Y. Dimayacyac regarding the cases of *Pp v. Dit-ag y Villegas* (Crim. Case No. R-21-3337) and *Pp v. Paclita* (Crim. Case No. M-21-3400) that our office filed on June 23, 2023, before the Regional Trial Court Br. 43 of Roxas, Oriental Mindoro.

I, the undersigned, humbly intend to clarify some matters. Regarding the case of *Pp v. Paclita* (Crim. Case No. M-21-3400), the handling lawyer is fully informed of the release of the conveyance subject of the case. The said release is based on the Order of Judge Dimayacyac dated April 27, 2023, which I assumed that the handling lawyer was given a copy of by the court. I communicated with the handling lawyer via a cellphone call for the needed documents for the release of the said conveyance to its registered owner. In fact, it is the handling lawyer who drafted the Acknowledgement Receipt dated May 19, 2023, which was given to the registered owner of the said conveyance after the latter complied with the presentation of the needed documents.

Regarding the case of *Pp v. Dit-ag y Villegas* (Crim. Case No. R-21-3337), I was constrained to write a letter to the accused for the release of the conveyance subject of the case. The reason is that there are Orders from Judge Dimayacyac dated June 13, 2023¹, obliging us for the last time to

¹ A copy of the Orders by the Hon. Judge Erwin Y. Dimayacyac dated June 13, 2023 is attached herein.



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/0917 113 5572

comply with the said Order to Release the subject conveyances in *Pp v. Dit-ag y Villegas (Crim. Case No. R-21-3337)* and *Pp v. Paclita (Crim. Case No. M-21-3400)* within 48 hours. The Order contained a stern warning that a failure to comply with such directive, our officers will be cited for contempt of court for improper conduct and degrading the administration of justice. I assumed that the handling lawyer was also given a copy of the said Orders by the court.

As such, upon receipt of the Order, I immediately wrote a letter to Judge Dimayacyac expressing that we acknowledge and comply with his Order. I stated that the subject conveyance in *Pp v. Paclita (Crim. Case No. M-21-3400)* was already released to its registered owner last May 19, 2023, and that the accused in *Pp v. Dit-ag y Villegas (Crim. Case No. R-21-3337)* is yet to coordinate with our office for the release of his conveyance. I also stated that as of the letter's writing, the whereabouts of the accused are still unknown but we are fully ready for the release of the conveyance to its registered owner upon presentation of proper documents.

With that then, I only strive to comply immediately with the Orders of the Hon. Judge Erwin Y. Dimayacyac in the abovementioned cases in good faith. Honestly, I do not have the intention to disrespect the handling lawyer and her noble efforts and accomplishments in the abovementioned cases. I humbly apologize if my actions cause some harm or negative feedback. I was not able to communicate this matter with the handling lawyer due to time constraints of just 48 hours as per the Order. Hence, hope that this serves as a lesson for me to be more cautious in my actions and communicate well with the handling lawyer regarding all the cases assigned to her.

Be certain that I am one with you in the proper administration of justice and in protecting our environment. Rest assured that I will continue to do my job in serving the public faithfully, fairly, and efficiently to the best of my abilities.

For records, information, and consideration.

REYNALDO E. PUDIQUET

Republic of the Philippines
Regional Trial Court
Fourth Judicial Region
Branch 2
Roxas, Mindoro Oriental
e-mail address: rtc4rmi@rtc4rmi.gov.ph
contact number: 0927221520

PEOPLE OF THE PHILIPPINES,
Plaintiff,

versus

Criminal Case No. M-21-3400
For Violation of PD 705
as amended

RICHARD CABANG PACLITA,
Accused.

x-----x

ORDER

A Motion for Reconsideration was filed by the plaintiff through the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023. Upon perusal of the motion, it does not deserve to be set for hearing.

