



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS NA YAMAN
MIMAROPA REGION
Provincial Environment and Natural Resources Office



July 30, 2024

MEMORANDUM

FOR : **The Regional Executive Director**
MIMAROPA Region

THRU : **The Regional Director for MGB**

FROM : **The OIC, PENR Officer**
Oriental Mindoro

SUBJECT : **TURN-OVER OF EQUIPMENT/OBJECT EVIDENCE FOR
PROPER DISPOSITION**

Please be informed that the Regional Trial Court - 4th Judicial Region of Oriental Mindoro, Branch 40 has turned-over apprehended equipment used as object of evidence for **Criminal Case No. CR-18-14,029** for violation of RA 7942 otherwise known as the Philippine Mining Act of 1995 (Illegal Exploration).

Listed below are the equipment/objects of evidence turned-over to this Office and ordered confiscated in favor of the government to be disposed of in accordance with the law:

1. One (1) piece of quarter sack of suspected mine tailing;
2. One (1) piece of electric submersible pump;
3. One (1) piece electric dynamo motor;
4. One (1) piece of steel mallet;
5. One (1) piece head flashlight; and
6. Two (2) pieces solid metal shafting

The above equipment together with the Court Order issued by the Presiding Judge Charity Grace A. Rico were turned-over by the Clerk of Court V, Atty. Erick John Rae M. Laygo and Ms. Ms. Merla Guiray on July 26, 2024. Attached are photo documentation during the turn-over of the object evidence.

As such, may we request an instruction for the disposition of the above-items.

For information, record and reference.


ALAN L. VALLE

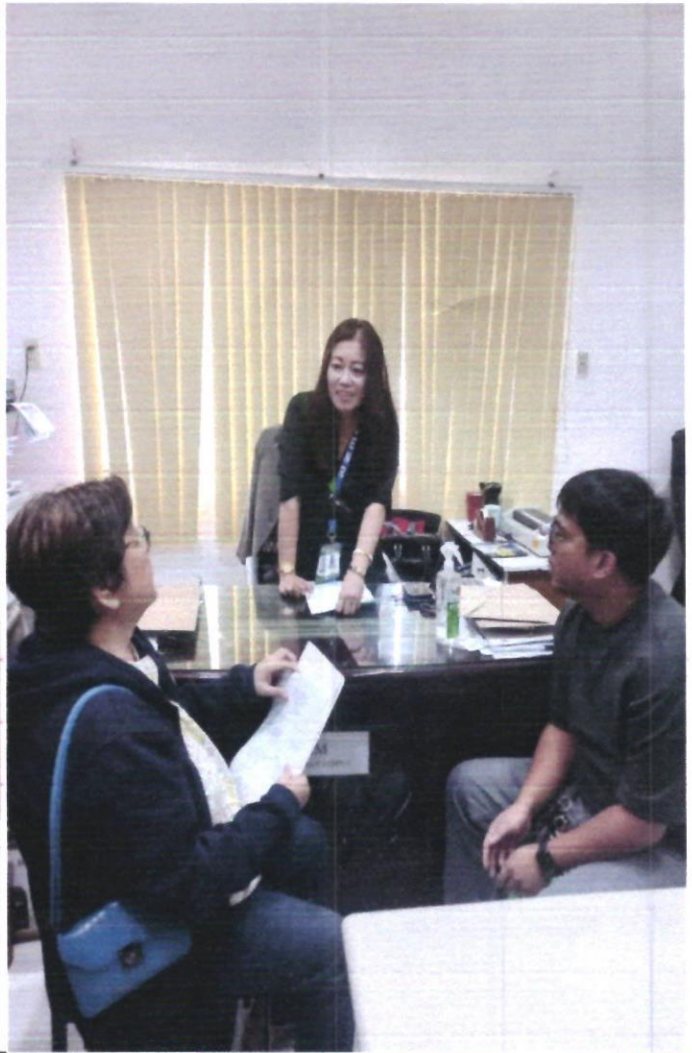
*Cc: Mines and Geosciences Bureau
RTC Branch 40, City of Calapan*

ORM2407005437



Atty. Erlinda A.I. Espiritu Street corner Gov. Arturo Arce Ignacio Ave.

