



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

August 09, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 L and S Bldg., Roxas Boulevard
Ermita, Manila

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : ADMINISTRATIVE ADJUDICATION REPORT ON THE APPREHENDED TWENTY (20) PIECES LUMBER/FLITCHES OF KALANTAS AND MISCELLANEOUS SPECIES WITH EQUIVALENT VOLUME OF 669.32 BOARD FEET AT SITIO MALABUSOG, BARANGAY TINITIAN, ROXAS, PALAWAN

Respectfully forwarded is the memorandum of CENRO Roxas, Palawan dated July 18, 2022 relative the above subject.

Per memorandum, the apprehension was made by CENRO MES Personnel on March 02, 2022 at around 10:22 A.M. while conducting inventory of fallen and damaged trees within the easement of rivers and creeks in Sitio Malabusog, Barangay Tinitian, Roxas, Palawan. The team apprehended twenty (20) pieces lumbers of Kalantas and Miscellaneous species with total volume of 669.32 board feet with estimated fair market value of Php27,373.00. The alleged owner of lumber is Ms. Estrilda Katon Paz.

The apprehended lumbers are now deposited at CENR Office for safekeeping purposes under the custody of Forest Technician I April N. Baltar.

The hearing was conducted on March 17, 2022 and the notice of hearing was sent to the concerned parties in relation to Section 8, Item No. 3 of DAO 1997-32.

We concur with CENRO recommendation for the issuance of confiscation order.

Copy Furnished
CENRO Roxas, Palawan
File/2022-011ACG/MES Doc. Ref. No. 2022-7031


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By _____
Date: 11 AUG 2022 N 12-2009



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

July 18, 2022

MEMORANDUM

FOR : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City, Palawan

FROM : The OIC, Community Environment and
Natural Resources Officer
Roxas, Palawan

SUBJECT : **ADMINISTRATIVE ADJUDICATION REPORT ON THE
APPREHENDED TWENTY (20) PIECES LUMBER/FLITCHES OF
KALANATAS AND MISCELLANEOUS SPECIES WITH
EQUIVALENT VOLUME OF 669.32 BOARD FEET AT SITIO
MALABUSOG, BARANGAY TINITIAN, ROXAS, PALAWAN**

DENR PENRO
PALAWAN RECORDS
RECEIVED
BY: *[Signature]*
DATE: 08-09-2022 28-7031

Submitted herewith is the summary of the Administrative Confiscation Proceedings together with the pertinent documents anent the above-cited subject treated under DAO 97-32.

I. FACTS OF THE CASE

The apprehension was made by the DENR CENRO MES personnel on March 02, 2022, at around 10:22 A.M. while conducting inventory of fallen and damaged trees within the easement of rivers and creeks in Sitio Malabusog, Barangay Tinitian, Roxas, Palawan. Then, the forest products were transported to DENR-CENR Office compound in Barangay III, Roxas, Palawan under the custody of Forest Technician II April N. Baltar.

II. NOTICE OF HEARING

Pursuant to the provisions of the Department Administrative Order No. 97-32 Re: Rules of Administrative Adjudication of Illegal Forest Product and the Machinery, Equipment, Tools and Conveyance used in connection therewith specifically Section 07, Item No. 01, issuance of Notice of Hearing for the conduct of administrative proceedings. Further, Notice of Hearing for Ms. Estrilda Katon Paz was issued on March 9, 2022 and was scheduled on March 17, 2022.

III. EVALUATION

The administrative hearing on March 17, 2022 was attended by Ms. Estrilda K. Paz and her legal counsel, Atty. Orlando Balaan. During the said hearing, Atty. Baalan represented his client, Ms. Paz stating that they preferred to submit a position paper answering the allegations and also requesting documents such as apprehension report.



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Email address: cenroroxaspalawan@denr.gov.ph

July 18, 2022

MEMORANDUM

FOR : The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City, Palawan

FROM : The OIC, Community Environment and
Natural Resources Officer
Roxas, Palawan

SUBJECT : **ADMINISTRATIVE ADJUDICATION REPORT ON THE
APPREHENDED TWENTY (20) PIECES LUMBER/FLITCHES OF
KALANATAS AND MISCELLANEOUS SPECIES WITH
EQUIVALENT VOLUME OF 669.32 BOARD FEET AT SITIO
MALABUSOG, BARANGAY TINITIAN, ROXAS, PALAWAN**

DENR PENRO
PALAWAN RECORDS
RECEIVED
BY: [Signature]
DATE: 08-04-2022 28-7031

Submitted herewith is the summary of the Administrative Confiscation Proceedings together with the pertinent documents anent the above-cited subject treated under DAO 97-32.

I. FACTS OF THE CASE

The apprehension was made by the DENR CENRO MES personnel on March 02, 2022, at around 10:22 A.M. while conducting inventory of fallen and damaged trees within the easement of rivers and creeks in Sitio Malabusog, Barangay Tinitian, Roxas, Palawan. Then, the forest products were transported to DENR-CENR Office compound in Barangay III, Roxas, Palawan under the custody of Forest Technician II April N. Baltar.

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On March 21, 2022, this Office sent letter to Ms. Estrilida K. Paz thru Postal Office – Roxas Branch, directing the latter to show cause as to why no legal sanction should be instituted against her, relative to the apprehended forest products within 15 days upon receipt. Based on the return card from the Post Office, the show cause letter was received by Ms. Paz on May 12, 2022 following the response letter of her legal counsel Atty. Baalan on May 13, 2022. In his letter, he asked for the copies of on-site record, Seizure Order and the affidavit of the apprehending officers citing Section 7 of DAO 97-32 for purposes of preparing his client's Memorandum for the said administrative hearing. A response letter was sent via to orylybaalan@gmail.com on May 26, 2022 providing the copy of Apprehension Receipt, Seizure Order and Certification of No Permit however the request for on-site record specifically the Apprehension Report and the affidavit of the apprehending officers was denied as this may result to premature disclosure and may preempt a criminal case which is yet to be filed if so warrant, in view of Paragraph No. 8, Annex "C" of DENR Freedom of Information Manual. On May 27, 2022, a Motion for Extension from Atty. Baalan, legal counsel for Ms. Paz, stating that her client has not yet received any of the copies of the documents as per request dated May 13, 2022. Then, on June 1, 2022 this Office sent response letter acknowledging the Motion of Extension and informing the legal counsel of Ms. Paz that this Office has already sent a response in connection to his letter dated May 13, 2022 furnishing the same letter send to his email on May 26, 2022.

On June 8, 2022, the Answer/Show Cause dated June 7, 2022 was received by this Office from Atty. Baalan. Based on their response, Ms. Estrilda K. Paz vehemently denies the allegation against her and claimed that she has no knowledge or participation for the apprehended lumbers were not in found in her possession and custody nor did she have control over it. In addition, she reasoned that the said lumbers came from the bank of rivers where it was allegedly apprehended by the personnel of this Office and that, it was open to all person who wish and want to come and pass there. She also added that prior to March 02, 2022, she already applied and filed an application for a cutting permit with this Office but was informed of its approval only upon being summon at this Office, hence has no intent to violate any forest law for that matter. She also manifested that she has no opposition in the forfeiture of the said forest products since she did not own the same nor it belongs to her.

Further, Mrs. Elena C. Caseñas stated on her Sinumpaang Salaysay that on March 02, 2022 she was in Kingki Beach at Sitio Malabusog, Barangay Tinitian, Roxas, Palawan owned by Ms. Estrilda K. Paz. That, she saw a yellow-colored truck entered the premises of the property of Ms. Paz without their consent, then she went and asked the driver on what are they doing there and the driver responded that they were going to meet someone there. Then, she saw individuals carrying and loading lumbers in the truck and approached them again asking who instructed to haul the lumbers and was responded saying the DENR personnel.

