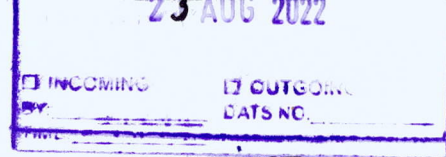




Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
MIMAROPA Region



AUG 18 2022

MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2022-058

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated August 01, 2022 regarding the result of administrative adjudication on the apprehended one (1) piece of Bogo lumber and four (4) pieces of Himbabao lumber with a total volume of 293.00 board feet at So. Naitan, Barangay Batasan, San Jose, Occidental Mindoro

The said apprehended forest products are now temporarily impounded at DENR-CENRO San Jose for safekeeping.

For your information and record.

ERNESTO L. TAÑADA



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 742-6627

Email: cenrosanjose@denr.gov.ph



AUG 01 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
Roxas, Blvd., Ermita, Manila

THRU : The OIC, PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : **RESOLUTION NO. 2022-058**

Submitted herewith is the Resolution No. 2022-058 as a result of administrative adjudication on the apprehended five (5) pcs. assorted lumber (1 *Bogo* and 4 *Himbabao-Alukon*) having an aggregate volume 293.00 bdft. at So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro last September 12, 2021.

For your information and record.

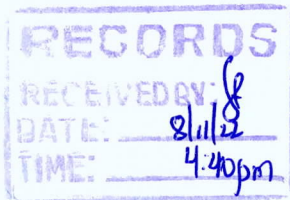
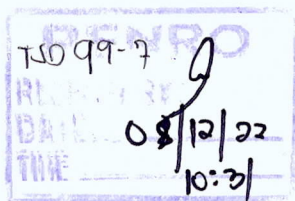
EFREN C. DELOS REYES

Cc:

PENRO

CENRO SJ Records

EMS File





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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

RE: APPREHENSION OF ABANDONED FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH AN AGGREGATE VOLUME OF 293.00 BDFT. AT SO. NAITAN, BARANGAY BATASAN, SAN JOSE, OCCIDENTAL MINDORO ON SEPTEMBER 12, 2021

X-----X

RESOLUTION No. 2022-058

This pertains to the apprehension of the abandoned five (5) pieces of Bogo and Himbabao (Alukon) lumbers with a total volume of 293.00 bdft. at So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro on September 12, 2021 at around 11:39 in the morning by the personnel from Enforcement and Monitoring Section (EMS) by the DENR-CENRO San Jose, Occidental Mindoro.

The facts of the subject case are as follows, to wit:

1. That on September 12, 2021, the Enforcement and Monitoring Section (EMS) of the DENR received an information from a confidential asset that there is an undocumented lumbers found within the jurisdiction of So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro. That when the EMS team arrived in the said area, they found out that indeed there was an abandoned five (5) pieces of Bogo and Himbabao (Alukon) lumbers with a total volume of 293.00 bdft. *(please see attached transmittal e-mail and geo-tag photos)*
2. That the team apprehended and hauled the five (5) pieces of Bogo and Himbabao (Alukon) lumbers with a total volume of 293.00 bdft. that was found abandoned and temporarily impounded at the DENR-CENRO San Jose Occidental Mindoro, for safekeeping. *(Please see attached apprehension report.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2021-F412 was issued by the apprehending Officer, Deputy Chief EMS, Forester I Jomar B. Serquiña. *(please see attached apprehension receipt)*
4. That the Seizure order with CENRO Control No. 2021-F412 was issued by the Seizure Officer, EMS Chief, Forester III Hector S. Aragon Jr. *(please see attached seizure order)*
5. That a recapitulation and assessed value of the abandoned forest products was made by the apprehending officer, EMS Deputy Chief, Forester I Jomar B. Serquiña. *(please see attached recapitulation and assessed value report)*
6. That a PABATID SA PUBLIKO (Notice to the Public) was posted in conspicuous places such as at So. Naitan and at the Brgy. Hall of Barangay Batasan, San Jose, Occidental Mindoro. *(please see attached)*
7. That NO Administrative hearing was made because the said forest products were found ABANDONED.

