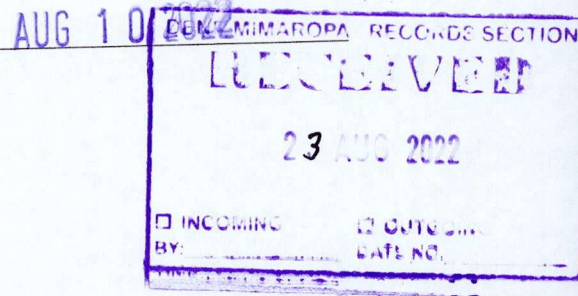




Republic of the Philippines  
Department of Environment and Natural Resources  
**PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
**MIMAROPA Region**



**MEMORANDUM**

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

FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2022-047

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated July 25, 2022 pertaining to the result of administrative adjudication on the apprehended one (1) unit of tricycle, RUSI 125, Color Blue, with Chassis No. RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal at Barangay Labangan Poblacion, San Jose, Occidental Mindoro.

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

JUL 25 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. 2022-047

Respectfully submitted herewith is the Resolution No. 2022-047 as a result of administrative adjudication on the apprehended of conveyance – one (1) unit tricycle, RUSI 125, color blue with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoals at Brgy. Labangan Poblacion, San Jose, Occidental Mindoro on March 31, 2019

For your information and record.

EFREN L. DELOS REYES

Cc:

PENRO  
CENRO SJ Records  
EMS File

RECORDS	
DATE: <u>7/27/2022</u>	TIME: <u>1:00 PM</u>
RELEASED BY: <u>[Signature]</u>	
DATE: _____	TIME: _____

PENRO	
RECEIVED BY: <u>[Signature]</u>	DATE: <u>7/27/2022</u>
TIME: _____	

TSD	
RECEIVED BY: <u>[Signature]</u>	DATE: <u>7-27-22</u>
TIME: _____	





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 CONVEYANCE – ONE (1) UNIT TRICYCLE, RUSI 125, COLOR BLUE WITH CHASSIS NUMBER RWCLPP200BE237810 LOADED WITH FIVE (5) SACKS OF UNDOCUMENTED CHARCOALS AND AT BRGY. LABANGAN POBLACION, SAN JOSE OCCIDENTAL MINDORO ON MARCH 31, 2019 AT AROUND 6:17 IN THE MORNING.**

X-----X

**RESOLUTION No. 2022-047**

This pertains to the apprehension of One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810 loaded with Five (5) sacks of undocumented charcoals at Barangay Labangan Poblacion, San Jose, Occidental Mindoro. On March 31, 2019, at around 6:17 in the morning by means of a monitoring and surveillance that was conducted to monitor the traveling of illegal forest products by the Personnel's 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 March 31, 2019, around 6:17 in the morning, based on a monitoring and surveillance that was conducted to monitor the traveling of illegal forest products by the Personnel's from Enforcement and Monitoring Section (EMS) by the DENR-CENRO, San Jose, Occidental Mindoro which yielded to the arrest of the above-mentioned suspect while traveling in possession of undocumented charcoals, when asked if he has documents for the transport of the charcoals, he admitted that these charcoals have no documents coming from the office of the DENR-CENRO, San Jose, Occidental Mindoro. Upon interrogation the suspect's identity is known as Adel Atienza residing at So. Banban, Barangay Nicolas, Magsaysay, Occidental Mindoro. *(Please see attached spot report and geo-tag photos)*
2. That the team apprehended One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810 loaded with Five (5) sacks of undocumented charcoals. These undocumented minor forest products and conveyance were in the office of DENR-CENRO, San Jose, Occidental Mindoro, for temporary safekeeping. *(Please see attached spot report and apprehension receipt.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2019-F242 was issued by the apprehending officer headed by EMS Deputy Chief Forester I Jomar B. Serquiña. *(please see attached apprehension receipt)*
4. That after verifying the existence of a prima facie case against the offender, the Seizure Officer Forester III Hector S. Aragon Jr. issued the Seizure Order with CENRO Control Number 2022-F242 for the apprehension of One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810 loaded with Five (5) sacks of undocumented charcoals. *(please see attached seizure order)*
5. That a notice of Administrative Hearing was received by Mr. Adel Atienza and it was scheduled on April 16, 2019 at 10:00 in the morning. *(please see attached Notice of Administrative Hearing)*