Based on the submitted apprehension report of the apprehending officers, they conducted an investigation relative to the owner of the undocumented forest products within the creek and accordingly it is within the adjacent lot claimed by the family of Ms. Estrilda Katon-Paz. The apprehending officers also stated in their report, that upon arrival of the truck to be used for hauling of the forest products, the conveyance ingress in the premise of the property of Ms. Paz since at that time, that is the only known passable route to the location of the stack of lumber/flitches however, later on, after surveying the area they discovered alternative route that is accessible to haul the said lumbers/flitches outside



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the property of Ms. Paz then exited the property and transferred to the adjacent area and from there they started hauling. While the team was conducting scaling and hauling of undocumented products, a certain Elena Caseñas, presented herself as the caretaker of the area, approach the team and stated that the lumbers/flitches was derived from sunken wood which was owned and was cut as instructed by her boss, Ms. Estrilda Katon-Paz. She was asked to present legal documents pertaining to the said forest products but failed to do so, instead she presented a Certification for cutting and utilization of Typhoon damaged planted trees issued by this Office dated March 1, 2022 however only Mahogany and Gmelina trees were indicated in the Certification. Then, the apprehending Officer discussed with Ms. Caseñas the offense committed pursuant to Presidential Decree No. 705, as amended. The team also added that, Forester Diogenes A. Esquillo, Jr. received a call from a personnel of PENRO Palawan inquiring why the forest products of Ms. Paz is being apprehended wherein Forester Esquillo, Jr. replied that it is because no permit was presented pertaining to the legality of the forest products.

Further, relative to the claim of Ms. Estrilda K. Paz that she was informed of the approval of her application for cutting permit only upon being summon at this Office as per Certification dated February 14, 2022 attached as Exhibit 2 of their Show Cause, however, contradictory to her claim, based on our record, the same Certification was received personally by Ms. Paz on February 15, 2022 at 2:20 P.M. which allowed her to cut and utilize Gmelina and Mahogany logs valid only until March 1, 2022 and the same Certification was presented to the apprehending officers during the apprehension by her caretaker, Mrs. Elena Caseña. In addition, the day after the apprehension of the forest products, on March 03, 2022 at around 10:45 in the morning (*attached is the Photocopy of Visitors Logbook this Office*), Ms. Paz visited this Office and requested to personally discuss her claims relative to the apprehended lumber/flitches with the undersigned even though she was advised by the MES personnel to wait for the Notice of Hearing to discuss the matter properly. She still insisted to seek the audience of the undersigned then was later on granted but was advised to do the same.

In summary, despite the denial of Ms. Estrilda K. Paz of her knowledge and/or participation in the slicing/utilizing forest trees species without any permit/documents from this Office, the statement of her caretaker, Mrs. Elena C. Caseñas that Ms. Paz is the owner of the stack of lumber in the creek during the initial investigation, her seeking assistance from the PENRO personnel during the apprehension and her visitation in this Office on March 03, 2022 to discuss her claim on the apprehended forest product proves otherwise. Therefore, Ms. Estrilda K. Paz had committed an offense in violation of Section 77 of Presidential Decree No. 77, as amended.

IV. RECOMMENDATION

Henceforth, recommending that the twenty (20) pieces of lumber/flitches of Kalantas and Miscellaneous species with equivalent volume of 669.32 board feet be forfeited in favor of the government and that this Office will conduct further in depth investigation of the case to gather at least two (2) witnesses who will issue judicial statements indicting Ms. Paz as the one who ordered the cutting of the said apprehended lumber and the institution of the appropriate legal sanction against the aforementioned person in the proper court if it warrant.




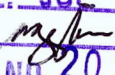
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Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

V. ATTACHMENT

- Apprehension Report dated Marc 03, 2022;
- Apprehension Receipt;
- Custody Receipt dated March 03, 2022;
- Seizure Order dated March 03, 2022;
- Seizure Receipt dated March 03, 2022;
- Notice of Hearing to Ms. Estrilda K. Paz dated March 9, 2022;
- Attendance Sheet dated March 17, 2022;
- Minutes of Administrative Hearing dated March 17, 2022;
- Letter to Ms. Estrilda K. Paz dated March 21, 2022 with return card from Post Office – Roxas, Palawan;
- Request letter of Atty. Orlando A. Baalan, counsel of Ms. Estrilda K. Paz dated May 13, 2022;
- Response letter to Atty. Orlando A. Baalan, counsel of Ms. Estrilda K. Paz dated May 26, 2022 via email at orlybaalan@gmail.com;
- Motion for Extension of Atty. Orlando A. Baalan, counsel of Ms. Estrilda K. Paz dated May 27, 2022;
- Acknowledgement letter for the Motion for Extension dated June 1, 2022;
- Answer/Show Cause Atty. Orlando A. Baalan, counsel of Ms. Estrilda K. Paz dated June 7, 2022;
- Certified True Copy of Visitors Logbook on March 03, 2022;
- Certified True Copy of Certification granted to Ms. Estrilda K. Paz to cut and utilize Gmelina and Mahogany logs dated February 14, 2022.

For information and further instruction.


PABLO L. CRUZ

CEMR-CENRO ROXAS
RELEASED
DATE. JUL 29 2022
BY: 
DOC. NO. 2022-07-1200



Republic of the Philippines
Department of Environment and Natural Resources
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March 3, 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer
Roxas, Palawan

THRU : The Chief, Monitoring and Enforcement Section
The Chief, Utilization Unit
DENR CENRO Roxas, Palawan

FROM : The Apprehending Forest Officers
Patrol Sector No. I

SUBJECT : **REPORT ON THE APPREHENSION OF TWENTY (20) PIECES
OF LUMBER/FLITCHES OF KALANTAS AND
MISCELLANEOUS SPECIES WITH EQUIVALENT VOLUME
OF 669.32 BOARD FEET AT SITIO MALABUSOG, BARANGAY
TINITIAN, ROXAS, PALAWAN**



Please be informed that on March 02, 2022 while conducting inventory of damaged and fallen trees affected by the onslaught of Typhoon Odette within the easement of rivers and/or creek at Sitio Malabusog, Barangay Tinitian, Roxas, Palawan the undersigned Forest Officers together with the Chief, Utilization Unit, Forester Diogenes A. Esquillo, Jr., FPO Ricky Elijan, FPO Jenifer Elijan, FPO Joven Aquino, FPO Jess Mark Fallarcuna, FPO Erwin Garganza and FPO Clark Abrina in collaboration with MENRO personnel namely, Gerry Solis, Dennis Padul, Rolly Nacasi, and with KSK Task Force Kalikasan namely, Ruel Estoya, Elbert Saban, Leo Pactao, Ariel Recoco and Johnmar Tabuyan apprehended twenty (20) pieces of lumber/flitches of Kalantas and Miscellaneous species with equivalent volume of 669.32 board feet with equivalent estimated fair market value of Php 27,373.00.

The team conducted an investigation relative to the owner of the stack of lumbers/flitches along the creek of the said area. Accordingly, the subject lumber found within the creek adjacent to the lot claimed by the family of Ms. Estrilda Katon-Paz. Upon arrival of the truck to be used for hauling of the apprehended forest products, the conveyance ingress in the property of Ms. Paz since at the time, that was the only known passable route in order to easily haul the said lumber/flitches. But upon surveying the area, the team discovered alternative route that is accessible for hauling and immediately exited the said property, then transferred outside the premise of Ms. Paz before starting to load the undocumented forest products into the truck. Meanwhile, a certain Elena Caseñas, presented herself as the caretaker of the area, approached the team during our scaling and hauling of undocumented forest products. She claimed that the stack of lumber/flitches derived from sunken wood in the said area are owned and also instructed to cut by her boss; Ms. Estrilda Katon Paz, however, when



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Forester Esquillo, Jr. asked for any document/permit issued by our Office pertaining to the legality of the forest products, Ms. Caseñas failed to do so, instead presenting the Certification for cutting and utilization of Typhoon damaged planted trees issued by our Office dated March 1, 2022, and was noticed that only Mahogany and Gmelina trees were indicated in the said Certification. Further, Forester Esquillo, Jr. discussed with Ms. Caseñas that utilization without any legal proper documents from our Office is illegal and a violation to Presidential Decree 705, as amended by R.A. 6171.

Later on, a phone call from a personnel of PENRO Palawan was received by Forester Esquillo, Jr. inquiring why the forest products of Ms. Estrilda K. Paz was being apprehended, since the latter went to PENR Office and ask a PENRO personnel to assist her in connection to the apprehension incident, in which Forester Esquillo, Jr. replied that there was no permit presented pertaining to the legality of said forest products. Furthermore, the apprehended forest products was hauled and deposited at DENR – CENRO Roxas compound at Barangay III, Roxas, Palawan for proper safekeeping and disposition.

