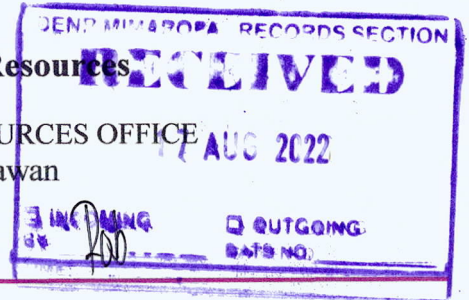




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph



August 08, 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 : **COMPROMISE AGREEMENT AND COURT ORDER DATED
MAY 17, 2022**

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

Per memorandum, CENRO Coron submitted the Compromise Agreement between Ryan Aboratigue, et al., accused and People of the Philippines, plaintiff notarized on May 19, 2022. Likewise, the Order dated May 17, 2022 signed by Presiding Judge Lovelle Moana R. Hitosis of Municipal Circuit Trial Court of Coron-Busuanga-Gaudencio E. Abordo. (*Copies hereto attached for reference*)

For information and record.

Copy Furnished
CENRO Coron, Palawan
File/2022-049ACG MES Doc. Ref. No. 2022-6936


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By phea
Date 09 AUG 2022 CN 2022-1987



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA IV – B
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. 5, Calamianes Island, Coron, Palawan
Telephone No. +63 917 504 2633
E-mail: cenrocoron@denr.gov.ph Website: www.denr.gov

July 18, 2022

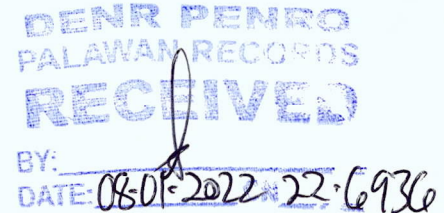
MEMORANDUM

FOR : The Regional Executive Director
1515 L & S Bdg., Roxas Blvd.
Ermita, Manila

THRU : The Provincial Environment &
Natural resources Officer
Sta. Monica, Puerto Princesa City
Palawan

FROM : The OIC-Community Environment &
Natural Resources Officer

SUBJECT : **COMPROMISE AGREEMENT AND COURT ORDER
DATED MAY 17, 2022**



Respectfully forwarded is the Court Order dated May 17, 2022 and Compromise Agreement executed by and between Ryan Aboratigue and Marvin Aboratigue and the People of the Philippines represented by CENRO Arnoldo A. Blaza, Jr.

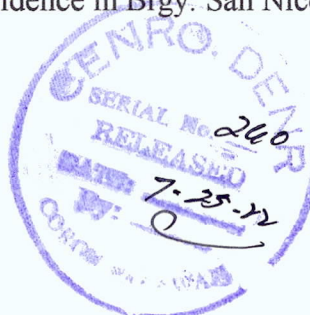
Please be informed that the accused withdraw their previous plea of not guilty and enter their plea of guilty to the offense for violating Section 77 of PD 705 as amended for the purpose in entering into a plea bargaining agreement. As a result, they are sentenced to an imprisonment of one (1) year and two (2) months. However, Ryan Aboratigue has served the sentenced imposed to him while Marvin Aboratigue, through his counsel manifested to file an application for probation.

As stated in the Compromise Agreement, Ryan Aboratigue and Marvin Aboratigue are strictly directed to comply with the conditions, to raise Five thousand (5,000) pieces of Mangium seedlings and Five thousand (5,000) Narra seedlings in the nursery of the NGP in Brgy. San Nicolas and will be planted in the watershed area of So. Mabentangen, Brgy. 6, Coron, Palawan. Likewise, they will also plant Forty (40,000) Bakawan propagules to be accomplished within a period of five (5) years.

Whereas, the Pre-trial Conference for the remaining accused Pormencio Aboratigue is set on August 15, 2022 at 8:30 o'clock in the morning.

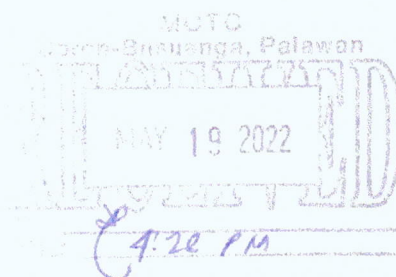
Be informed further that a total of two hundred (200) Mangium seedlings were already raised by Marvin Aboratigue in his residence in Brgy. San Nicolas, Coron, Palawan.