6. That, an Administrative Hearing was held as scheduled on April 16, 2019 at 10:00 in the morning. *(Please see transcript of stenographic notes of the administrative hearing)*

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

1. Whether or not the **APPREHENDED five (5) sacks of undocumented charcoal a minor forest products will be confiscated in favor of the government.**
2. **Whether or not the APPREHENDED One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810, be confiscated in favor of the government.**

The grounds for apprehension and seizure of the forest products is valid as well as the apprehension and seizure of the conveyance used in transporting the illegal forest products, as the apprehended forest products is not supported with any cutting permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro and the conveyance is used in transporting the illegal forest products.

**Under the following Provision's to wit.**

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 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.*

xxx

Department Administrative Order No. 97-32

**Sec.2 Par. e. FOREST PRODUCTS:** *Refers to timber, including lumber, pulpwood, firewood, bark, tree top, resin, gum, wood, oil, honey, beeswax, nipa, rattan, charcoal, or other forest growth, such as but not limited to grass, shrub, flowering plants in forest lands and others.*

**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.

- b. **CONVEYANCE** – any mode or type or class of vehicle or craft or any other means used for transportation either on land, water, air, or any combination thereof, whether motorized or not, **used for in the taking and/or maintaining temporary or permanent possession or control, gathering, collecting, processing, disposing of, or otherwise transporting, moving or transferring illegal forest products.**

xxx

3. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the five (5) sacks of undocumented charcoal and One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810. **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, DENR Administrative Order 97-32, Sec 2, Par C. Provides that conveyance used in transporting an illegal forest products is/are subject to confiscation and seizure.

**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) and DENR Administrative Order 97-32, Sec 1 Par E and Sec 2, Par C. the following are hereby recommended:

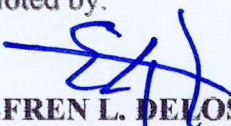
1. The apprehended five (5) sacks of undocumented charcoal and One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810. **Shall be confiscated in favour of the government since those lumbers are products of an illegal act.**

Issued this \_\_\_\_\_ day of **JUL 19 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



**Minutes of Administrative Hearing regarding the Apprehended One (1) unit of BLUE RUSI 125 motorcycle with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal at DENR-CENRO San Jose, Occidental Mindoro on April 16, 2019 at 2:00 in the afternoon for "Violation of Sec. 77 of PD 705 as amended by EO 277 and RA 7161."**

Present:

1. Adel Atienza-driver
2. Augreth S. Saligumba- Stegnographer
3. Hector S. Aragones, Jr. -Hearing Officer

Hearing Officer: This is an administrative Hearing regarding the apprehended One (1) BLUE RUSI 125 motorcycle with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal owned and driven by a certain Adel Atienza.

For the record, the apprehended one (1) unit of black BLUE RUSI 125 motorcycle with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal was under the custody of DENR-CENRO San Jose, Occidental Mindoro and temporarily impounded at the CENR Office, San Jose, Occidental Mindoro for safekeeping.

For the respondents, you are hereby informed that you are under investigation. You appeared to me without the aid of a counsel. Please be informed of your right to avail of a services of a counsel. If you cannot afford a lawyer, a lawyer will be appointed to you.

Hearing Officer: Mr. Adel Atienza. Maari ko po ba hingin na kayo ay tumayo?

Hearing Officer: Ginoong Adel Atienza, ikaw ba ay magsasabi ng buong katutuhanan at pawang katotohanan lamang sa pagsisiyasat na ito?

Adel Atienza: Opo.

Hearing Officer: Pwede mo po bang sabihin ang iyong pangalan, edad, address, trabaho at iba pang pagkakakilanlan sa iyo?

Adel Atienza: Ako po si Adel Atienza, Taga Sitio Bamban Brgy. Nicolas, Magsaysay, Occidental Mindoro, 46 taong gulang at isang nagtitinda ng isda.

Hearing Officer: Maraming salamat Ginoong Atienza, Maari ka na pong umupo.