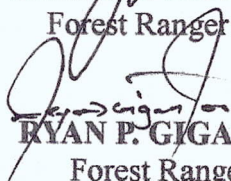
In view of the foregoing, there is enough evidence that Ms. Estrilda Paz violated Section 77 of Presidential Decree No. 705, as amended. Therefore, the undersigned strongly recommends for the conduct of Administrative Adjudication proceedings pursuant to DENR Administrative Order No. 97-32 and for filing of criminal complaint at the proper court.

Attached are the following documents:

1. Apprehension Receipt
2. Custody Receipt
3. Geo-tagged Pictures

For information and record.


JAMES S. TAJON
Forest Ranger


RYAN P. GIGANTO
Forest Ranger


MARCO ANGELO M. MARQUEZ
Forest Ranger


ARMANDO R. GABAYAN
Forest Ranger


LEMUEL L. BACALLA
Forest Ranger/Team Leader



This pictures were taken during our interview to the caretaker of MS. ELENA CASAÑAS located at Sitio Malabusog Barangay Tinitian, Roxas, Palawan and the lumbers which we have apprehended.

Picture taken by:


LEMUEL L. BACALLA
 Forest Ranger Team Leader

Department of Environment and Natural Resources
Region IV
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Roxas, Palawan

DENR IV :
SN : 20220302-04
DATE : March 2, 2022
Time : 10:52 AM

APPREHENSION RECEIPT

Pursuant to provision of PD 705 as amended by Executive Order No. 277, the following forest products and / or machinery Equipment, tools and conveyance, to wit;

QUANTITY	UNIT	ARTICLES / DESCRIPTION	ESTIMATED VOLUME	VALUE (P)
2	PCS	4 x 12 x 12	104	6,240
2	PCS	4 x 12 x 10	80	4,800
1	PCS	4 x 12 x 12	48	2,880
1		4 x 6 x 12	24	600
1		2 x 9 x 12	18	450
1		3 x 8 x 12	24	600
1		3 x 4 x 12	12	300
2		4 x 9 x 12	72	4,320
2		4 x 8 x 12	64	1,600
1		4 x 7 x 12	28	700
2		4 x 10 x 12	80	2,000
2		4 x 8 x 10	53.32	1,333
1		4 x 9 x 10	30	750
1		4 x 8 x 12	32	800
20 PCS			669.32 Bd. Ft.	27,373.00

IS HEREBY DECLARED UNDER APPREHENSION FOR THE FOLLOWING REASONS:

VIOLATION OF SECTION 77 OF P.D 705

The same having been apprehended subject forest products and / or machinery, equipment, tools and conveyance should be kept and protected from defacement in any manner, destruction or lost should not be altered until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative or any Court Justice of the Philippines. Palawan.
Done this 2nd day of March 2022 at SITIO MALABUSOG, BARANGAY TINITIAN, ROXAS, Palawan, Philippines.

APPREHENDING OFFICER
(Signature over Printed Name)

1. CHARLIE NABANG
Address: CENRO, ROXAS PAL.

2. LENNEL BACULA
Address: CENRO, ROXAS PAL.

3. _____
Address: _____

4. _____
Address: _____

OWNER / CLAIMANT REPRESENTATIVE / DRIVER

1. ESTRILDA KATON PAD
Address: SITIO MALABUSOG, BARANGAY TINITIAN, ROXAS PALAWAN.

2. _____
Address: _____

WITNESSES
(Signature over Printed Name)

1. _____
Address: _____

2. _____
Address: _____

NOTE: The owner/possessor and/or claimant of the apprehended articles are hereby requested to see the nearest CENRO/PENRO at their Office and given three (3) days from the date of apprehension.



Republic of the Philippines
Department of Environment and Natural Resources

Region IV- MIMAROPA

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan

Contact No. 09171606578 / 09175028647

Email address: cenroroxaspalawan@denr.gov.ph

CUSTODY RECEIPT

This is to acknowledge the receipt of the apprehended forest products and conveyance below:

a. Forest Products

Kind	Species Grouping	Species	Quantity	Unit	Unit of Measure	Volume (In board feet)	Estimated Value
Lumber	Premium Species	Kalantas	2	Pcs	4 x 13 x 12	104.00	Php 6,240.00
Lumber	Premium Species	Kalantas	2	Pcs	4 x 12 x 10	80.00	Php 4,800.00
Lumber	Premium Species	Kalantas	1	Pc	4 x 12 x 12	48.00	Php 2880.00
Lumber	Lesser Used Species	Miscellaneous	1	Pc	4 x 6 x 12	24.00	Php 600.00
Lumber	Lesser Used Species	Miscellaneous	1	Pc	2 x 9 x 12	18.00	Php 450.00
Lumber	Lesser Used Species	Miscellaneous	1	Pc	3 x 8 x 12	24.00	Php 600.00
Lumber	Lesser Used Species	Miscellaneous	1	Pc	3 x 4 x 12	12.00	Php 300.00
Lumber	Premium Species	Kalantas	2	Pcs	4 x 9 x 12	72.00	Php 4,320.00
Lumber	Lesser Used Species	Miscellaneous	2	Pcs	4 x 8 x 12	64.00	Php 1,600.00
Lumber	Lesser Used Species	Miscellaneous	1	Pc	4 x 7 x 12	28.00	Php 700.00
Lumber	Lesser Used Species	Miscellaneous	2	Pcs	4 x 10 x 12	80.00	Php 2,000.00
Lumber	Lesser Used Species	Miscellaneous	2	Pcs	4 x 8 x 10	53.32	Php 1,333.00
Lumber	Lesser Used Species	Miscellaneous	1	Pc	4 x 9 x 10	30.00	Php 750.00
Lumber	Lesser Used Species	Miscellaneous	1	Pc	4 x 8 x 12	32.00	Php 800.00
TOTAL			20	Pcs	N/A	669.32	Php 27,373.00

The aforementioned item was apprehended by the Monitoring and Enforcement Team of DENR-CENRO-Roxas, Patrol Sector I on March 2, 2022 (10:22 A.M.), at Barangay Tinitian, Roxas, Palawan from the possession of unknown perpetrator/s for violation of Section 77 of Presidential Decree No. 705, as amended by R.A. 7161.

Done this 3rd day of March 2022 at DENR-CENRO Roxas, compound, Barangay III, Roxas, Palawan.

Custody by:


APRIL N. BALTAR
Forest Technician II
Property Custodian



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
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SEIZURE ORDER

CENRO Control No.: 20220302-04
E-FMS No: 2022-175318-F62

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products are hereby ordered seized, to wit:

A. Forest Products

Kind	Species Grouping	Species	Quantity	Unit	Unit of Measure	Volume (in board feet)	Estimated Value	Custodian
Lumber	Premium Species	Kalantas	2	Pcs	4 x 13 x 12	104.00	Php 6,240.00	Forest Technician II, April N. Baltar
Lumber	Premium Species	Kalantas	2	Pcs	4 x 12 x 10	80.00	Php 4,800.00	
Lumber	Premium Species	Kalantas	1	Pc	4 x 12 x 12	48.00	Php 2,880.00	
Lumber	Premium Species	Kalantas	2	Pcs	4 x 9 x 12	72.00	Php 4,320.00	
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 6 x 12	24.00	Php 600.00	
Lumber	Miscellaneous Species	Unknown	1	Pc	2 x 9 x 12	18.00	Php 450.00	
Lumber	Miscellaneous Species	Unknown	1	Pc	3 x 8 x 12	24.00	Php 600.00	
Lumber	Miscellaneous Species	Unknown	1	Pc	3 x 4 x 12	12.00	Php 300.00	
Lumber	Miscellaneous Species	Unknown	2	Pcs	4 x 8 x 12	64.00	Php 1,600.00	
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 7 x 12	28.00	Php 700.00	
Lumber	Miscellaneous Species	Unknown	2	Pcs	4 x 10 x 12	80.00	Php 2,000.00	
Lumber	Miscellaneous Species	Unknown	2	Pcs	4 x 8 x 10	53.32	Php 1,333.00	
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 9 x 10	30.00	Php 750.00	
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 8 x 12	32.00	Php 800.00	
TOTAL			20	Pcs	N/A	669.32	Php 27,373.00	