The issues to be resolved in this case are as follow;

- I. Whether or not the apprehended abandoned FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH A DIMESION OF ONE (1) PIECE 10"x10"x12' BOGO, ONE (1) PIECE; ONE (1) PIECE OF 3"x8"x12' HIMBABAO (ALUKON); ONE (1) PIECE 4"x6"x12' HIMBABAO (ALUKON) ; ONE (1) PIECE 10"x11"x12 WITH A TOTAL VOLUME OF 293.00 BDFT. be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products is valid, as the abandoned forest product is not supported with any cutting permit issued by the office of the DENR-CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. – Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code

xxx

SECTION 77-A. Administrative Authority of the Department Head or His Duty Authorized Representative to Order Confiscation. – In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

xxx

Department Administrative Order No. 97-32

Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

- a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.

Sec. 8. Abandoned Illegal Forest Products.

The following procedures apply in cases where illegal forest products and other items listed in Section 2 hereof are abandoned, or when the owner, claimant, custodian or other interested Patry(ies) is unknown, cannot be determined, or cannot otherwise be found.

Par.3. *Summary Seizure/Confiscation Proceedings shall be conducted by the hearing officer designated in these rules. In such cases the Notice of Hearing shall be posted at least three (3) times, once a every week for three (3) consecutive weeks, in at least three (3) public places, including but not limited to: (a) the Barangay Hall of the apprehension site; (b) the Bulletin Board of the DENR Offices where the Proceedings will be conducted, and (c) at the Municipal Hall of the apprehension site.*

Should the owner, claimant or other interested Party failed to appear at the Proceedings, such failure shall be deemed a waiver of the right to appear and of any/all rights to the items apprehended in favor of the Government.

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1. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended **FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH A DIMESION OF ONE (1) PIECE 10"x10"x12' BOGO, ONE (1) PIECE; ONE (1) PIECE OF 3"x8"x12' HIMBABAO (ALUKON); ONE (1) PIECE 4"x6"x12' HIMBABAO (ALUKON) ; ONE (1) PIECE 10"x11"x12 WITH A TOTAL VOLUME OF 293.00 BDFT.** shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation. Moreover, in occasion where the said illegal forest products was said to be abandoned it shall also be confiscated in favor of the Government, under Section 8 Par. 3 of Department Administrative Order (DAO) 97-32.

Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) the following are hereby recommended:

1. The abandoned **FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH A DIMESION OF ONE (1) PIECE 10"x10"x12' BOGO, ONE (1) PIECE; ONE (1) PIECE OF 3"x8"x12' HIMBABAO (ALUKON); ONE (1) PIECE 4"x6"x12' HIMBABAO (ALUKON); ONE (1) PIECE 10"x11"x12 WITH A TOTAL VOLUME OF 293.00 BDFT.** shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Issued this _____ day of **AUG 01 2022** at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:


HECTOR S. ARAGONES JR.

Forester III
Hearing Officer

Noted By:


EFREN L. DILOS REYES
CENR Officer



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

EMAIL FOR TRANSMISSION
SEPTEMBER 13, 2021

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION
ERMITA, MANILA

THRU: THE ASSISTANT REGIONAL DIRECTOR
TECHNICAL SERVICES

FROM: THE OIC, CENR OFFICER

PLEASE BE INFORMED THAT THE PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE HAD APPREHENDED THE FOLLOWING ABANDONED FLITCHES : ONE (1) PIECE OF BOGO SPECIES WITH A DIMENSION OF 10x10x12 AND FOUR(4) PCS. OF HIMBABAO (ALUKON) SPECIES WITH A DIMENSION OF 3x8x12 CMA 5x7x12 CMA 4x6x12 and 10x11x12 WITH A TOTAL VOLUME OF 293.00 BOARDFEET AT SITIO NAITAN CMA BARANGAY BATASAN CMA SAN JOSE CMA OCCIDENTAL MINDORO ON SEPTEMBER 12, 2021 AT AROUND 11:39 IN THE MORNING PD

SAID FOREST PRODUCTS WERE BROUGHT TO THE DENR-CENRO IMPOUNDING STATION AT BRGY. MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEEPING PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

DMO IV ABEN

SENDER:

For the OIC, CENR Officer:


WILFREDO A. ABEN

DMO IV

In-Charge, Office of the CENRO



GEOTAGGED PHOTOGRAPHS





GEOTAGGED PHOTOGRAPHS





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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

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GEOTAGGED PHOTOGRAPHS



Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: 2021-F412
E-FMS No: 2021-175110-F412