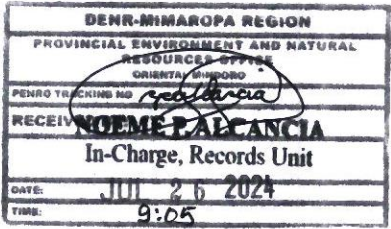
Doña Alicia Subd., Brgy. Suqui, Calapan City, Oriental Mindoro
Telephone No. (043)288-6006/ (043) 288-7442
Email Address: penroor.mindoro@denr.gov.ph
Website: <http://denrormindoro.com>



Turn-Over of object evidence by RTC-Branch 40

July 26, 2024

Republic of the Philippines
 REGIONAL TRIAL COURT
 FOURTH JUDICIAL REGION
 ORIENTAL MINDORO
 BRANCH 40
 City of Calapan
 rtc2cal040@judiciary.gov.ph
 CP#09089164197
 -o0o-



July 26, 2024

Engr. Alan L. Valle
 OIC-PENR Officer
 PENRO, Suqui, Calapan City
 Oriental Mindoro

Sir:

Pursuant to the Orders of this Court in the following cases, we are hereby turning over to your custody the following object evidence in said cases for proper disposition.

Case No.	Title	Date of Order	Object evidence
Crim. Case No. CR-23-16548	P. vs. Omer Olayber Lubang, Randie Vitalicio Villafuerte, Meynardo Rance Marco, Alex Axalan Billon & Alvin Axalan Billon for Viol. of R.A. 7942 (Illegal Exploration)	Decided as against accused Lubang, Villafuerte, Marco & Alex Billon: March 2, 2023 ; Decided as against accused Alvin Billon: March 6, 2023	One (1) sack of suspected mine tailing, one (1) wooden panning pan, one (1) Superflex braided chemical hose, four (4) shovels, one (1) digging hoe (asarol), one (1) small hammer and one (1) eye goggle
Crim. Case No. CR-18-14,029	P. vs. Marieta Cabardo Bia, Renz de Villa Mendoza, Albert Mantilla Dela Torre and Mark Michael Mangayan Dela Torre for Viol. of R.A. 7942	May 18, 2023	One (1) piece of quarter sack of suspected mine tailing, One (1) piece of electric submersible pump, one (1) piece of electric dynamo motor, one (1) piece of steel mallet, one

	(Illegal Exploration)		(1) piece head flashlight and two (2) pieces solid metal shafting
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Very truly yours,



ATTY. ERICK JOHN RAE M. LAYGO
Clerk of Court V

EML/mmcg

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40
City of Calapan
rtc2cal040@judiciary.gov.ph
CP#09089164197
-oOo-

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIM. CASE NO. CR-18-14,029

- versus -

- for -

MARIETA CABARDO BIA, RENZ
DE VILLA MENDOZA, ALBERT
MANTILLA DELA TORRE and
MARK MICHAEL MANGAYAN
DELA TORRE,
Accused.

VIOLATION OF R.A. 7942
(Illegal Exploration)

X - - - - - X

ORDER

Considering that an Amended Order dated 18 May 2023 has already been issued by this Court in the above-entitled case finding the above-named accused guilty beyond reasonable doubt for violation of Sec. 102, R.A. 7942 otherwise known as the Philippine Mining Act of 1995 for which each of said accused was sentenced to pay a fine of Php5,000.00, the object evidence subject matter of the instant case are hereby confiscated in favor of the government to be disposed of in accordance with law.

ACCORDINGLY, the Clerk of Court V, Atty. Erick John Rae M. Laygo or his authorized representative is hereby directed to turn over to PENRO, Suqui Calapan City, Oriental Mindoro the object evidence in said case for proper disposition, to wit:

1. One (1) piece of quarter sack of suspected mine tailing;
2. One (1) piece of electric submersible pump;
3. One (1) piece of electric dynamo motor;
4. One (1) piece of steel mallet;
5. One (1) piece head flashlight and;
6. Two (2) pieces solid metal shafting

SO ORDERED.

City of Calapan, 24 July 2024.