The above-described forest products and/or machinery/equipment/tools/conveyance were apprehended by:

Forest Ranger Lemuel L. Bacalla Forest Ranger Charlie A. Rabang
(Name of Apprehending Officers) (Name of Apprehending Officers)

On March 2, 2022 at Sitio Malabusog, Barangay Tinitian, Roxas, Palawan on or about 10:22 A.M. for the following violation/s:
(Date) (Place) (Time)

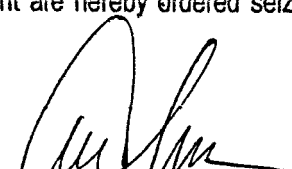
Violation of Section 77 of Presidential Decree 705, as amended by Republic Act No. 7161

Examination Conducted by Seizure Officer:

Persons Examined	Name	Date/Time	Place
Confiscated Items			
Apprehending Officer	FR Lemuel L. Bacalla FR Charlie A. Rabang	March 3, 2022 at around 9:00 A.M.	CENRO, Roxas, Palawan
Perpetrator/s	Estrilida Katon Paz		
Witnesses			

After thorough evaluation of the Apprehension Report dated **March 3, 2022** and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender/s is/are probably guilty thereof. Hence, the foregoing forest products/conveyance/equipment/implement are hereby ordered seized and now under government custody (except government-owned vehicles).

So ordered this 3rd day of March, year 2022 at DENR – CENRO – ROXAS, PALAWAN.


PABLO L. CRUZ
Seizure Officer



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

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

SEIZURE RECEIPT

No. 20220302-04

The following apprehended items are under administrative seizure pursuant to Section 3 of DAO 97-32.

A. FOREST PRODUCTS

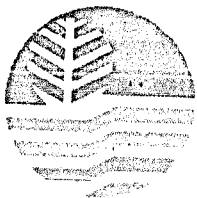
Kind	Species Grouping	Species	Quantity	Unit	Unit of Measure	Volume (In board feet)	Estimated Value
Lumber	Premium Species	Kalantas	2	Pcs	4 x 13 x 12	104.00	Php 6,240.00
Lumber	Premium Species	Kalantas	2	Pcs	4 x 12 x 10	80.00	Php 4,800.00
Lumber	Premium Species	Kalantas	1	Pc	4 x 12 x 12	48.00	Php 2,880.00
Lumber	Premium Species	Kalantas	2	Pcs	4 x 9 x 12	72.00	Php 4,320.00
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 6 x 12	24.00	Php 600.00
Lumber	Miscellaneous Species	Unknown	1	Pc	2 x 9 x 12	18.00	Php 450.00
Lumber	Miscellaneous Species	Unknown	1	Pc	3 x 8 x 12	24.00	Php 600.00
Lumber	Miscellaneous Species	Unknown	1	Pc	3 x 4 x 12	12.00	Php 300.00
Lumber	Miscellaneous Species	Unknown	2	Pcs	4 x 8 x 12	64.00	Php 1,600.00
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 7 x 12	28.00	Php 700.00
Lumber	Miscellaneous Species	Unknown	2	Pcs	4 x 10 x 12	80.00	Php 2,000.00
Lumber	Miscellaneous Species	Unknown	2	Pcs	4 x 8 x 10	53.32	Php 1,333.00
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 9 x 10	30.00	Php 750.00
Lumber	Miscellaneous Species	Unknown	1	Pc	4 x 8 x 12	32.00	Php 800.00
TOTAL			20	Pcs	N/A	669.32	Php 27,373.00

Name/Address of on-site offenders and nature of participation:

NAME	ADDRESS	NATURE OF PARTICIPATION
ESTRILIDA KATON PAZ	Sitio Malabusog, Barangay Tinitian, Roxas, Palawan	Owner
<i>*Nothing Follows</i>		

B. CONVEYANCE

Name of the Registration/Owner : None
Address : N/A
Type of Vehicle : N/A
Model : N/A
Engine No. : N/A
Chassis No. : N/A
Plate No. : N/A



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

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

Certificate of Registration No.
Estimated Fair Market Value

: N/A

: N/A

C. EQUIPMENT AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each items and estimate value)

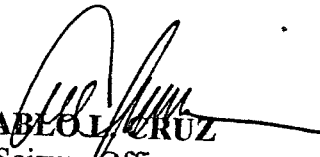
Quantity	Type	Description	Estimated Market Value
None	N/A	N/A	N/A
*Nothing Follows			

The twenty (20) pieces lumber of Kalantas and Miscellaneous species with equivalent estimated volume of 669.32 board feet allegedly owned by **MS. ESTRILIDA KATON PAZ** were apprehended by the DENR CENRO Roxas, Palawan - MES personnel (Patrol Sector I) at Sitio Malabusog, Barangay Tinitian, Roxas, Palawan on March 2, 2022.

Said apprehended forest products are now under the temporary custody of Forest Technician II April N. Baltar of DENR CENR Roxas, Palawan. Further, these apprehended items are now deposited at DENR CENRO Roxas, Palawan compound for safekeeping.

That the undersigned hereby acknowledge that the above listed items are now in ADMINISTRATIVE SEIZURE and that I, on behalf of Forest Technician II April N. Baltar who assume the possession and control for the custodial legis, pending the conduct of administrative confiscation proceedings for their disposition.

Therefore issue this Seizure Receipt No. 20220302-04 this March 3, 2022 at DENR CENRO Roxas, Palawan.


PABLO L. CRUZ
Seizure Officer



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

March 9, 2022

NOTICE OF HEARING

SUBJECT: **APPREHENSION OF TWENTY (20) PIECES LUMBER OF KALANTAS AND MISCELLANEOUS SPECIES WITH EQUIVALENT VOLUME OF 669.32 BOARD FEET AT SITIO MALABUSOG, BARANGAY TINITIAN, ROXAS, PALAWAN**


TO : **Ms. Estrilida Katon Paz** - Sitio Malabusog, Barangay Tinitian, Roxas, Palawan

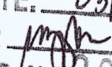
You are hereby formally notified to attend the Administrative Hearing for the subject offense on **March 17, 2022** at 10:00 A.M. at the office of the DENR CENRO, Sandoval Street, Barangay III, Roxas, Palawan. Order of Trial under the Rule 119 of Rules of Court shall be applied in suppletory character.

In lieu of adducing testimonial evidence, you may submit a memorandum attaching affidavits and any other supporting documents thereto with the request that the issue be decided on the basis thereof. You may also bring with a council to assist you during the said hearing.

Failure to appear at the proceedings shall deem a waiver of the right to appear and of any/all rights to the items apprehended in favor of the government.


PABLO CRUZ
CENRO


Received 3/18/2022
ANDREW N. BOLITA
TINITIAN ROXAS
PAL

DENR-CENRO ROXAS
RELEASED
DATE: 03/10/2022
BY: 
DOC NO. 2022-03-0294



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

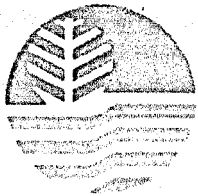
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

SUBJECT: APPREHENSION OF TWENTY (20) PECIES OF KALANTAS AND MISCELLANEOUS SPECIES WITH THE LOTAL VOLUME OF 669.32 BOARD FEET FROM THE POSSESSION, CONTROL AND CUSTODY OF MS. ESTRILIDA PAZ AT PUROK MALABUSOG, BARANGAY TINITIAN, ROXAS, PALAWAN.

DENR CENRO Roxas
Barangay III, Roxas, Palawan
Date: March 17, 2022
Time: 10:00 A.M.

ATTENDANCE SHEET

No.	Name	Cellphone No.	Signature
1.	<u>Jabbe L. Cruz</u>		<u>[Signature]</u>
2.	<u>MHy. Orlando Pa-alon</u>		
3.	<u>Estrilda K Paz</u>		<u>[Signature]</u>
4.	<u>Anniellette Jude F. Quizada</u>		<u>[Signature]</u>
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

ADMINISTRATIVE HEARING
CENR Office, Barangay III, Roxas, Palawan
March 17, 2022
10:00 A.M.