The order of this Court granting the motion to quash the Information filed against the accused had already attained its finality. The order was given in open court on 25 November 2021. The order includes the directive to the evidence custodian of Community Environment and Natural Resources Office (CENRO)-Roxas, Oriental Mindoro, to release the vehicle, a Mitsubishi Van bearing plate no. NAE 4498 to the accused or to its registered owner. The Supreme Court held:

"Settled is the rule that after a judgment becomes final, no additions can be made thereto and nothing can be done therewith except its execution. Once a judgment becomes final and executory, it can no longer be disturbed no matter how erroneous it may be. (*Natalia Realty, Inc. v. Hon. Rivera*, G.R. No. 164914, 05 October 2005, *King Integrated Security Services v. Gatan*, G.R. No. 143813, 07 July 2003, and *Toledo-Banaga v. Court of Appeals*, 361 Phil. 1006)" (Emphasis supplied)

Further,

"Considering that the RTC decision had already attained finality, there is no longer need to discuss whether the RTC and the CA erred in ruling that PSB failed to prove its cause of action. A decision that has acquired finality becomes immutable and unalterable, and may no longer be modified in any respect, even if

✓

the modification is meant to correct erroneous conclusions of fact and law, and whether it be made by the court that rendered it or by the Highest Court of the land. Any act which violates this principle must immediately be struck down (Philippine Savings Bank v. Papa, G.R. No. 200469, *Gadrinab v. Salazar*, 36 Phil. 279)" (Emphasis supplied)

In view of finality of the order of this Court, it can not be altered or modified in any aspect. Clearly, the motion must be immediately denied.

For obvious reason, the motion is dilatory in nature in order to postpone the release of the vehicle of the accused and to degrade the administration of justice. Stern warning is given to PENRO and to its counsel. Filing of another dilatory motion will be meted with severe penalty.

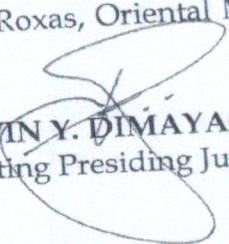
WHEREFORE, the Motion for Reconsideration filed by the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023 is hereby DENIED for utter lack of merit. The Order dated 25 November 2021 had already attained its finality.

Stern warning is given to PENRO and its counsel that filing of another dilatory motion will be meted with severe penalty.

For the last time, CENRO-Roxas, Oriental Mindoro, is directed to release the vehicle of the accused to him or to its registered owner within 48 hours from receipt of this order. Failure to comply with this directive, its officers will be cited for contempt of court for improper conduct and degrading the administration of justice.

SO ORDERED.

Given in Chambers this 13th day of June 2023 at Roxas, Oriental Mindoro, the Philippines.


ERWIN Y. DIMAYACYAC
Acting Presiding Judge

Republic of the Philippines
Regional Trial Court
Fourth Judicial Region
Branch 43

Roxas, Mindoro Oriental
e-mail address: rtc2rxm043@judiciary.gov.ph
contact number: 043 7383 820

PEOPLE OF THE PHILIPPINES,
Plaintiff,

versus

Criminal Case No. R-21-3337
For: Violation of PD 705
as amended

ALBERT DIT-AG y VILLEGAS,
Accused.

x-----x

ORDER

A Motion for Reconsideration was filed by the plaintiff through the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023. Upon perusal of the motion, it does not deserve to be set for hearing.

The order of this Court granting the motion to quash the Information filed against the accused had already attained its finality. The order was given in open court on 05 August 2021. The order includes the directive to the evidence custodian of Community Environment and Natural Resources Office (CENRO)-Roxas, Oriental Mindoro, to release the motorcycle of the accused or to its registered owner. The Supreme Court held:

"Settled is the rule that after a judgment becomes final, no additions can be made thereto and nothing can be done therewith except its execution. Once a judgment becomes final and executory, it can no longer be disturbed no matter how erroneous it may be. (*Natalia Realty, Inc. v. Hon. Rivera*, G.R. No. 164914, 05 October 2005, *King Integrated Security Services v. Gatan*, G.R. No. 143813, 07 July 2003, and *Toledo-Banaga v. Court of Appeals*, 361 Phil. 1006)" (Emphasis supplied)