Hearing Officer: Pwede mo po bang ikwento ang kaganapan noong ika-31 ng Marso, 2019 bandang 6:22 ng umaga dito sa Labangan, San Jose, Occidental Mindoro noong kayo po ay hinuli ng mga tauhan ng DENR-CENRO San Jose?

Adel Atienza: Linggo po, ako ay nagbiyahe, pagdating ko po jan may humahabol po sa akin. Tapos pumara na po ako ng kusa.

Hearing Officer: Noong ikaw ay hinuli ng taga DENR ano ang iyong ginawa?

Adel Atienza: Sumunod po ako dito.

Hearing Officer: Anong sinabi ng taga DENR sa iyo o iba pang nangyari?

Adel Atienza: Mag attend daw po ako ng hearing.



Hearing Officer: Noong pagkahuli sa iyo, sinabi sayo na mag attend ng hearing?  
Adel Atienza: Opo.

Hearing Officer: Anong naging reaksiyon mo noong hinuli ka ng mga taga DENR?  
Adel Atienza: Nakikiusap po ako. Baka pwedeng palusutin at panggamit lang naman.

Hearing Officer: Kilala mo po ba ang naghuli sa iyo?  
Adel Atienza: Opo. Yung bagong hepe po ng DENR.

Hearing Officer: Ano pa ang ibang nangyari?  
Adel Atienza: Nakiusap po ako. Noong ayaw po nila pakawalan ay umuwi nap o ako.

Hearing Officer: Iniwan mo ang iyong motor at mga uling?  
Adel Atienza: Opo.

Hearing Officer: Saan galing ang mga uling?  
Adel Atienza: Binili ko po sa Bamban, kay Jr. Mindoro.

Hearing Officer: Noong ikaw ay nagbiyahe ng mga uling may dala ka bang transport permit na nanggaling sa tanggapan ng DENR?  
Adel Atienza: Wala po.

Hearing Officer: Alam mo ba na bawal magtransport ng uling na walng transport permit na galing sa tanggapan ng DENR?  
Adel Atienza: Ang pagkaalam ko po ay tatlo daw po ang pwede.

Hearing Officer: Wala pong isa-isa o dalawa, lahat po ay bawal pag walang transport permit.

Hearing Officer: Sabi mo kanina na galing sa Bamban ang mga uling, alam mo ba na bawal magkarga ng uling ng walang permiso galing sa tanggapan ng DENR?  
Adel Atienza: Opo.

Hearing Officer: Bakit ka nagkarga ng uling?  
Adel Atienza: Dadalhin ko po sa nanay ko.

Hearing Officer: Anong ginagawa ng nanay mo sa mga uling, benebenta niya ba ito?  
Adel Atienza: Ako po ang nagbebenta sa nanay ko sa mga uling.

Hearing Officer: Matagal mo na bang ginagawa ang pagkarga ng mga uling?  
Adel Atienza: opo, pag kailangan po ng Nanay ko.

Hearing Officer: Magkano ang bili mo sa mga uling  
Adel Atienza: bale 140 pesos kada sako.

Hearing Officer: Doon ba sa pinagkuhanan ng mga uling ay meron bang permit to cut o permit ng paggawa ng mga uling?  
Adel Atienza: wala po siguro.

Hearing Officer: Ikaw po ba ang may-ari ng nasabing motor?  
Adel Atienza: Opo.

Hearing Officer: Meron ka bang katunayan na ikaw nga ang may-ari ng nasabing motor tulad ng rehistro?



Adel Atienza: Sa ngayon po ay nasa Banban po ang rehistro, binili lang po namin ito sa aming kamag-anak.

Hearing Officer: Meron ba kayong deed of sale?  
Adel Atienza: Sa Barangay po.

Hearing Officer: Taga saan yung dating may-ari ng motor?  
Adel Atienza: Taga Magsaysay po.

Hearing Officer: Mabibigyan mo ba kami ng kopya ng papeles ng iyong motor?  
Adel Atienza: Sa pagbalik ko po.

Hearing Officer: Saan mo ginagamit ang iyong motor?  
Adel Atienza: Sa pagdedeliver po ng isda.

Hearing Officer: Tapos pagbalik mo ba ay nagkakarga ka ng uling?  
Adel Atienza: Paminsan minsan lang po.