SUBJECT: **APPREHENSION OF TWENTY (20) PIECES OF KALANTAS AND MISCELLANEOUS SPECIES WITH THE TOTAL VOLUME OF 669.32 BOARD FEET FROM THE POSSESSION, CONTROL AND CUSTODY OF MS. ESTRILIDA PAZ AT PUROK MALABUSOG, BARANGAY TINITIAN, ROXAS, PALAWAN**

Hearing Officer : CENRO, Pablo L. Cruz
Acting Secretary : Forest Technician I, Annjelette Jude F. Quezada

ATTENDANCE

1. ESTRILIDA K. PAZ
2. ATTY. ORLANDO BALAAAN
3. ANNJELETTE JUDE F. QUEZADA
4. PABLO L. CRUZ

TRANSCRIPT

Hearing Officer: Magandang umaga. Salamat at kami ay inyong pinaunlakan. Pasensya na po kung kayo po ay masa-subject sa ganitong pagdinig, kasi requirement po ito ng Office na ayon doon sa Policy ng DENR 97-32 magsagawa tayo ng Administrative Hearing. So, ito ay patungkol doon sa nahuli ng aming mga tauhan noong March 2 sa Sitio Malabusog, Barangay Tinitian, Roxas, Palawan na habang sila ay nagka-conduct ng inventory ng typhoon damage trees nakita nila 'yan kaya nahuli. Bago tayo tumungo doon sa proper na pagdinig, gusto ko munang ipaalala sa inyo Ginang Paz na ayon sa ating Saligang Batas kayo ay may karapatan na sumagot o hindi sumagot sa aming mga katanungan. Karapatan din po ninyo na kumuha ng abogado o tagapayo, counsel kung kinakailangan. So, nandito po si Attorney kaya siguro siya na ang kakausapin namin.

Attorney Orlando Baalan: Ako po si Attorney Baalan, serve for the record representing with client Mrs. Paz.

Hearing Officer: So bali ang tanong po ba namin Attorney kayo na ang sasagot?

Attorney Orlando Baalan: Pwede rin po at pwede rin niyang sagutin, but ang preferred namin. Sir kung papayag po kayo, we will answer through position papers. E-lay down namin 'yong version through a position paper kung okay lang sa office.

Hearing Officer: Pwede naman kasi nakalagay naman 'yon sa invitation paper namin.



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Region IV- MIMAROPA
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54 **Attorney Orlando**
55 **Balan:** So, pansamantala whatever accusation against sa kaniya, she will answer or
56 refuse and then we will submit a position paper for that matter para maging
57 malinaw 'yong aming position.
58
59 **Hearing Officer:** So bali wala na tayong gagawing -
60
61 **Attorney Balan:** Kung pwede wala namang question kasi nasa papel naman eh.
62
63 **Hearing Officer:** Oo, rights naman ninyo iyan eh at nandoon naman sa sulat naming, nandito sa
64 second paragraph, mas maganda iyan.
65
66 **Attorney Balan:** Mas maganda kasi magiging klaro 'yong kaniyang magiging stands unless may
67 gusto kayong linawin sa kaniya with the counsel could not answer, pwede rin
68 naman. And If she could answer is knowing the consequence, so wala kayong
69 itatanong sir, we will submit a position paper so pwede niyo po ba kami bigyan ng
70 30 days kung pwede to prepare the position paper?
71
72 **Hearing Officer:** Sige put it on record, i-lay-off ang ating actual question and answer at mag
73 sasubmit nalang sila ng position paper regarding doon sa nangyaring operation.
74
75 **Attorney Balan:** So for 30 days from today that this and my deadline will be on April 17 din siguro.
76
77 **Hearing Officer:** So kailangan naming sumulat attorney siguro kay Mrs. Paz na simple lang naman
78 na mag-explain siya why she should not be liable.
79
80 **Attorney Balan:** Oo and I will respond through position paper within 30 days.
81
82 **Hearing Officer:** So ganoon nalang?
83
84 **Attorney Balan:** Opo ganon nalang sir para maging pormal at accurate.
85
86 **Hearing Officer:** Kasi baka hindi ninyo alam kung ano 'yong -
87
88 **Attorney Balan:** Ah super basic lang po 'yong nakalagay sa sulat that she should attend ng hearing
89 nga po na ito.
90
91 **Hearing Officer:** So kailangan natin mag -
92
93 **Attorney Balan:** E letter nalang itong notice of hearing.
94
95 **Hearing Officer:** So kailangan nating magletter sa kanila kung bakit hindi sya criminally liable doon
96 sa offense. Para may basis doon sa office.
97
98 **Attorney Balan:** Basis, and mabigyan rin kami ng report ng DENR kung pwede kasi may report
99 naman 'yang mga nag imbistiga doon, ano ba 'yon CSW ba 'yong tawag doon?
100
101 **Acting Secretary:** Hindi po, apprehension lang po. Pero sir, mayroon Information 'yong up natin na
102 hindi tayo pwedeng magbigay ng copy with regards sa mga investigation.
103
104 **Hearing Officer:** Ano lang e ano ko lang. Hindi naman actually na ina-furnish sila
105



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

107
108 **Hearing Officer:** Letter lang ang i-prepare na informing Mrs. Paz na mag submit siya ng position
109 paper, why she should not be: _ liable dito sa office.
110
111 **Attorney Balan:** Okay po.
112
113 **Hearing Officer:** Base doon sa apprehension report na allegedly ay siya 'yong owner, so 'yon
114 lamang po.
115
116
117 For information and record.
118
119
120 Prepared by:
121
122
123
124 **ANNJELE TE JOSE F. QUEZADA**
125 Acting Secretary during the hearing
126
127
128 Attested by:
129
130
131
132 **PABLO L. CRUZ**
133 Hearing Officer



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

March 21, 2022

Ms. Estrilda K. Paz
Bgy. Tinitian, Roxas, Palawan

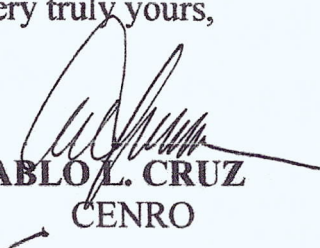
Madam:

This pertains to the apprehension of undocumented 20 pieces of Kalantas and miscellaneous species lumber with an aggregate volume of 669.32 board feet by the Forest Officers of this Office on March 02, 2022, at Purok Malabusog, Barangay Tinitian, Roxas, Palawan allegedly found in your possession, custody and control which is a clear violation of Section 77 of Presidential Decree No. 705, as amended by Executive Order No. 277 and Republic Act No. 7161.

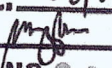
In connection therewith, you are hereby directed to show cause as to why no legal sanction should be instituted against you for the above violation 15 days from receipt of this correspondence.

Please be guided accordingly.

Very truly yours,


PABLO L. CRUZ
CENRO

ROXAS, PALAWAN
REGISTRY RECEIPT
RE 490 304 437 ZZ
Post Office -
Letter/Packages -
Posted on **032922** 20
Preserve this receipt for reference in case of inquiry
Postmaster/Teller 

DENR-CENRO ROXAS
RELEASED
DATE: 03/21/2022
BY: 
DOC. NO. 2022-03-0436

BA-ALAN LAW OFFICE

National Highway, So. Bagto, Brgy. San Nicolas
Roxas, Palawan

Re: Summary Administrative Forfeiture
Case Against Estrilda K. Paz

For: Alleged Viol. Of Sec. 77, PD 705

X ----- X

MR. PABLO L. CRUZ
CENRO, Roxas, Palawan
Brgy. 3, Roxas, Palawan



REQUEST

Sir:

My client, Estrilda K. Paz and this counsel appeared before your Honorable Office last 17 March 2022 in the morning for the hearing of the present case, however, my client, opted to submit a memorandum instead of a trial type hearing.

In connection thereto, on 12 May 2022, my client received a letter, dated 21 March 2022, from your Honorable Office directing her to show cause why she should not face a violation of Sec. 77, PD 705, as amended by EO 277 and 7161.

Other than said letter, your Honorable Office failed to attach the required ON-SITE RECORD and SEIZURE ORDER, as well as the affidavit of the apprehending officer, if any, pursuant to DAO 97-32, to wit:

"Sec. 7. Outline of Procedures for Summary Administrative Confiscation. - The following procedures shall be complied with for the summary administrative confiscation of items listed in Section 2 hereof.