For information and record.



RODNEY G. VERIAN

REPUBLIC OF THE PHILIPPINES
MUNICIPAL CIRCUIT TRIAL COURT
Coron-Busuanga-Gaudencio E. Abordo
Province of Palawan



PEOPLE OF THE PHILIPPINES,

Plaintiff,

Criminal Case No. 4022

- versus -

For: Violation of Section 77
of P.D. 705, As Amended

RYAN ABORATIGUE, ET AL.,

Accused.

x-----x

COMPROMISE AGREEMENT

KNOW ALL MEN BY THESE PRESENT:

This Plea Bargaining Agreement was executed by and between:

RYAN ABORATIGUE AND MARVIN ABORATIGUE, accused in Criminal Case No. 4022 for Violation of Section 77 of P.D. 705, as amended, are represented by the Public Attorney's Office through ATTY. BETHEL FAITH G. BERONIO, herein referred to as "ACCUSED".

- and -

The PEOPLE OF THE PHILIPPINES, through the special prosecutors of the Department of Environment and National Resources, under the direct control and supervision of the Office of the Solicitor General, represented by ARNOLDO A. BLAZA, JR., Community Environment and Natural Resources Office (CENRO) - Coron, Palawan, herein referred to as "COMPLAINANT".

WITNESSETH: That,

WHEREAS, the ACCUSED are being charged with the crime of Violation of Section 77 of Presidential Decree 705 (P.D. 705), as amended for allegedly engaging in the illegal cutting of timber (Malaruhut tree) on

October 12, 2018, at Brgy. San Nicolas, Culion, Palawan, without the necessary permit from authorities;

WHEREAS, the imposable penalty for the said offense is the penalty of *prisión correccional* in its minimum and medium periods if the value of the property stolen is more than Twenty Thousand Pesos (P20,000) but does not exceed Six Hundred Thousand Pesos (P600,000);

WHEREAS, to abbreviate the proceedings accused would like to withdraw their previous plea of not guilty, and instead prays to enter a plea of guilty to the offense of violating Section 77 of P.D. 705, as amended, provided that the minimum period of *prision correccional* would be imposed, this plea being a mitigating factor;

WHEREAS, the ACCUSED expresses that they are indigent members of the community. They know that while poverty is not an excuse to escape from the liability that they have incurred before the Stat, they do not have the means to pay the damages incurred by their act, hence, they pray that they are allowed to restore the damages they have caused to the environment through an activity that they are capable of doing and would be beneficial also to our environment;

WHEREAS, all the accused pray that the environmental damages amounting to Five Hundred Eighteen Thousand Thirty-Six and 80/100 pesos (P518,036.80) be compensated by them by raising and planting 5000 pieces of mangium seedlings, 5000 pieces of narra seedlings to be plotted in Brgy San Nicolas Nursery Area and 40,000 bakawan under the direct control and supervision of the CENR officer concern;

WHEREAS, The agreed valuation of the seedling per piece is as follows :

Mangium	P 35.00
Narra	P 35.00
Bakawan	P 3.00

WHEREAS, the value in comparison to what was demanded and what was agreed upon will only surmount to P 470,000.00 because the accused will not only plant but also raise the seedling in the location of the old nursery used by the National Greening Program in Barangay San Nicolas, Coron, Palawan;

WHEREAS, THE ACCUSED is aware that any repetition of the act complained of will be dealt with differently, by the Honorable Court.

NOW, THEREFORE, for and in consideration of the above premises and mutual covenants, agreement and stipulations hereinafter set forth, the parties hereby agree jointly:

I. ROLES AND RESPONSIBILITIES OF THE PARTIES:

1. The ACCUSED shall:

- 1.1. Raise the number of the seedling abovementioned in the location of the old nursery used by the National Greening Program in Barangay San Nicolas, Coron, Palawan;
- 1.2. Plant the seedling in the watershed area of Sitio Mabentangen, Barangay 6, Coron, Palawan;
- 1.3. Fulfill the terms of this plea bargaining agreement with all good fidelity and utmost good faith within five (5) years upon the Honorable Court of this Plea Bargaining Agreement;
- 1.4. Consistently report to the DENR-CENRO Coron, Palawan as to the progress of their compliance with this Plea Bargaining Agreement within the period of implementation and until completion of the terms of the Plea Bargaining Agreement;
- 1.5. The DENR-CENRO Coron, Palawan can expect an 85% survival rate of the seedlings planted within a period of one (1) year to ensure that proper planting of the seedlings was made by the accused.