Hearing Officer: Meron ka pa bang sabihin o hingin sa pagsisiyasat na ito?  
Adel Atienza: Baka pwede namang hingin ko na ang aking motor, dahil wala akong panghanap buhay.

Hearing Officer: Ang report o resulta po ng pagsisiyasat na ito ay aming gagawin at ito ay isusumete sa Regional Office at sila nap o ang magdidisyon kung ano po gagawin sa iyong motor.

Hearing Officer: Mr. Atienza, meron ka pa bang gustong sabihin?  
Adel Atienza: Wala na po.

Hearing Officer: Maraming sa lamat Ginoong Atienza sa pagsagot sa aming mga katanungan.  
  
Dahil wala ng katanungan at iba ba ang pagsisiyasat na ito ay natatapos ngayong ika alas 3 ng hapon.

Prepared by:

**AUGRETH S. SANCHEZ**  
Stenographer

Noted by:

**HECTOR S. ARAGONES JR.**  
Hearing Officer









April 8, 2019

## NOTICE OF ADMINISTRATIVE HEARING

**MR. ADEL ATIENZA**

So. Bamban, Brgy. San Nicolas,  
Magsaysay, Occidental Mindoro

Dear Mr. Atienza,

Ito po ay patungkol sa nahuling isang (1) unit ng single RUSI 125, kulay asul na may Chassis Number RWCLPP200BE237810 at may kargang limang (5) sako ng uling na nahuli ng mga tauhan ng DENR noong Marso 31, 2019 ganap na 6:22 ng umaga sa Brgy. Labangan Poblacion, San Jose, Occidental Mindoro.

Ang nasabing sasakyan at uling ay dinala sa tanggapan ng DENR-CENRO San Jose Office sa Brgy. Labangan, San Jose, Occidental Mindoro para sa pangangalaga.

Kayo po ay aming inaanyayahan dito sa aming opisina sa ika-16 ng Abril, 2019 bandang 2:00 ng hapon dito sa aming tanggapan.

Nagpapasalamat,

**HECTOR S. ARAGONES JR.**

Forester III/ Chief, CDS

Hearing Officer/ Seizure Officer

received by:

  
**ADEL ATIENZA**

Brgy. Labangan, San Jose, Occidental Mindoro

Telephone No. 043-457-0236

Email Address: [denrcenro\\_sanjose@yahoo.com](mailto:denrcenro_sanjose@yahoo.com)



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

APPREHENSION RECEIPT

CENRO Control No.: 2019 - F242
E-FMS No: 2019 - 175110 - F242

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
ADEL ATIENZA	So. Bumban Nicolas, Maguysay	MARRIED		driver	healthy

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 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

Minor Forest Products

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
Charcoal	sacks	5	1,150.00	

Conveyance involved

Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
Single motor	RUST 125							RWCLPP200BE237810
			EMV: 40,000.00					



If Animal			
Kind	Quantity	Gender	Color

Equipment Involved			
Type	Quantity	Estimated Value	Custodian

Implements Involved	
Type	Quantity

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		
march 31, 2019 6:17 am	OCC. MDW.	SAN JOSE	BARANGAN POBLACION		DENR PERSONNEL	

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

- The owner is transporting forest products without any legal documents
- from the DENR.
- 

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 31st day of March, year 2019 at  
DENR - CENRO SAN JOSE.



APPREHENDING OFFICER  
(Signature over Printed Name)

1. JONAR B. GERQUIÑA  
Position: FORESTER 1, CHIEF EMS  
Address: \_\_\_\_\_

2. EMMANUEL E IGNACIO  
Position: FOREST RANGER  
Address: \_\_\_\_\_

3. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

4. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

5. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

6. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

WITNESSES:

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

1. ADEL ATIENZA  
Position: DRIVER  
Address: \_\_\_\_\_

2. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

3. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

3. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

5. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

6. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

Copy Received by:

\_\_\_\_\_  
Signature over Printed Name

\_\_\_\_\_  
Date/Time

\_\_\_\_\_  
Signature over Printed Name

\_\_\_\_\_  
Date/Time

Remarks:

The conveyance and forest product is impounded at DENR-CENRO  
San Jose, Compound.