Immediately upon, or as soon as practicable after issuance of a SEIZURE ORDER, the following outline shall be followed in the summary seizure proceedings.

1. **NOTICE OF HEARING** — A Notice of Hearing shall be issued by the DENR Officer who issued the SEIZURE ORDER scheduling a formal, summary hearing at a specified place and date within one (1) calendar week from the date of the SEIZURE ORDER or, upon written request and signature of all interested parties, within two (2) calendar weeks from said date. In no case shall the hearing so scheduled be postponed without the written request of the offender(s) and/or the owner or other person(s) interested in the seized item(s).
2. **HEARING** - The DENR Officer who issued the SEIZURE ORDER shall preside as the Hearing Officer at Confiscation hearings, which shall be recorded and of summary nature, during which all interested parties shall be heard by themselves and/or through counsel of choice. Ample opportunity to obtain the services of counsel shall, in all cases, be provided.

A complete set of the documents supporting the apprehension and seizure as hereinabove outlined shall be provided to the interested parties at their expense, and who shall be afforded the opportunity to present controverting evidence. Although not strictly bound by the technical rules on evidence and procedures, applicable Rules of Court shall have suppletory application in these proceedings to ensure justice and equity at all times. In lieu of adducing testimonial evidence, any Party may elect to submit a Memorandum, attaching Affidavits and any other supporting documents thereto, with a request that the issues be decided on the basis thereof." (Underscoring)

In this regard, the undersigned counsel for Estrilda K. Paz be provided copies of the following documents, namely:

- 1) ON-SITE RECORD;
- 2) SEIZURE ORDER; and
- 3) the Affidavit of the apprehending officer, if any.

These documents are necessary for us to file an intelligible MEMORANDUM for such case.

Thank you very much and more power.

Roxas, Palawan. May 13, 2022.

ATTY. ORLANDO A. BA-ALAN

Counsel for Estrilda K. Paz

Bar Roll No. 56352

orlybaalan@gmail.com

Cellphone No. 0999-580-4280

IBP No. 177580/Feb 8, 2022/Nat'l

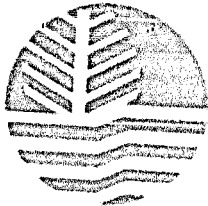
PTR No. 0891252/Jan. 14, 2022/Pal

MCLE Compliance No. VII-0014950

Until 14 April 2025

National Highway, So. Bagto, Brgy. San Nicolas,
Roxas, Palawan

CP No .



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647; Email address: cenroroxaspalawan@denr.gov.ph

May 23, 2022

ATTY. ORLANDO A. BA-ALAN
Counsel for Estrilda K. Paz
orlybaalan@gmail.com

Dear Atty. Ba-alan,

Environmental greetings!

This has reference to your letter dated May 13, 2022, requesting this Office to provide you copies of 1) On-site record; 2) Seizure Order; and 3) Affidavit of the apprehending officers, for purposes of preparing your client's Memorandum for an administrative proceeding pending before this Office.

We respectfully inform you that we can only provide the Apprehension Receipt, Seizure Order and the Certification of No Permit for your request. However, we cannot grant your request for On-site record specifically the Apprehension Report and the Affidavit of the apprehending officers as this may result to a premature disclosure and may pre-empt a criminal case which is yet to be filed if so warrants. This is in view of Paragraph No. 8, Annex "C" of DENR Freedom of Information Manual¹, which states:

8. *Disclosure of confidential source, investigation proceedings, and records of assigned hearing officers, investigators, and deputized inspectors, when the premature disclosure thereof may result to the endangering the life, safety and security of any individual, and pre-empt the resolution of a case.*

Further, kindly note that the crux of a DENR administrative hearing is to determine whether there is substantial evidence to support the confiscation of the seized items or not. Accordingly, this Office may conduct a clarificatory hearing should you wish to clarify facts and issues regarding this case.

Attached are Apprehension Receipt, Seizure Order and the Certification of No Permit.

Thank you.

Truly yours,


PABLO L. CRUZ
→ CENRO

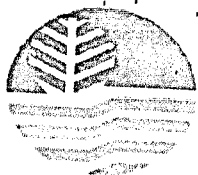
DENR-CENRO ROXAS

RELEASED

DATE: 26 MAY 2022

BY: 

000 NR 2022-05-0798



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

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that as per record of this Office, **MS. ESTRILDA K. PAZ** resident of Barangay Tinitian, Roxas, Palawan has never been issued **"Permit or License"** to **CUT, GATHER, COLLECT** nor **POSSESS** any of natural grown trees in the Municipality of Roxas, Palawan and within the administrative jurisdiction of DENR CENRO - Roxas, Palawan.

Issued this 25th day of May, 2022.


PABLO L. CRUZ
CENRO



R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>

RESPONSE LETTER RE

1 message

R4B CENRO Roxas Palawan <cenroroxaspalawan@denr.gov.ph>
To: orfybaalan@gmail.com

Thu, May 26, 2022 at 2:50 PM

Good day!

Please see attached file.

Thank you.

—
PABLO L. CRUZ
CENRO

.....
DENR-CENRO Roxas, Palawan
Sandoval Street, Bgy. III,
Roxas, Palawan 5308
PHILIPPINES

Email: cenroroxaspalawan@denr.gov.ph

Contact Number:
Telephone: 048-717-0892

ATTY. ORLANDO A. BA-ALAN.pdf
4724K

Republic of the Philippines
Department of Environment and Natural Resources
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion) Roxas, Palawan

Forest Officer of DENR Roxas,
Complainant,

Summary Admin Confiscation Case

-versus-

for:

Estrilda K. Paz,
Respondent.

"Viol. Of Sec. 77, PD 705

x ----- x



MOTION FOR EXTENSION

COMES NOW Estrilda K. Paz, by counsel, most respectfully avers and states that:

1. Last 12 May 2022, Estrilda K. Paz received the show cause letter, dated 21 March 2022, from this Honorable Office, asking her to explain within 15 days why she should not be charged for violation of Sec. 77, PD 705, as amended;
2. However, only such letter was given to her as this Honorable Office did not attach any record pertaining to the alleged charges against her;
3. In connection thereto, Estrilda K. Paz, thru this counsel, requested a copy of an ON-SITE RECORD, SEIZURE ORDER, and AFFIDAVIT OF THE APPREHENDING OFFICER, if any, per her counsel's letter, dated 13 May 2022, which was received by this Honorable Office on the same date;
4. Said letter request was based on DAO 97-32, to wit:

"Sec. 7. Outline of Procedures for Summary Administrative Confiscation. - The following procedures shall be complied with for the summary administrative confiscation of items listed in Section 2 hereof.

Immediately upon, or as soon as practicable after issuance of a SEIZURE ORDER, the following outline shall be followed in the summary seizure proceedings.

1. **NOTICE OF HEARING** — A Notice of Hearing shall be issued by the DENR Officer who issued the SEIZURE ORDER scheduling a formal, summary hearing at a specified place and date within one (1) calendar week from the date of the SEIZURE ORDER or, upon written request and signature of all interested parties, within two (2) calendar weeks from said date. In no case shall the hearing so scheduled be postponed without the written request of the offender(s) and/or the owner or other person(s) interested in the seized item(s).
2. **HEARING** - The DENR Officer who issued the SEIZURE ORDER shall preside as the Hearing Officer at Confiscation hearings, which shall be recorded and of summary nature, during which all interested parties shall be heard by themselves and/or through counsel of choice. Ample opportunity to obtain the services of counsel shall, in all cases, be provided.

A complete set of the documents supporting the apprehension and seizure as hereinabove outlined shall be provided to the interested parties at their expense, and who shall be afforded the opportunity to present controverting evidence. Although not strictly bound by the technical rules on evidence and procedures, applicable Rules of Court shall have suppletory application in these proceedings to ensure justice and equity at all times. In lieu of adducing testimonial evidence, any Party may elect to submit a Memorandum, attaching Affidavits and any other supporting documents thereto, with a request that the issues be decided on the basis thereof." (Underscoring and italicized supplied)

5. To date, however, Estrilda K. Paz has not yet received any of the copies of the documents she requested from this Honorable Office;
6. In order not to frustrate the end of justice, Estrilda K. Paz, thru counsel, is seeking extension of time within which to file her Memorandum as required by this Honorable Office.