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person

pursuant to the provision of P.D. 705 as amended by E.O. N
o. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following Forest Products,
Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber			C&F	Bogo	1	10x10x12=100	4,500.00	DENR- CENRO San Jose Office Compound	
			Pulpwood chipwood medicinalwood	Himbabao (Alukon)	1	3x8x12=24.00	1,080.00		
					1	5x7x12=35.00	1,575.00		
					1	4x6x12=24.00	1,080.00		
					1	10x11x12=110	4,950.00		
Total					5	293.00	13,185.00		

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance involved								
Type	Make/M odel/Yea r	Plate No.	Color/Mar kings	CR No.	OR No.	Engine No.	Chassis No.	Accessorie s
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

Implements Involved	
Type	Quantity
N/A	N/A

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
Sept. 12, 2021 11:39 am	OCC. MINDORO	SAN JOSE	BATASAN	NAITAN	DENR PERSONNEL	SEC. 68, PD 705

Is/are hereby declare under apprehension on the following FACTUAL reasons:

- _____
- _____
- _____

The subject forest products, conveyances, machinery/equipment, tool and implements and others apprehended should be kept and protected from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 12th day of September , year 2021 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. **JOMAR B. SERQUINA**
Position: Forester I
Address: DENR-CENRO San Jose
2. **DOMINIC L. VIDAL**
Position: Forest Technician I
Address: DENR-CENRO San Jose
3. **LOREN KAYE A. GARCIA**
Position: Forest Technician II
Address: DENR-CENRO San Jose

WITNESSES:

OWNER/CLAIMNANT/REPRESENTATIVE/DRIVER
(Signature over Printed Name)

1. _____
Position: _____
Address: _____

3. _____
Position: _____
Address: _____

2. _____
Position: _____
Address: _____

4. _____
Position: _____
Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2021-F412
E-FMS No: 2021-175110-F412

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:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
lumber			C&F	Bogo	1	10x10x12=100	4,500.00	DENR- CENRO San Jose Compound	
				Himbabao (Alukon)	1	3x8x12=24.00	1,080.00		
					1	5x7x12=35.00	1,575.00		
					1	4x6x12=24.00	1,080.00		
					1	10x11x12=110	4,950.00		
TOTAL					5	293.00	13,185.00		

Minor forest products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

The subject Forest Products and other items were apprehended while under the possession/control/ownership of.

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

2. The subject Forest Products and other items have undergone the following Seizure proceedings

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Siti o		
Sept. 12, 2021 5:10 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragon Jr.	NO LEGAL DOCUMENT

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated September 12, 2021 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 is 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 12th day of September, 2021 at Brgy. Labangan, San Jose, Occidental Mindoro.


HECTOR S. ARAGON JR.
Seizure Officer/Hearing Officer



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
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SEP 13 2021

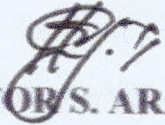
UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANANG ISANG (1) PIRASONG BOGO AT APAT (4) NA PIRASONG HIMBABAO(Alukon) NA KAHYOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 293.00 BDFT. SA BRGY. CENTRAL, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-12 NG SETYEMBRE, 2021 SA GANAP NA ALAS 11:39 NG UMAGA.

ANG NASABING KAHYOY AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE SA BRGY. LABANGAN, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHYOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer



SEP 20 2021

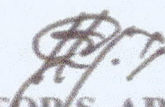
IKALAWANG PABATID SA PUBLIKO

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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer



SEP 27 2021

IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG ISANG (1) PIRASONG BOGO AT APAT (4) NA PIRASONG HIMBABAO(Alukon) NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 293.00 BDFT. SA BRGY. CENTRAL, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-12 NG SETYEMBRE, 2021 SA GANAP NA ALAS 11:39 NG UMAGA.