CHARITY GRACE A. RICO
Presiding Judge

(187)

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40

City of Calapan
rtc2cal040@judiciary.gov.ph
(043) 8336/CP No. 09084164197
-oOo-

PEOPLE OF THE
PHILIPPINES,

Plaintiff,

CRIM. CASE NO. CR-18-14,029

-versus -

- for -

MARIETA CABARDO BIA, RENZ
DE VILLA MENDOZA, ALBERT
MANTILLA DELA TORRE, AND
MARK MICHAEL MANGAYAN
DELA TORRE,

VIOLATION OF R.A. 7942
(Illegal Exploration)

Accused.

x ----- x

AMENDED ORDER

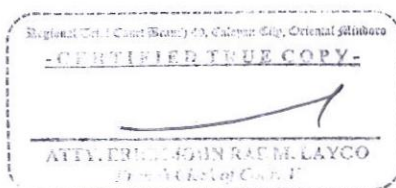
When this case was called for presentation of evidence for the prosecution, all accused appeared in court. Atty. Jovelyn R. Hernandez-Miraples of the Public Attorney's Office, counsel de officio of all the accused and Public Prosecutor Catalino C. Atienza are likewise attendant in court.

During the hearing, the defense counsel manifested that all the accused had a change of heart and wish to change their original pleas of not guilty to a GUILTY plea.

Thereafter, the defense counsel manifested that she already conferred with all the accused, who waived the public reading of the Information and would enter a guilty plea. The court explained to all the accused, in the dialect known to them, the nature of the charge against them as well as the consequences of the waiver and all the accused confirmed that they fully understood and expressly consent thereto.

WHEREFORE, considering the plea of guilty of accused Marieta Cabardo Bia, Renz de Villa Mendoza, Albert Manrilla dela Torre, and Mark Michael Mangayan dela Torre to the crime charged, judgment is hereby rendered finding said accused guilty beyond reasonable doubt for violation of Section 102, RA 7942 and all the accused are sentenced to pay a fine of Php5,000.00 each.

Insofar as accused Renz de Villa Mendoza is concerned, considering that he is currently in detention for another crime, the penalty imposed upon him is with a corresponding subsidiary imprisonment in case of inability to pay the fine to be computed at the rate of Php570.00 per day, an amount equivalent to the highest minimum wage prevailing in the Philippines.



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As prayed for, the following bail bonds previously posted for the provisional liberty of the afore-mentioned accused are hereby ordered cancelled:

Accused	Bondsman	OR No.	Date	Amount (Php)
Marieta Cabardo Bia	Levy C. Villegas	0981059 C ¹	15 February 2018	25,000.00
Mark Michael Mangayan dela Torre	Jeneta M. dela Torre	0981060 C ²	15 February 2018	25,000.00
Albert Mantilla dela Torre	Jeneta M. dela Torre	0981061 C ³	15 February 2018	25,000.00
Renz de Villa Mendoza	Romeo de Villa	7234129 C ⁴	09 March 2018	25,000.00

The Branch Clerk of Court is directed to detach from the records the afore-mentioned receipts and release the same to the bondsman/bondswoman or their duly authorized representative/s.

Ms. Myla F. Herrera-Lomod, Clerk of Court II, First Municipal Circuit Trial Court San Teodoro-Baco-Puerto Galera, Oriental Mindoro, is hereby authorized to withdraw the amounts covered by OR Nos. 0981059 C, 0981060 C and 0981061 C and release the same to the bondsman/bondswoman or their duly authorized representative/s upon presentation of proper documents and payment of the afore-mentioned fines insofar as accused Marieta Cabardo Bia, Mark Michael Mangayan dela Torre and Albert Mantilla dela Torre are concerned.

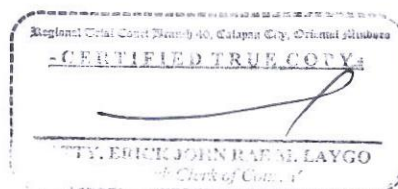
Atty. Crisalyn B. Lumanglas, Clerk of Court VI, Office of the Clerk of Court, RTC, Calapan City, Oriental Mindoro is hereby authorized to withdraw the amount covered by OR No. 7234129 C pertaining to accused Renz de Villa Mendoza and release the same to the bondsman or his duly authorized representative/s upon presentation of proper documents and payment of the afore-mentioned fine. It is understood that accused Renz de Villa Mendoza is no longer required to pay the fine once he can show proof that he already served the corresponding penalty of preventive imprisonment.

SO ORDERED.