PRAYER

WHEREFORE, it is most respectfully requested that Estrilda K. Paz be given extension of another THIRTY (30) DAYS from today or until 27 June 2022 within which to submit her intelligible Memorandum, as she cannot do so without the requested documents, being an indispensable elements of due process clause as guaranteed by the 1987 Philippine Constitution.

Other forms of relief as may be deemed just and equitable under the premises are likewise prayed for.

Roxas, Palawan. 27 May 2022.

ATTY. ORLANDO A. BA-ALAN

Counsel for Estrilda K. Paz

Bar Roll No. 56352

orlybaalan@gmail.com

Cellphone No. 0999-580-4280

IBP No. 177580/Feb 8, 2022/Nat'l

PTR No. 0891252/Jan. 14, 2022/Pal

MCLE Compliance No. VII-0014950

Until 14 April 2025

National Highway, So. Bagto, Brgy. San Nicolas,
Roxas, Palawan



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

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

June 1, 2022

ATTY. ORLANDO A. BA-ALAN

Counsel for Estrilda K. Paz

orlybaalan@gmail.com

Dear Atty. Ba-alan,

Environmental greetings!

Acknowledging the receipt of the Motion for Extension dated May 27, 2022.

Please be informed that this Office has already sent a letter response in connection to your letter dated May 13, 2022 via email on May 26, 2022 at 2:50 P.M. Attached is the same letter sent to your email.

We trust that you are properly informed.

Thank you.

Truly yours,


PABLO L. CRUZ
CEMRO


f-2-22

DENR-CENRO ROXAS
RELEASED
DATE: 01 JUN 2022
BY: 
DOC NO. 2022-06-0857

Republic of the Philippines
Department of Environment and Natural Resources
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion) Roxas, Palawan

Forest Officer of DENR Roxas,
Complainant,

Summary Admin Confiscation Case

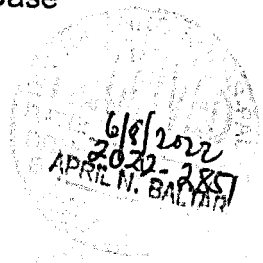
-versus-

for:

Estrilda K. Paz,
Respondent.

"Viol. Of Sec. 77, PD 705

✕ ----- ✕



ANSWER/SHOW CAUSE

COMES NOW Estrilda K. Paz, thru counsel, most respectfully states, by way of Answer and/or Show Cause, that:

1. Last 12 May 2022, Estrilda K. Paz (Paz for brevity) personally received the letter, dated 21 March 2022, of this Honorable Office which directed her to show cause why no criminal case should be filed against her for violation of Sec. 77, PD 705, as amended by EO 277 and RA 7161; however, other than the said letter no other documents were attached as basis for such show cause order;
2. In order for Paz to make an intelligible answer and/or show cause response, on 13 March 2022, she, thru the undersigned counsel, requested copies of the documents mentioned under the DAO 97-32. However, due to time constraint, as she had not yet received any response on the said request, she, thru counsel, ask an extension of time to file the same, on 27 May 2022;
3. In response to this, she received a copy of (1) letter, dated 23 May 2022, citing that this Honorable Office could not give the on-site record, apprehension report, and the affidavit of apprehending officer by way of an exemption from the DENR Information Manual; (2) Apprehension Receipt; (3) Seizure Order; and (4) Certification; ho
4. Based from the foregoing documents, with all due respect, Paz vehemently denies the allegation against her that an aggregate volume of 669.32 board feet of kalantas and miscellaneous species of lumbers were found on her possession, custody and control;
5. The truth of the matter is that, she had no knowledge or participation as to the fact of such contention, for the alleged lumbers were not found in her possession and custody nor did she have control over it. Actually, she was nowhere on the premises when the same were allegedly taken by the apprehending forest officers, otherwise, they should immediately arrest her;
6. In fact, per information received from a certain Elena C. Caseñas, who was then at Kingki Beach owned by Paz, she (Elena's) saw a yellow-colored truck entered the gate of the land of Paz's parents located at Malabusog, Tinitian, Roxas, Palawan on 2 March 2022 without permission from the Paz family; then, Elena saw some person carrying lumbers and loading the same in the said truck, as stated on her affidavit hereto marked as **Exhibit "1"**;

7. Likewise, per information received by her, these lumbers were taken at the bank of the river near the land of her parents by some person who placed the same on board the said truck on 2 May 2022, and not from their land themselves;
8. It is clear then, that the said lumbers came from the bank of the river where it was allegedly apprehended by the said forest officers. The bank of the river was open to all person who wish and want to come and pass there. Its seizure and confiscation therefore are beyond her knowledge; hence, she should not be implicated for violation of PD 705, as amended;
9. As a matter of fact, prior to 2 March 2022, she already applied and filed an application for a cutting permit with this Honorable Office. But she was informed of its approval only upon being summon at the CENRO-DENR Office of Roxas, Palawan, per copy of the Certification authorizing her to cut lumbers, **Exhibit "2"**. Hence, she has no intent to violate any forest law for that matter;
10. Nonetheless, if the purpose of the present proceedings is to forfeit the said lumbers pursuant to DAO No. 97-32, dated 10 October 1997, Estrilda K. Paz has no opposition thereto as she did not own the same nor it belongs to her.

PRAYER

WHEREFORE, Estrilda K. Paz most respectfully prayed that she should not be indicted for violation of Sec. 77, PD 705, as amended by EO 277 and RA 7161 and this case, in so far as she is concern, be dropped and dismissed against her.

Since these lumbers did not belong to her and she has no claimed on it, the forfeiture of the said lumber be proceeded against an unknown owner in favor of the government.

Other form of relief as may be just and equitable under the premises is likewise prayed for.

Roxas, Palawan, June 7, 2022.

ATTY. ORLANDO A. BA-ALAN

Counsel for Estrilda K. Paz

Bar Roll No. 56352

orlybaalan@gmail.com

Cellphone No. 0999-580-4280

IBP No. 177580/Feb 8, 2022/Nat'l

PTR No. 0891252/Jan. 14, 2022/Pal

MCLE Compliance No. VII-0014950

Until 14 April 2025

National Highway, So. Bagto, Brgy. San Nicolas,
Roxas, Palawan

SINUMPAANG SALAYSAY

Exhibit '1'

Ako, ELENA C. CASEÑAS, sapat ang gulang, Filipino, may-asawa, at nakatira sa Brgy. Tinitian, Roxas, Palawan matapos makapanumpa ng ayon sa batas ay malaya at kusang-loob na dito ay nagsasaysay ng mga sumusunod:

1. Na noong March 2, 2022, ako ay nasa Kingki Beach, sa Malabusog, Tinitian, Roxas, Palawan, na pag mamay-ari ni Estrilda Paz;
2. Na may nakita akong pumasok na truck, na kulay dilaw, sa loob ng bakuran nila Ms. Paz ng walang paalam sa amin, kaya pinuntahan ko at tinanong ko kung ano ang ginagawa nila doon, pero ang sabi ng driver at may pupuntahan lang daw silang tao; at, habang nasa loob ng bakuran ay kinunan ito ng picture ng kasama kong si Jeaneth Heredero;
3. Na dahil doon ay umalis ako para mag lukit ng nyog; pero maya-maya ay nakita na pasan-pasan ng mga ilang katao ang kahoy at isinasakay nila sa truck, kaya pinuntahan ko ang nagpapasan ng kahoy at tinanong ko kung sino ang nag-uutos pero ang sagot nila sa akin ay taga-DENR;
4. Na wala na akong masasabi pa.

SA KATUNAYAN NG LAHAT ng ito, ako ay lumagda sa ibaba nito ngayong ika-15 ng Marso 2022 sa Roxas, Palawan.

E. Casenás

ELENA C. CASEÑAS

Nagsasaysay

VIN:5318-0126B-C2468ECC20000

Comelec Roxas, Palawan

SINUMPAAN AT NILAGDAAN sa harap ko ngayong ika-15 araw ng Marso 2022 sa Roxas, Palawan. Ang nagsasaysay ay nagpakita ng dokumento ng pagkakakilanlan tulad ng nakasulat sa ibaba ng kanyang pangalan.