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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 742-6627


Email: cenrosanjose@denr.gov.ph

RECAPITULATION AND ASSESSED VALUE

A. Major Forest Products:

PCS.	SPECIES	DIMENSION	ESTIMATED VALUE
1	BOGO	10x10x12=100.00	4,500.00
1	HIMBABAO(Alukon)	3x8x12=24.00	1,080.00
1	HIMBABAO(Alukon)	5x7x12=35.00	1,575.00
1	HIMBABAO(Alukon)	4x6x12=24.00	1,080.00
1	HIMBABAO(Alukon)	10x11x12=110.00	4,950.00
5		293.00	13,185.00

Prepared by:


JOMAR B. SERQUINA
Forester I



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

AUG 18 2022

MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2022-058

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated August 01, 2022 regarding the result of administrative adjudication on the apprehended one (1) piece of Bogo lumber and four (4) pieces of Himbabao lumber with a total volume of 293.00 board feet at So. Naitan, Barangay Batasan, San Jose, Occidental Mindoro

The said apprehended forest products are now temporarily impounded at DENR-CENRO San Jose for safekeeping.

For your information and record.


ERNESTO E. TAÑADA



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 742-6627

Email: cenrosanjose@denr.gov.ph

AUG 01 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
Roxas, Blvd., Ermita, Manila

THRU : The OIC, PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : **RESOLUTION NO. 2022-058**

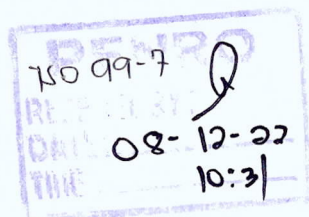
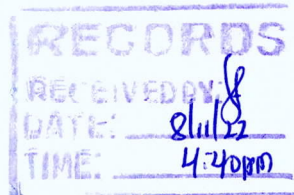
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For your information and record.

EFREN L. DELOS REYES

Cc:

PENRO
CENRO SJ Records
EMS File





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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

RE: APPREHENSION OF ABANDONED FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH AN AGGREGATE VOLUME OF 293.00 BDFT. AT SO. NAITAN, BARANGAY BATASAN, SAN JOSE, OCCIDENTAL MINDORO ON SEPTEMBER 12, 2021

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RESOLUTION No. 2022-058

This pertains to the apprehension of the abandoned five (5) pieces of Bogo and Himbabao (Alukon) lumbers with a total volume of 293.00 bdft. at So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro on September 12, 2021 at around 11:39 in the morning by the personnel from Enforcement and Monitoring Section (EMS) by the DENR-CENRO San Jose, Occidental Mindoro.

The facts of the subject case are as follows, to wit:

1. That on September 12, 2021, the Enforcement and Monitoring Section (EMS) of the DENR received an information from a confidential asset that there is an undocumented lumbers found within the jurisdiction of So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro. That when the EMS team arrived in the said area, they found out that indeed there was an abandoned five (5) pieces of Bogo and Himbabao (Alukon) lumbers with a total volume of 293.00 bdft. *(please see attached transmittal e-mail and geo-tag photos)*
2. That the team apprehended and hauled the five (5) pieces of Bogo and Himbabao (Alukon) lumbers with a total volume of 293.00 bdft. that was found abandoned and temporarily impounded at the DENR-CENRO San Jose Occidental Mindoro, for safekeeping. *(Please see attached apprehension report.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2021-F412 was issued by the apprehending Officer, Deputy Chief EMS, Forester I Jomar B. Serquiña. *(please see attached apprehension receipt)*
4. That the Seizure order with CENRO Control No. 2021-F412 was issued by the Seizure Officer, EMS Chief, Forester III Hector S. Aragon Jr. *(please see attached seizure order)*
5. That a recapitulation and assessed value of the abandoned forest products was made by the apprehending officer, EMS Deputy Chief, Forester I Jomar B. Serquiña. *(please see attached recapitulation and assessed value report)*
6. That a PABATID SA PUBLIKO (Notice to the Public) was posted in conspicuous places such as at So. Naitan and at the Brgy. Hall of Barangay Batasan, San Jose, Occidental Mindoro. *(please see attached)*
7. That NO Administrative hearing was made because the said forest products were found ABANDONED.

The issues to be resolved in this case are as follow;

1. Whether or not the apprehended abandoned FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH A DIMESION OF ONE (1) PIECE 10"x10"x12' BOGO, ONE (1) PIECE; ONE (1) PIECE OF 3"x8"x12' HIMBABAO (ALUKON); ONE (1) PIECE 4"x6"x12' HIMBABAO (ALUKON) ; ONE (1) PIECE 10"x11"x12 WITH A TOTAL VOLUME OF 293.00 BDFT. be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products is valid, as the abandoned forest product is not supported with any cutting permit issued by the office of the DENR-CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. – Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code

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SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation. – In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

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Department Administrative Order No. 97-32

Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

- a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.