Further,

"Considering that the RTC decision had already attained finality, there is no longer need to discuss whether the RTC and the CA erred in ruling that PSB failed to prove its cause of action. A decision that has acquired finality becomes immutable and unalterable, and may no longer be modified in any respect, even if

the modification is meant to correct erroneous conclusions of fact and law, and whether it be made by the court that rendered it or by the Highest Court of the land. Any act which violates this principle must immediately be struck down. (Philippine Savings Bank v. Papa, G.R. No. 200469, Gadrinab v. Salamanca 736 Phil. 279)" (Emphasis supplied)

In view of finality of the order of this Court, it can not be altered or modified in any aspect. Clearly, the motion must be immediately denied.

For obvious reason, the motion is dilatory in nature in order to postpone the release of the vehicle of the accused and to degrade the administration of justice. Stern warning is given to PENRO and to its counsel. Filing of another dilatory motion will be meted with severe penalty.

WHEREFORE, the Motion for Reconsideration filed by the Department of Environment and Natural Resources (DENR) MIMAROPA Regional Office, Provincial Environment and Natural Resources Office (PENRO) on 11 May 2023 is hereby DENIED for utter lack of merit. The Order dated 05 August 2021 had already attained its finality.

Stern warning is given to PENRO and to its counsel that filing of another dilatory motion will be meted with severe penalty.

For the last time, CENRO-Roxas, Oriental Mindoro, is directed to release the motor cycle of the accused to him or to its registered owner within 48 hours from receipt of this order. Failure to comply with this directive, its officers will be cited for contempt of court for improper conduct and degrading the administration of justice.

SO ORDERED.

Given in Chambers this 13th day of June 2023 at Roxas, Oriental Mindoro, the Philippines.


ERWIN Y. DIMAYACYAC
Acting Presiding Judge

PEOPLE OF THE PHILIPPINES,
Plaintiff,

versus

Crim. Case No. R-21-3337
For: Violation of PD 705
As Amended

ALBERT DIT-AG y VILLEGAS,
Accused.

X-----X

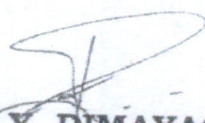
ORDER

This case was called for hearing on the Motion to Release Vehicle. Atty. Frances Margarette Mendoza appeared for the DENR and Atty. Marie Grace Trinidad of the Public Attorney's Office.

After series of discussion, the CENRO Roxas, Oriental Mindoro is directed for the immediate release of the motorcycle of the accused.

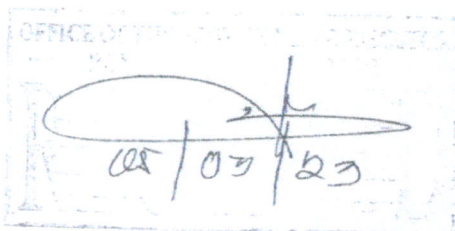
SO ORDERED.

Roxas, Oriental Mindoro, the Philippines.
April 27, 2023.


ERWIN Y. DIMAYACYAC
Acting Presiding Judge
(A.O. No. 324-2020)

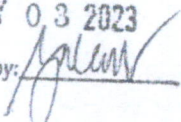
EYD/wella
R-21-3337

REYNALDO A. PUDIAUT
5/4/23



Public Attorney's Office

MAY 03 2023

Received by: 

Received:

Atty. Frances Margarette A. Mendoza
5/4/23

Annex "D-1"

PEOPLE OF THE PHILIPPINES,
Plaintiff,

versus

Crim. Case No. M-21-3400
For: Violation of PD 705 As
Amended (Revised
Forestry Code)

RICHARD CABANG PACLITA,

Accused.

X-----X

ORDER

This case was called for hearing on the Motion to Release Vehicle. Atty. Frances Margarette Mendoza appeared for the DENR and Atty. Marie Grace Trinidad of the Public Attorney's Office. Record shows that the court already dismissed this case per order dated November 25, 2021 on the ground that charcoal is not a forest product per definition of PD 705 and directed the DENR for the release the motor vehicle. However, the agency refused to release the motor vehicle. The DENR manifested that the agency may release temporarily the vehicle upon posting of the cash bond.