2. THE COMPLAINANT shall:

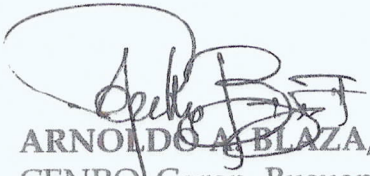
- 2.1. Conduct a strict inspection and monitoring conducted by the DENR-CENRO Coron, Palawan;
- 2.2. Submit a report through the DENR-CENRO Coron, Palawan before this Honorable Court as to the status of compliance of the accused on the conditions set forth herein;

II. EFFECTIVITY OF THIS AGREEMENT

This Plea Bargaining Agreement shall take effect upon approval of the Honorable Court and will continue until the fulfillment of the obligation.

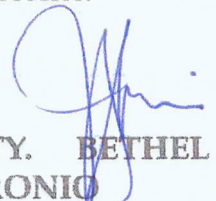
IN WITNESS WHEREOF, the parties hereto have affixed their respective signatures this ____ day of _____ 2022, at _____
; Philippines.


RYAN ABORATIGUE
Accused



ARNOLDO A. BLAZA, JR
CENRO, Coron, Busuanga Palawan
Complainant

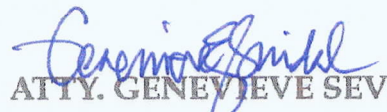
M.A.
MARVIN ABORATIGUE
Accused

Conforme:

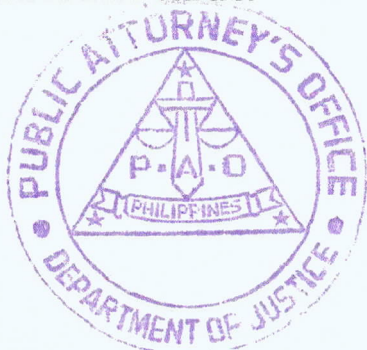

ATTY. BETHEL FAITH G. BERONIO
Counsel for the Accused


Conforme:


ATTY. KARREN CECIL PANORIO-LOFRANCO
Counsel for the Complainant


ATTY. GENEVIEVE SEVIDAL
Counsel for the Complainant

SUBSCRIBED AND SWORN TO before me this 19th day of May, 2022 in Coron, Palawan, Philippines, affiant having exhibited to me their identification cards.




BETHEL FAITH G. BERONIO
PUBLIC ATTORNEY I
CORON, PALAWAN DISTRICT OFFICE
ATTORNEY PUBLIC UNDER RA 9406
JUNE 2019

Republic of the Philippines
MUNICIPAL CIRCUIT TRIAL COURT
CORON-BUSUANGA-GAUDENCIO E. ABORDO
Province Of Palawan

PEOPLE OF THE PHILIPPINES
Plaintiff,

-versus-

RYAN ABORATIGUE,
ET. ALS.,

Accused.

X-----X

CRIMINAL CASE NO.4022

For: VIOL OF SEC. 77 OF R.A.
705 AS AMENDED

ORDER

In today's scheduled **Video Conference Hearing for the Pre-Trial Conference**, the Court noted the Compromise Agreement submitted by the prosecution and the defense. The Court noting that this Compromise Agreement is not against the law, morals or public policy, hereby approves this Compromise Agreement and a Judgment is hereby rendered in accordance with the terms and conditions of this **COMPROMISE AGREEMENT**.

With the approval of the compromise agreement, the counsel for the accused manifested that they are waiving the reading of the Information in this case and prays that a plea of guilty be entered in the records thereof, for accused Ryan Aboratigue and Marvin Aboratigue.

Let, therefore a plea of **GUILTY** be entered in the records of this case for **RYAN ABORATIGUE** and **MARVIN ABORATIGUE**.

In view of the plea of guilt of Ryan Aboratigue and Marvin Aboratigue they are **HEREBY SENTENCED TO AN IMPRISONMENT OF ONE (1) YEAR AND TWO (2) MONTHS** as agreed upon by the parties. However, considering that Ryan Aboratigue has already served the sentenced imposed by this Honorable Court, he is hereby ordered released from custody of law unless held for other lawful cause or causes. With regard to Marvin Aboratigue, the counsel for the accused manifested that they will be filing an application for probation and prays that the bond imposed by this Honorable Court be maintained pending the said application, which this Court accordingly **GRANTED**.