## SEIZURE ORDER

CENRO Control No.:	2019 - F242
E-FMS No:	2019 - 175110 - F242

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:

[illegible]

### Minor Forest Products

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
Charcoal	sacks	5	1,150.00	

### Conveyance Involved

Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
Single motor	RMS/ 125				

Estimated = 40,000. n



Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*

\*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

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian

Implements Involved			
Type	Quantity	Details	Custodian

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
Adel Hienza					

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	Sitio		
mar. 31, 2019 6:25 am	Occ. MDO.	SAN JOSE	LABANGAN		HECTOR S. ARAGON JR.	

Examination Conducted by Seizure Officer:

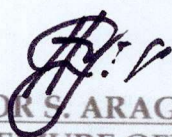
Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			



After thorough evaluation of the Apprehension Report dated March 31, 2019 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 \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_ at \_\_\_\_\_.

  
**HECTOR S. ARAGONES, JR.**  
**SEIZURE OFFICER**  
**HEARING OFFICER**

Copy furnished:  
\_\_\_\_\_





March 31, 2019

**MEMORANDUM**

**FOR :** The Officer-In-Charge  
DENR, San Jose, Occidental Mindoro

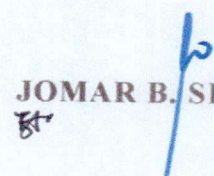
**FROM :** The Chief, Enforcement and Monitoring Section

**SUBJECT :** **SUBMISSION OF REPORT RE: APPREHEDED ONE (1) UNIT  
RUSI 125 MOTORCYCLE WITH CHASIS NUMBER  
RWCLPP200BE237810 LOADED FIVE (5) SACKS OF  
UNDOCUMENTED FOREST PRODUCT AT BARANGAY  
LABANGAN POBLACION, SAN JOSE, OCCIDENTAL  
MINDORO**

Please be informed that on March 31, 2019, personnel from Enforcement and Monitoring Section of DENR- CENRO San Jose had conducted checkpoint and monitoring of illegal forest activities within the vicinity of Barangay Labangan, San Jose, Occidental Mindoro where in about 6:17 in the morning they have intercepted one (1) unit of RUSI 125 motorcycle without plate number bearing a chassis number RWCLPP200BE237810 loaded with five (5) sacks of charcoal. Upon determination that the forest products have no legal permits/documents to transport from the DENR an apprehension receipt was immediately issued to Mr. Adel Atienza, driver of the said conveyance.

Be informed further, that the apprehended conveyance together with the forest product was brought to the DENR-CENRO San Jose compound for safekeeping and for administrative adjuration as per DAO 97-32.

For information, record and further instructions.

  
**JOMAR B. SERQUINA**





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

GEO-TAGGED PHOTO OF THE APPREHENDED ONE (1) UNIT OF RUSI 125  
MOTORCYCLE LOADED WITH FIVE (5) SACKS OF UNDOCUMENTED FOREST  
PRODUCT AT BARANGAY LABANGAN, SAN JOSE, OCCIDENTAL MINDORO



Brgy. Labangan, San Jose, Occidental Mindoro  
Email Address: denrcenro\_sanjose@yahoo.com  
Tel. No. (043) 457 0236




REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF OCCIDENTAL MINDORO ) S.S  
MUNICIPALITY OF SAN JOSE )  
X \_\_\_\_\_ X

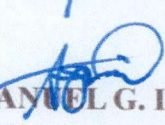
### PINAGSAMANG SALAYSAY

Kami, **JOMAR B. SERQUIÑA** at **EMMANUEL G. IGNACIO**, may mga sapat na gulang, pilipino at mga residente ng San Jose, Occidental Mindoro, matapos makapanumpa alinsunod sa batas ay nagsalaysay ng mga sumusunod:

1. Na, kami ay mga kawani ng DENR-CENRO San Jose, Occidental Mindoro na nakatalaga sa Enforcement and Monitoring Section bilang Forester I at Forest Ranger;
2. Na, noong ika-31 ng Marso 2019, kami ay nagsagawa ng checkpoint at monitoring ng illegal forest activities sa Barangay Labangan, San Jose, Occidental Mindoro;
3. Na, ika-6:22 ng umaga, kami ay nakahuli ng isang RUSI 125 motorcycle na may chassis number na RWCLPP200BE237810 na may kargang lima (5) sako ng uling;
4. Na, agad po naming tinanong ang driver ng nasabing motor na si Ginoong Adel Atienza kung merong kaukulang dokumento/transport permit na galing sa tanggapan ng DENR;
5. Na, noong wala po siyang maipakitang mga dokumento o permit ay amin pong hinuli ang kanyang motor at mga kargang uling at kami po ay agad na nagbigay ng apprehension receipt;
6. Na, amin pong dinala ang nasabing motor kasama ang mga uling sa tanggapan ng DENR-CENRO San Jose para sa pansamantalang pangangalaga habang ito ay iniimbistigahan na naaayon sa DENR Administrative Order No. 97-32.
7. Na, sa pamamagitan ng salaysay na ito upang mapatunayan ng lahat ng nakasad sa itaas para sa kaalaman ng lahat ng kinaukulan.

BILANG PATOTOO, kami ay lalagda ngayong ika- 31 ng Marso, 2019 dito sa San Jose, Occidental Mindoro.

  
**JOMAR B. SERQUIÑA**  
(Nagsasalaysay)

  
**EMMANUEL G. IGNACIO**  
(Nagsasalaysay)

SINUMPAAN AT NILAGDAAN sa harap ko ngayong ika- \_\_\_\_\_ ng \_\_\_\_\_ dito sa San Jose, Occidental Mindoro.





Department of Environment and Natural Resources  
CENRO Occidental Mindoro

by: ADMIN-  
RONA  
52250

CENRO DOCUMENT ACTION TRACKING SLIP

Provincial Doc. Number	2019-983		
Originating Office		Date Received	05-Apr-2019
Sender	ADELIO ATIENZA		
Address	NICOLAS, MAGSAYSAY		
Subject	HUMIHILING NA MAILBAS ANG NAHULING ULING		
Addressee	CENRO		
Document Type	LETTER		
Attachment(s)			

Route to/Date/Time Received	Released to/Date/Time Released	Action Required/Taken Remarks/Status
2019-04-05 / 12:49 PM by <a href="#">ADMIN-RONA</a>	KRYSTAL DAYNE VILLANADA / 2019-04-05 /	IN //
04/04 1:04 pm	Officer in charge  Chief. trans/Hearing Officer  Chief ass/Hearing Officers.	Sir, for info ny o po. Thank you!  In for your info & reference. Pls. provide the admin. hearing TRAP. 204/08/19  Sir: For admin Hearing. ASAP 04-11-19



UNR - CENRO SAN JOSE  
MIMAROPA REGION

RECEIVED BY: MMR # 2019-983

DATE: 04/05/19

Republika ng Pilipinas  
Salawigan ng Kanlurang Mindoro  
Bayan ng Mayangay  
Brgy. Nicolas  
Sitio Bamban

Abul 3, 2019

MR. EFREN DELOS REYES  
CENRO SAN JOSE

SIR,

Magandang araw po!

Ako po si Adelle Atienza na may sapat na gulang may tatlong anak at asawa na naninirahan sa Sitio Bamban, Brgy. Nicolas, Mayangay, Occ. Mindoro. Ako po ay humalapit sa inyong mga babuting tanggapan na nakikiusap na sana mabigyan po ninyo ako ng paghahatana, na hadahilanan, ang bahali po ninyong uling sa akin ay nabili ko lamang po iyon kay Hmoong Junior Mindoro na batwala ni Sr. Lazaro sa nabibitang lupa dito sa amin. Kinaingon ni Hmoong Junior Mindoro ang lupa ni Sr. Lazaro na kung saan tung saapit ang tag-ulan ay pinapatanim ninyo ito ng mga puno ng prutas. Ang mga natatag na ipit na bahay sa kinaingon ay muling ay batwala nito. Katanungan po, ang nabibitang lupa ni Sr. Lazaro ay batwala ng National Reclaiming Program ONCP ni PO Chairman Florencia R. Orza ang samahang ADAB- Arawatan Daga pang Hiniray Inc. Kung may pang mamapatri ay masari po ninyong patigmon sa inyo pang mga tanhan para mapatunay ang mga nabibitang uling.



Bilang pagpapatunay may ilang mga sateya apinayal ang  
balagda sa ibaba.