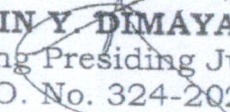
It is clear under the law that charcoal is not a part of forest product and there is no basis for the DENR to pursue with the administrative case against the accused.

Wherefore, the motion is hereby granted. The DENR is directed for the immediate release of the motor vehicle within 48 hours upon receipt of this order.

SO ORDERED.

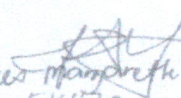
Roxas, Oriental Mindoro, the Philippines.

April 27, 2023.


ERWIN Y. DIMAYACYAC
Acting Presiding Judge
(A.O. No. 324-2020)

EYD/wella
M-21-3400

Received:

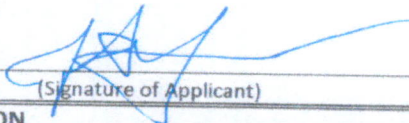
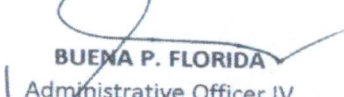
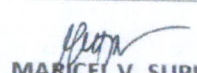


Atty. Frances Margarette A. Mendoza
5/4/23

PFO
Atty. Y...
PAO



Republic of the Philippines
Provincial Environment and Natural Resources
MIMAROPA Region

APPLICATION FOR LEAVE

1. OFFICE/DEPARTMENT DENR MIMAROPA - Legal Division (detailed in PENRO Oriental Mindoro)		2. NAME (Last) Mendoza (First) Frances Margarete (Middle) Axalan													
3. DATE OF FILLING May 3, 2023		4. POSITION Attorney III 5. SALARY SG 21													
6. DETAILS OF APPLICATION															
6.A TYPE OF LEAVE TO BE AVAILED OF <input type="checkbox"/> Vacation Leave (Sec. 51, Rule XVI, Omnibus Rules Implementing E.O. No. 292) <input type="checkbox"/> Mandatory/Forced Leave (Sec. 25, Rule XVI, Omnibus Rules Implementing E.O. No. 292) <input checked="" type="checkbox"/> Sick Leave (Sec. 43, Rule XVI, Omnibus Rules Implementing E.O. No. 292) <input type="checkbox"/> Maternity Leave (R.A. No. 11210/MRR issued by CSC, DOLE and SSS) <input type="checkbox"/> Paternity Leave (R.A. No. 8187/CSC MC No. 71, s. 1998, as amended) <input type="checkbox"/> Special Privilege Leave (Sec. 21, Rule XVI, Omnibus Rules Implementing E.O. No. 292) <input type="checkbox"/> Solo Parent Leave (RA No. 8972/CSC MC No. 8, s. 2004) <input type="checkbox"/> Study Leave (Sec. 58, Rule XVI, Omnibus Rules Implementing E.O. No. 292) <input type="checkbox"/> 10-Day VAWC Leave (RA No. 9262/CSC MC No. 15, s. 2005) <input type="checkbox"/> Rehabilitation Privilege (Sec. 55, Rule XVI, Omnibus Rules Implementing E.O. No. 292) <input type="checkbox"/> Special Leave Benefits for Women (RA No. 9710/CSC MC No. 25, s. 2010) <input type="checkbox"/> Special Emergency (Calamity) Leave (CSC MC No. 2, s. 2012 as amended) <input type="checkbox"/> Adoption Leave (RA No. 8552) Others: _____		6.B DETAILS OF LEAVE <i>In case of Vacation/Special Privilege Leave:</i> <input type="checkbox"/> Within the Philippines _____ <input type="checkbox"/> Abroad (Specify) _____ <i>In case of Sick Leave:</i> <input type="checkbox"/> In Hospital (Specify Illness) _____ <input checked="" type="checkbox"/> Out Patient (Specify Illness) chest pain (April 28) acid reflux (May 2) <i>In Case of Special Leave Benefits for Women:</i> <input type="checkbox"/> (Specify Illness) _____ <i>In case of Study Leave:</i> <input type="checkbox"/> Completion of Master's Degree <input type="checkbox"/> BAR/Board Examination Review Other purpose: <input type="checkbox"/> Monetization of Leave Credits <input type="checkbox"/> Terminal Leave													
6.C NUMBER OF WORKING DAYS APPLIED FOR two (2) days INCLUSIVE DATES April 28 & May 2, 2023		6.D COMMUTATION <input checked="" type="checkbox"/> Not Requested <input type="checkbox"/> Requested  (Signature of Applicant)													
7. DETAILS OF ACTION ON APPLICATION															
7.A CERTIFICATION OF LEAVE CREDITS As of April 14, 2023 <table border="1"><thead><tr><th></th><th>Vacation Leave</th><th>Sick Leave</th></tr></thead><tbody><tr><td>Total Earned</td><td>2.252</td><td>13.833</td></tr><tr><td>Less this application</td><td>-</td><td>2.000</td></tr><tr><td>Balance</td><td>2.252</td><td>11.833</td></tr></tbody></table>  BUENA P. FLORIDA Administrative Officer IV			Vacation Leave	Sick Leave	Total Earned	2.252	13.833	Less this application	-	2.000	Balance	2.252	11.833	7.B RECOMMENDATION <input type="checkbox"/> For approval <input type="checkbox"/> For disapproval due to _____  MARICEL V. SUPLEO Chief, Management Services Division	
	Vacation Leave	Sick Leave													
Total Earned	2.252	13.833													
Less this application	-	2.000													
Balance	2.252	11.833													
7.C APPROVED FOR: 2 days with pay _____ days without pay _____ others (Specify)		7.D DISAPPROVED DUE TO: _____ _____ _____													
 ALAN L. VALLE OIC, PENRO															