01 June 2023, Calapan City, Oriental Mindoro.

CHARITY GRACE A. RICO
Presiding Judge

¹ OR No. 0981059 C dated 15 February 2018, p. 38, Record.
² OR No, 0981060 C dated 15 February 2018, p. 42, Record.
³ OR No, 0981061 C dated 15 February 2018, p. 46, Record.
⁴ OR No, 7234129 C dated 09 March 2018, p. 79, Record.



Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40
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CP#09089164197
-o0o-

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIM. CASE NO. CR-23-16548

- versus -

- for -

OMER OLAYBER LUBANG,
RANDIE VITALICIO VILLAFUERTE,
MEYNARDO RANCE MARCO,
ALEX AXALAN BILLON and
ALVIN AXALAN BILLON,
Accused.

VIOLATION OF R.A. 7942
(ILLEGAL EXPLORATION)

X - - - - - X

ORDER

Considering that Orders dated 02 March 2023 and 06 March 2023 have already been issued by this Court in the above-entitled case finding the above-named accused guilty beyond reasonable doubt for violation of Sec. 102, R.A. 7942 otherwise known as the Philippine Mining Act of 1995 for which each of said accused was sentenced to pay a fine of Php3,000.00, the Clerk of Court V, Atty. Erick John Rae M. Laygo or his authorized representative is hereby directed to turn over to PENRO, Suqui Calapan City, Oriental Mindoro the object evidence in said cases for proper disposition, to wit:

1. One (1) sack of suspected mine tailing;
2. One (1) wooden panning pan;
3. One (1) Superflex braided chemical hose;
4. Four (4) shovels;
5. One (1) digging hoe (asarol);
6. One (1) small hammer and;
7. One (1) eye goggle

SO ORDERED.

City of Calapan, 24 July 2024.


CHARITY GRACE A. RICO
Presiding Judge

CGAR/mmcg

(870)

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40
City of Calapan
rtc2cal040@judiciary.gov.ph
(043) 8336/CP No. 09084164197
-o0o-

PEOPLE OF THE
PHILIPPINES,

Plaintiff,

CRIM. CASE NO. CR-23-16548

-versus -

- for -

OMER OLAYBER LUBANG,
RANDIE VITALICIO VILLAFUERTE,
MEYNARDO RANCE MARCO,
ALEX AXALAN BILLON,
and ALVIN AXALAN BILLON,
Accused.

VIOLATION OF R.A. 7942
(Illegal Exploration)

X ----- X

ORDER

When this case was called for arraignment and pre-trial, all accused except accused Alvin Axalan Billon are attendant in court. Atty. Jovelyn R. Hernandez-Miraples of the Public Attorney's Office entered her appearance as counsel de officio of said accused. Public Prosecutor Catalino C. Atienza is likewise attendant in court.

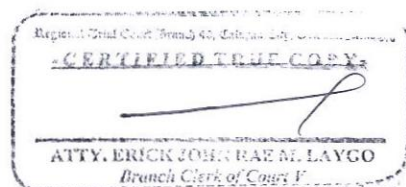
When arraigned, the Information for violation of Section 102 of Republic Act 7942, otherwise known as "The Philippine Mining Act of 1995," was read and explained to accused OMER OLAYBER LUBANG, RANDIE VITALICIO VILLAFUERTE, MEYNARDO RANCE MARCO, and ALEX AXALAN BILLON in Filipino, a language they fully know and understand. Thereafter, said accused, with the assistance of their counsel, entered separate pleas of GUILTY.

WHEREFORE, judgment is hereby rendered finding accused OMER OLAYBER LUBANG, RANDIE VITALICIO VILLAFUERTE, MEYNARDO RANCE MARCO, and ALEX AXALAN BILLON guilty beyond reasonable doubt for violation of Section 102, RA 7942 and each of said accused is sentenced to pay a fine of Php3,000.00.

As prayed for, the following bail bonds previously posted for the provisional liberty of the afore-mentioned accused are hereby ordered cancelled:

Accused	Bondsman	OR No.	Date	Amount (Php)
Omer O. Lubang	himself	4844180D ¹	17 Jan 2023	3,000.00

¹ Copy of OR No. 4844180D dated 17 January 2023, p. 38, Record.