Doc. No. 134
Page No. 23
Book No. 01
Series of 2022

ATTY. ORLANDO A. BA-ALAN

(Notary Public)

Until December 31, 2022

Bar Roll No. 56352

IBP No. 177580/02-08-22/Pal

PTR No. 0891252/01-14-22/Pal


MCLE Compliance No. VI-0027816/4-14-22

VERIFICATION

I, **ESTRILDA K. PAZ**, of legal age, Filipino, single and presently residing at Brgy. Kalipayan, Puerto Princesa City after being sworn to according to law do hereby depose and state that:

1. I have caused the preparation of the foregoing Answer and/or Show Cause and that the allegations therein stated are true and correct based on my personal knowledge and authentic documents;
2. This pleading is not meant to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and
3. The factual allegations therein stated is having evidentiary support after reasonable opportunity for discovery.

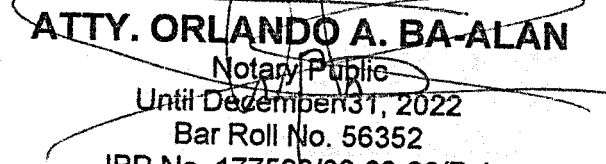
IN WITNESS WHEREOF, I have hereunto affixed my signature this 7th of June 2022 at Roxas, Palawan, Philippines.

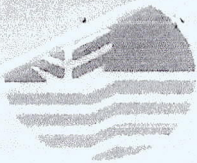

ESTRILDA K. PAZ
Defendant

Social Security System ID No. 04-3057750-1

SUBSCRIBED AND SWORN to before me this 7th of June 2022 at Roxas, Palawan. Affiant exhibited to me her competent document of identification as stated below her name.

Doc. No. 277
Page No. 55
Book No. 01
Series of 2022


ATTY. ORLANDO A. BA-ALAN
Notary Public
Until December 31, 2022
Bar Roll No. 56352
IBP No. 177580/02-08-22/Pal
PTR No. 0891252/01-14-22/Pal
MCLE Compliance No. VII-0014950/4-14-25



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
Email address: cenroroxaspalawan@denr.gov.ph

Exhibit "2"

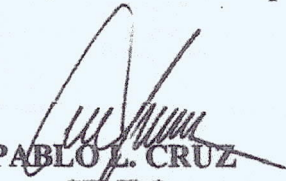
CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Ms. Estrilda K. Paz is authorized by this office to cut and utilize Gmelina and Mahogany logs with a total volume of 24.48 cu.m. derived from Titled No. OCT No. 4564 located at Barangay Tinitian, Roxas, Palawan.

Further certifies that the said volume was manufactured from typhoon damaged planted trees within the above described private lot. Same will be used for re-building their house.

Issued this 14th day of February 2022 at CENRO, Roxas, Palawan and expires on March 1, 2022.


PABLO L. CRUZ
CENRO

DENR-CENRO ROXAS
RELEASED
DATE: 2/15/2022
BY: [Signature]
DOC. NO. 2022-02-0164

DATE	FULL NAME	ADDRESS	TIME
03/02/22	Nicar Fajon	Fico (Jalapa)	
03/03/22	AM 03 MARCH 2022 (THU)		
3-3-22	Geoffrey Giron	Baj. P	
3-3-22	Pemfilo PASCALWOK	Baj. MIVINRA	8:30
3-3-22	Estun Nany	Sandomal	8:30
3-3-22	Deive Gicatin	Pobl SUP	8:21
3-3-22	FE E. MASBATO	Reclutad City	9:15
3-3-22	WILFREDO JARON	BRGY 11	
3-3-22	SERGIO PELLINA	BRGY 1	
3-3-22	JOHN VANNUY CANTICA	BRGY 10	
3-3-22	Koffy E. Agawanon	Stamaria	9:30
3-3-22	Albano M. Sabanal	TIVITON	9:30
3-3-22	MARTO C. BALDWINA	BRGY JOSE	9:52
3-3-22	Rosal U. ELAZO	Brig Brig Brig	
3-3-22	CHRISTOPHER RAY DRILON	BRGY SANDOMAL	10:02
3-3-22	charly P. Pinfista	Ju. gy. Mendaya	10:45
3-3-22	HECTOR T. ENA	WTO KITA PAX	11
03-03-22	ESTRILDA E. PAR	MALABUSOG	10:45
03-03-22	EDUARDO G. GONDE	Pto. Pami. City	11:50
03-03-22	RAUL C. HANERA	BRGY KENDRA	11:58
03-03-22	Sessa P. Baranto	Calasquen Shore Brooke P.	11:58
03-03-22	HELMARCEY GONZALEZ	BRGY BINGA, SAN VICENTE	12:30
03/03/22	GLENN B DESTRIK	San Miguel, PCTBY	12:47
03/03/22	JEROME CASTILLO	San Pedro	12:47
03/03/22	GERALD IBAYAT	SAN MANUEL	12:46
03/03/22	JC De Valle	Magara	12:54
03/03/22	PEPE CANTALERO	Sta. Monica	
03/03/22	EDNA D. RONDINA	BRGY 3 POKETA	1:25
03/03/22	MERITO GATHALAN	Brig 1 Ram	1:38
03/03/22	BIM SA GATHALAN	Brig 1 Ram	1:38
03/03/22	Flora D. Del Castillo	Brig. Tabula	1:54
03/03/22	Leticia M. Cebrenand	Brig. New Barbacoa	1:54
03/03/22	Karl John Joramillo	Sta Teresa	2:00
03/03/22	MARK SPRINGING	SAN VICENTE	2:13
03/03/22	MORIGUITO C. CATAN	BRGY TRAXIN	2:15
03/03/22	ROSAJO C. MASURA	BLUES TRAX Barbacoa	2:14

PURPOSE	CELLPHONE NO	SIGNATURE
Business invitation letter	09054469442	[Signature]
AM 03 MARCH 2022 (THU)		
Travel & Travel		
Relief		
Request transport		
For		
Barbecue	09053 455 3996	[Signature]
PAYMENT - UP		
FOLLOW UP		
Technical description	090508106631	[Signature]
	09480736807	[Signature]
FOLLOW UP	090507004261	[Signature]
FOLLOW UP	090601609058	[Signature]
FOLLOW UP	09051750794	[Signature]
FOLLOW UP	09051920038	[Signature]
FOLLOW UP	090708010505	[Signature]
FOLLOW UP		
FOLLOW UP	09494499283	[Signature]
FOLLOW UP		
Follow-up Request		
For Interview	09051472090	[Signature]
FOR CERTIFICATION	09066-430-2939	[Signature]
COORDINATION	09173474494	[Signature]
"	090973645340	[Signature]
COORDINATION	09000382434	[Signature]
"	09037148739	[Signature]
"		
"	09017969691	[Signature]
Inquiries		
Inquiries	090709687568	[Signature]
Inquiries	091291002	[Signature]
CERTIFIED PHOTO COPY		
MA. CHRISTINE G. SINDAYEN	09096887861	[Signature]
Records Officer	09076748426	[Signature]

Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Contact No. 09171606578 / 09175028647
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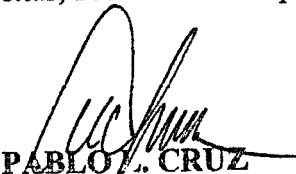
CERTIFICATION

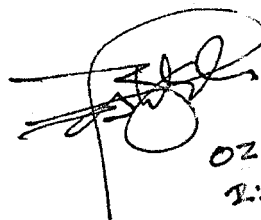
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Further certifies that the said volume was manufactured from typhoon damaged planted trees within the above described private lot. Same will be used for re-building their house.

Issued this 14th day of February 2022 at CENRO, Roxas, Palawan and expires on March 1, 2022.


PABLO J. CRUZ
CENRO


021522
2:20 pm

CENR-CENRO ROXAS
RELEASED.
DATE 02/15/2022
BY: [Signature]
003.133.02022-22-0104

CERTIFIED PHOTO COPY


MA. CHRISTINE G. SINDAYEN
Records Officer