Sec. 8. Abandoned Illegal Forest Products.

The following procedures apply in cases where illegal forest products and other items listed in Section 2 hereof are abandoned, or when the owner, claimant, custodian or other interested Patry(ies) is unknown, cannot be determined, or cannot otherwise be found.

Par.3. *Summary Seizure/Confiscation Proceedings shall be conducted by the hearing officer designated in these rules. In such cases the Notice of Hearing shall be posted at least three (3) times, once a every week for three (3) consecutive weeks, in at least three (3) public places, including but not limited to: (a) the Barangay Hall of the apprehension site; (b) the Bulletin Board of the DENR Offices where the Proceedings will be conducted, and (c) at the Municipal Hall of the apprehension site.*

Should the owner, claimant or other interested Party failed to appear at the Proceedings, such failure shall be deemed a waiver of the right to appear and of any/all rights to the items apprehended in favor of the Government.

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1. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended **FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH A DIMESION OF ONE (1) PIECE 10"x10"x12' BOGO, ONE (1) PIECE; ONE (1) PIECE OF 3"x8"x12' HIMBABAO (ALUKON); ONE (1) PIECE 4"x6"x12' HIMBABAO (ALUKON) ; ONE (1) PIECE 10"x11"x12 WITH A TOTAL VOLUME OF 293.00 BDFT.** shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation. Moreover, in occasion where the said illegal forest products was said to be abandoned it shall also be confiscated in favor of the Government, under Section 8 Par. 3 of Department Administrative Order (DAO) 97-32.

Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) the following are hereby recommended:


1. The abandoned **FIVE (5) PIECES OF BOGO AND HIMBABAO (ALUKON) LUMBERS WITH A DIMESION OF ONE (1) PIECE 10"x10"x12' BOGO, ONE (1) PIECE; ONE (1) PIECE OF 3"x8"x12' HIMBABAO (ALUKON); ONE (1) PIECE 4"x6"x12' HIMBABAO (ALUKON); ONE (1) PIECE 10"x11"x12 WITH A TOTAL VOLUME OF 293.00 BDFT.** shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Issued this _____ day of AUG 01 2022 at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:


HECTOR S. ARAGONES JR.
Forester III
Hearing Officer

Noted By:


EFREN L. DELOS REYES
CENR Officer



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

EMAIL FOR TRANSMISSION
SEPTEMBER 13, 2021

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION
ERMITA, MANILA

THRU: THE ASSISTANT REGIONAL DIRECTOR
TECHNICAL SERVICES

FROM: THE OIC, CENR OFFICER

PLEASE BE INFORMED THAT THE PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE HAD APPREHENDED THE FOLLOWING ABANDONED FLITCHES : ONE (1) PIECE OF BOGO SPECIES WITH A DIMENSION OF 10x10x12 AND FOUR(4) PCS. OF HIMBABAO (ALUKON) SPECIES WITH A DIMENSION OF 3x8x12 CMA 5x7x12 CMA 4x6x12 and 10x11x12 WITH A TOTAL VOLUME OF 293.00 BOARDFEET AT SITIO NAITAN CMA BARANGAY BATASAN CMA SAN JOSE CMA OCCIDENTAL MINDORO ON SEPTEMBER 12, 2021 AT AROUND 11:39 IN THE MORNING PD

SAID FOREST PRODUCTS WERE BROUGHT TO THE DENR-CENRO IMPOUNDING STATION AT BRGY. MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEEPING PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

DMO IV ABEN

SENDER:

For the OIC, CENR Officer:

WILFREDO A. ABEN
DMO IV

In-Charge, Office of the CENRO



GEOTAGGED PHOTOGRAPHS





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Department of Environment and Natural Resources
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GEOTAGGED PHOTOGRAPHS





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GEOTAGGED PHOTOGRAPHS



Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: 2021-F412
E-FMS No: 2021-175110-F412

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person

pursuant to the provision of P.D. 705 as amended by E.O. N
o. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following Forest Products,
Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber			C&F	Bogo	1	10x10x12=100	4,500.00	DENR- CENRO San Jose Office Compound	
			Pulpwood chipwood mudwood	Himbabao (Alukon)	1	3x8x12=24.00	1,080.00		
					1	5x7x12=35.00	1,575.00		
					1	4x6x12=24.00	1,080.00		
					1	10x11x12=110	4,950.00		
Total					5	293.00	13,185.00		