Order

Crim. Case No. CR-23-16548

People vs Omer Olayber Lubang

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X-----X

Randy Vitalicio Villafuerte	Omer Lubang	O.	4844181D ²	17 Jan 2023	3,000.00
Meynardo Rance Marco	Omer Lubang	O.	4844182D ³	17 Jan 2023	3,000.00
Alex Axalan Billon	Omer Lubang	O.	4844183D ⁴	17 Jan 2023	3,000.00

Mr. Omer O. Lubang is directed to surrender the original copies of the afore-mentioned receipts to Atty. Crisalyn B. Lumanglas, Clerk of Court VI, Office of the Clerk of Court, RTC, Calapan City and who is directed to apply the same as payment of fines of the afore-mentioned accused.

Set the arraignment and pre-trial of accused Alvin Axalan Billon on **16 March 2023**, at **8:30** o'clock in the morning.

PROMULGATED IN OPEN COURT.

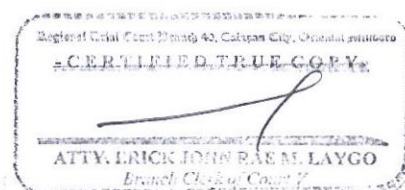
02 March 2023, City of Calapan, Oriental Mindoro.

CHARITY GRACE A. RICO
Presiding Judge

² Copy of OR No. 4844181D dated 17 January 2023, p. 47, Record.

³ Copy of OR No. 4844182D dated 17 January 2023, p. 56, Record.

⁴ Copy of OR No. 4844183D dated 17 January 2023, p. 65, Record.



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Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40
City of Calapan
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(043) 8336/CP No. 09084164197
-o0o-

PEOPLE OF THE
PHILIPPINES,

Plaintiff,

CRIM. CASE NO. CR-23-16548

-versus -

- for -

OMER OLAYBER LUBANG,
RANDIE VITALICIO VILLAFUERTE,
MEYNARDO RANCE MARCO,
ALEX AXALAN BILLON,
and **ALVIN AXALAN BILLON**,
Accused.

VIOLATION OF R.A. 7942
(Illegal Exploration)

x ----- x

ORDER

When this case was called for arraignment and pre-trial, accused Alvin Axalan Billon is attendant in court. Atty. Jovelyn R. Hernandez-Miraples and Public Prosecutor Catalino C. Atienza are likewise attendant in court.

When arraigned, the Information for violation of Section 102 of Republic Act 7942, otherwise known as "The Philippine Mining Act of 1995," was read and explained to accused ALVIN AXALAN BILLON in Filipino, a language he fully knows and understands. Thereafter, said accused, with the assistance of his counsel, entered his plea of not guilty.

WHEREFORE, judgment is hereby rendered finding accused ALVIN AXALAN BILLON guilty beyond reasonable doubt for violation of Section 102, RA 7942 and said accused is sentenced to pay a fine of Php1,000.00.

As prayed for, the bail bond posted for the provisional liberty of said accused under OR No. 4844184 D dated 17 January 2023 in the amount of Php3,000.00, under the name of his bondsman, Omer Olayber Lubang, is hereby ordered cancelled.

Atty. Crisalyn B. Lumanglas, Clerk of Court VI, Office of the Clerk of Court, RTC, Calapan City, is hereby authorized to withdraw the amount covered by the afore-mentioned receipt and release the same to the bondsman or his duly authorized representative/s upon presentation of proper documents and payment of fine.

The Acting Chief of Police of Puerto Galera Municipal Police Station, Puerto Galera, Oriental Mindoro, Captain Kim Marabe Badillo, is directed to immediately withdraw from this Court the one sack of suspected mine tailing marked as RFP 1.



Order

Crim. Case No. CR-23-16548

People vs Omer A;vin Axalan Billon


Page 2 of 2

X-----X

The object evidence subject matter of the instant case are hereby confiscated in favor of the government to be disposed of in accordance with law. Accordingly, the Branch Clerk of Court is hereby directed to turnover to DENR-Socorro the object evidence in possession of this Court, thus: one wooden panning pan marked as RFP 3; One Superflex Braided Chemical Hose with Check Valve marked as RFP 4; four shovels marked as RFP 5 to RFP 8; one digging hoe (asarol) marked as RFP 10; one small hammer marked as RFP 11; and one eye goggle marked as RFP 12.

PROMULGATED IN OPEN COURT.

06 March 2023, City of Calapan, Oriental Mindoro.


CHARITY GRACE A. RICO
Presiding Judge