Imihanda ni:

SAtienza

SOLIBIA P ATIENZA

SO. SECRETARY

Piniyagang pansin rin:

Emma Rada Mindoro

JUNIOR MINDORO

nagpapatunay ng uling

Mr. Robles

MARIO B. ROBLES

SO. KAGAWAD

~~Patricio~~

MILLOY PATRICIO

SO. KAGAWAD

F. G

FLORENTE GUSI

SO. KAGAWAD

~~Bennie~~  
BENNIE UNTALAN

SO. KAGAWAD

~~Esmael~~

ESMAEL E. BARTOLOME

SO. LEADER





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

AUG 10 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. 2022-047

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated July 25, 2022 pertaining to the result of administrative adjudication on the apprehended one (1) unit of tricycle, RUSI 125, Color Blue, with Chassis No. RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal at Barangay Labangan Poblacion, San Jose, Occidental Mindoro.

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

JUL 25 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. 2022-047

Respectfully submitted herewith is the Resolution No. 2022-047 as a result of administrative adjudication on the apprehended of conveyance – one (1) unit tricycle, RUSI 125, color blue with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoals at Brgy. Labangan Poblacion, San Jose, Occidental Mindoro on March 31, 2019

For your information and record.

EFREN L. DELOS REYES

Cc:

PENRO  
CENRO SJ Records  
EMS File

RECORDS	
RECEIVED BY: <i>[Signature]</i>	DATE: <i>7/26</i> TIME: <i>12</i>
RELEASED BY:	DATE: TIME:

PENRO	
RECEIVED BY: <i>[Signature]</i>	DATE: <i>7/27/2022</i> TIME: <i>10:00</i>

JSD	
RECEIVED BY: <i>[Signature]</i>	DATE: <i>7-27-22</i> TIME: <i>11:55</i>





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 CONVEYANCE – ONE (1) UNIT TRICYCLE, RUSI 125, COLOR BLUE WITH CHASSIS NUMBER RWCLPP200BE237810 LOADED WITH FIVE (5) SACKS OF UNDOCUMENTED CHARCOALS AND AT BRGY. LABANGAN POBLACION, SAN JOSE OCCIDENTAL MINDORO ON MARCH 31, 2019 AT AROUND 6:17 IN THE MORNING.**

X-----X

**RESOLUTION No. 2022-047**

This pertains to the apprehension of One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810 loaded with Five (5) sacks of undocumented charcoals at Barangay Labangan Poblacion, San Jose, Occidental Mindoro. On March 31, 2019, at around 6:17 in the morning by means of a monitoring and surveillance that was conducted to monitor the traveling of illegal forest products by the Personnel's 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 March 31, 2019, around 6:17 in the morning, based on a monitoring and surveillance that was conducted to monitor the traveling of illegal forest products by the Personnel's from Enforcement and Monitoring Section (EMS) by the DENR-CENRO, San Jose, Occidental Mindoro which yielded to the arrest of the above-mentioned suspect while traveling in possession of undocumented charcoals, when asked if he has documents for the transport of the charcoals, he admitted that these charcoals have no documents coming from the office of the DENR-CENRO, San Jose, Occidental Mindoro. Upon interrogation the suspect's identity is known as Adel Atienza residing at So. Banban, Barangay Nicolas, Magsaysay, Occidental Mindoro. *(Please see attached spot report and geo-tag photos)*
2. That the team apprehended One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810 loaded with Five (5) sacks of undocumented charcoals. These undocumented minor forest products and conveyance were in the office of DENR-CENRO, San Jose, Occidental Mindoro, for temporary safekeeping. *(Please see attached spot report and apprehension receipt.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2019-F242 was issued by the apprehending officer headed by EMS Deputy Chief Forester I Jomar B. Serquiña. *(please see attached apprehension receipt)*
4. That after verifying the existence of a prima facie case against the offender, the Seizure Officer Forester III Hector S. Aragon Jr. issued the Seizure Order with CENRO Control Number 2022-F242 for the apprehension of One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810 loaded with Five (5) sacks of undocumented charcoals. *(please see attached seizure order)*
5. That a notice of Administrative Hearing was received by Mr. Adel Atienza and it was scheduled on April 16, 2019 at 10:00 in the morning. *(please see attached Notice of Administrative Hearing)*



6. That, an Administrative Hearing was held as scheduled on April 16, 2019 at 10:00 in the morning. *(Please see transcript of stenographic notes of the administrative hearing)*

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

1. Whether or not the APPREHENDED **five (5) sacks of undocumented charcoal a minor forest products will be confiscated in favor of the government.**
2. **Whether or not the APPREHENDED One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810, be confiscated in favor of the government.**

The grounds for apprehension and seizure of the forest products is valid as well as the apprehension and seizure of the conveyance used in transporting the illegal forest products, as the apprehended forest products is not supported with any cutting permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro and the conveyance is used in transporting the illegal forest products.