Annex "F"



Frances Margarette Mendoza <atty.margomendoza@gmail.com>

Manifestations for People vs. Dit-ag and People vs. Paclita

4 messages

Frances Margarette A. Mendoza <atty.margomendoza@gmail.com> Tue, May 2, 2023 at 8:57 AM
To: "CENRO-Roxas, Oriental Mindoro" <cenroroxas_orientalmin@yahoo.com>, cenroroxasormindoro@denr.gov.ph
Cc: DENR MIMAROPA - Legal <denr4blegal@gmail.com>, "penroor.mindoro" <penroor.mindoro@denr.gov.ph>, "Maryjune F. Maypa" <penro_orientalmin@yahoo.com>

Good day!

Attached are the Manifestations for People vs. Dit-ag and People vs. Paclita.

Please have Sir Dale Alagao signed both Manifestations. This is for the benefit of CENRO so no one will be cited in contempt. Also, please notarize the documents and copy furnish everyone listed on the respective documents.

Thank you and God bless.

Sincerely,

Atty. Margo

This message may contain confidential and privileged information. If it has been sent to you in error, please reply and advise the sender of the error and then immediately delete this message.

2 attachments

- Manifestation_Release of Vehicle_People vs. Albert Dit-ag.pdf**
606K
- Manifestation_Release of Vehicle_People vs. Paclita.pdf**
606K

CENRO-Roxas, Oriental Mindoro <cenroroxas_orientalmin@yahoo.com> Tue, May 2, 2023 at 1:50 PM
Reply-To: "CENRO-Roxas, Oriental Mindoro" <cenroroxas_orientalmin@yahoo.com>
To: "Frances Margarette A. Mendoza" <atty.margomendoza@gmail.com>

Good Day,

Attached are the received copy of the above mentioned subject.

CENRO-Roxas, OrMin

[Quoted text hidden]

2 attachments

- RICHARD CABANG PACLITA.pdf**
671K
- ALBERT DIT AG y VILLEGAS.pdf**
665K

Frances Margarette A. Mendoza <atty.margomendoza@gmail.com> Tue, May 2, 2023 at 2:37 PM
To: "CENRO-Roxas, Oriental Mindoro" <cenroroxas_orientalmin@yahoo.com>