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance involved								
Type	Make/M odel/Yea r	Plate No.	Color/Mar kings	CR No.	OR No.	Engine No.	Chassis No.	Accessorie s
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

Implements Involved	
Type	Quantity
N/A	N/A

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
Sept. 12, 2021 11:39 am	OCC. MINDORO	SAN JOSE	BATASAN	NAITAN	DENR PERSONNEL	SEC. 68, PD 705

Is/are hereby declare under apprehension on the following FACTUAL reasons:

- _____
- _____
- _____

The subject forest products, conveyances, machinery/equipment, tool and implements and others apprehended should be kept and protected from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 12th day of September , year 2021 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. **JOMAR B. SERQUINA**

Position: Forester I

Address: DENR-CENRO San Jose

2. **DOMINIC L. VIDAL**

Position: Forest Technician I

Address: DENR-CENRO San Jose

3. **LOREN KAYE A. GARCIA**

Position: Forest Technician II

Address: DENR-CENRO San Jose

WITNESSES:

OWNER/CLAIMNANT/REPRESENTATIVE/DRIVER

(Signature over Printed Name)

1. _____

Position: _____

Address: _____

3. _____

Position: _____

Address: _____

2. _____

Position: _____

Address: _____

4. _____

Position: _____

Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2021-F412
E-FMS No: 2021-175110-F412

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:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
lumber			C&F	Bogo	1	10x10x12=100	4,500.00	DENR- CENRO San Jose Compound	
				Himbabao (Alukon)	1	3x8x12=24.00	1,080.00		
					1	5x7x12=35.00	1,575.00		
					1	4x6x12=24.00	1,080.00		
					1	10x11x12=110	4,950.00		
TOTAL					5	293.00	13,185.00		

Minor forest products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

The subject Forest Products and other items were apprehended while under the possession/ control/ownership of.

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

2. The subject Forest Products and other items have undergone the following Seizure proceedings

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Siti o		
Sept. 12, 2021 5:10 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragon Jr.	NO LEGAL DOCUMENT

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated September 12, 2021 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 is 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 12th day of September, 2021 at Brgy. Labangan, San Jose, Occidental Mindoro.


HECTOR S. ARAGONES JR.
Seizure Officer/Hearing Officer



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SEP 13 2021

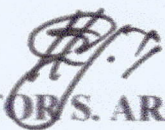
UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG ISANG (1) PIRASONG BOGO AT APAT (4) NA PIRASONG HIMBABAO(Alukon) NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 293.00 BDFT. SA BRGY. CENTRAL, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-12 NG SETYEMBRE, 2021 SA GANAP NA ALAS 11:39 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE SA BRGY. LABANGAN, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer



SEP 20 2021

IKALAWANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG ISANG (1) PIRASONG BOGO AT APAT (4) NA PIRASONG HIMBABAO(Alukon) NA KAHoy NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 293.00 BDFT. SA BRGY. CENTRAL, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-12 NG SETYEMBRE, 2021 SA GANAP NA ALAS 11:39 NG UMAGA.

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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHoy AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer



SEP 27 2021

IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG ISANG (1) PIRASONG BOGO AT APAT (4) NA PIRASONG HIMBABAO(Alukon) NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 293.00 BDFT. SA BRGY. CENTRAL, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-12 NG SETYEMBRE, 2021 SA GANAP NA ALAS 11:39 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE SA BRGY. LABANGAN, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

HECTOR S. ARAGONES JR.

Forester III

Seizure Officer/ Hearing Officer



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Email: cenrosanjose@denr.gov.ph

RECAPITULATION AND ASSESSED VALUE

A. Major Forest Products:

PCS.	SPECIES	DIMENSION	ESTIMATED VALUE
1	BOGO	10x10x12=100.00	4,500.00
1	HIMBABAO(Alukon)	3x8x12=24.00	1,080.00
1	HIMBABAO(Alukon)	5x7x12=35.00	1,575.00
1	HIMBABAO(Alukon)	4x6x12=24.00	1,080.00
1	HIMBABAO(Alukon)	10x11x12=110.00	4,950.00
5		293.00	13,185.00

Prepared by:


JOMAR B. SERQUINA
Forester I