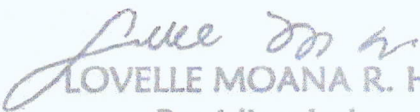
The accused **RYAN ABORATIGUE** AND **MARVIN ABORATIGUE** are hereby directed by this Court to **STRICTLY** comply with the conditions of their

Compromise Agreement, particularly to plant Five Thousand (5,000) pieces of Mangium seedlings and Five Thousand (5,000) pieces of Narra seedlings at Brgy. San Nicolas Nursery Area and the planting of the Forty Thousand (40,000) Bakawan. The CENRO DENR Coron, Palawan is directed to monitor compliance of the said terms and conditions.

With regard to the remaining accused in this case. PORMENCIO ABORATIGUE, let the Pre-Trial Conference for the said accused be hereby set on August 15, 2022 at 8:30 o'clock in the morning.

SO ORDERED.

Given this 17th day of May, 2022 at Puerto Princesa City for Coron, Palawan Philippines.


LOVELLE MOANA R. HITOSIS
Presiding Judge

Copy Furnished:

1. Atty. Karren Cecil Ponopio-Lofranco;
2. Atty. Genevieve E. Sevidal;
3. Atty. Bethel Faith Beronio;
4. DENR-Coron;&
5. Ryan Aboratigue, et. als.,

LMRH/Jean



Seedlings raised by Marvin Aboratigue in compliance to the conditions stated in the Compromise Agreement

Republic of the Philippines
MUNICIPAL CIRCUIT TRIAL COURT
CORON-BUSUANGA-GAUDENCIO E. ABORDO
Province of Palawan

PEOPLE OF THE PHILIPPINES,
Plaintiff,

Crim. Case No. 4022

-versus-

For:

RYAN ABORATIGUE ET AT
Accused.

Viol of Sec 77 of RA 705

X -----X

APPLICATION FOR PROBATION

Herein accused, **MARVIN DALINGDING ABORATIGUE**, represented by the Public Attorney's Office, unto this Honorable Court, most respectfully states that:


1. On May 17, 2022 following a plea of guilt, the Honorable Court found the accused guilty beyond reasonable doubt to the crime charged and thereby imposed upon him the penalty of imprisonment of One (1) year and two (2) months;
2. Accused would like to avail of the privilege provided under PD No.968 as amended by RA 10707;
3. Accused is not among those disqualified offenders as enumerated under RA 10707;
4. He undertakes to comply with such terms and conditions that the Honorable Court may impose, should This Application for Probation be granted;
5. Accused is currently residing at Brgy. San Nicolas, Coron, but his probability of flight thereat is nil considering the financial constraint. He can be communicated thru his cellular number 0931-763-2191;

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Court, that this Application for Probation of accused, **MARVIN DALINGDING ABORATIGUE**, be duly considered and given due course.

This 17th of May, 2022, at Poblacion 3, Coron, Palawan.

PUBLIC ATTORNEY'S OFFICE
Coron, Palawan District Office

By:


BETHEL FAITH G. BERONIO
Public Attorney I

ROA 72329/30 June 2019

P A B A T I D

G. MARVIN DALINGDING ABORATIGUE

Brgy. San Nicolas, Coron, Palawan

Pagbati:

Tayo ay magsusumite ng iyong Application for Probation sa Korte. Kung maari ay makipag-ugnayan kayo sa Northern Palawan Parole and Probation Office, Puerto Princesa City, sa mga numerong ito: **0965-370-2098**.

Salamat.


Atty. BETHEL FAITH G. BERONIO

NOTICE

CYNTHIA T. ALOTENCIO

Clerk of Court II

MCTC-Coron-Busuanga-Linapacan

GREETINGS:

Please submit the foregoing Application for Probation for the consideration of the Honorable Court, without further hearing or oral arguments.

Thank you.


Atty. BETHEL FAITH G. BERONIO

cc:

MARVIN D. ABORATIGUE

Brgy. Poblacion 2, Coron, Palawan

Ms. PERCY VILLALUZ

Northern Palawan Parole and Probation Office
(Thru e-mail: 05-17-22)

DENR Private Pros