**Under the following Provision's to wit.**

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 Par. e. FOREST PRODUCTS:** Refers to timber, including lumber, pulpwood, firewood, bark, tree top, resin, gum, wood, oil, honey, beeswax, nipa, rattan, charcoal, or other forest growth, such as but not limited to grass, shrub, flowering plants in forest lands and others.

**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.

- b. **CONVEYANCE** – any mode or type or class of vehicle or craft or any other means used for transportation either on land, water, air, or any combination thereof, whether motorized or not, **used for in the taking and/or maintaining temporary or permanent possession or control, gathering, collecting, processing, disposing of, or otherwise transporting, moving or transferring illegal forest products.**

.xxx

3. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the five (5) sacks of undocumented charcoal and One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810. **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, DENR Administrative Order 97-32, Sec 2, Par C. Provides that conveyance used in transporting an illegal forest products is/are subject to confiscation and seizure.

**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) and DENR Administrative Order 97-32, Sec 1 Par E and Sec 2, Par C. the following are hereby recommended:

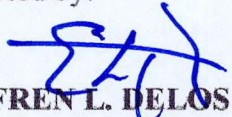
1. The apprehended five (5) sacks of undocumented charcoal and One (1) Conveyance – tricycle, RUSI 125, color blue, with chassis number RWCLPP200BE237810. **Shall be confiscated in favour of the government since those lumbers are products of an illegal act.**

Issued this \_\_\_\_\_ day of JUL 19 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



**Minutes of Administrative Hearing regarding the Apprehended One (1) unit of BLUE RUSI 125 motorcycle with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal at DENR-CENRO San Jose, Occidental Mindoro on April 16, 2019 at 2:00 in the afternoon for "Violation of Sec. 77 of PD 705 as amended by EO 277 and RA 7161."**

Present:

1. Adel Atienza-driver
2. Augreth S. Saligumba- Stegnotographer
3. Hector S. Aragon, Jr. -Hearing Officer

Hearing Officer: This is an administrative Hearing regarding the apprehended One (1) BLUE RUSI 125 motorcycle with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal owned and driven by a certain Adel Atienza.

For the record, the apprehended one (1) unit of black BLUE RUSI 125 motorcycle with chassis number RWCLPP200BE237810 loaded with five (5) sacks of undocumented charcoal was under the custody of DENR-CENRO San Jose, Occidental Mindoro and temporarily impounded at the CENR Office, San Jose, Occidental Mindoro for safekeeping.

For the respondents, you are hereby informed that you are under investigation. You appeared to me without the aid of a counsel. Please be informed of your right to avail of a services of a counsel. If you cannot afford a lawyer, a lawyer will be appointed to you.

Hearing Officer: Mr. Adel Atienza. Maari ko po ba hingin na kayo ay tumayo?

Hearing Officer: Ginoong Adel Atienza, ikaw ba ay magsasabi ng buong katutuhanan at pawang katotohanan lamang sa pagsisiyasat na ito?

Adel Atienza: Opo.

Hearing Officer: Pwede mo po bang sabihin ang iyong pangalan, edad, address, trabaho at iba pang pagkakakilanlan sa iyo?

Adel Atienza: Ako po si Adel Atienza, Taga Sitio Bamban Brgy. Nicolas, Magsaysay, Occidental Mindoro, 46 taong gulang at isang nagtitinda ng isda.

Hearing Officer: Maraming salamat Ginoong Atienza, Maari ka na pong umupo.

Hearing Officer: Pwede mo po bang ikwento ang kaganapan noong ika-31 ng Marso, 2019 bandang 6:22 ng umaga dito sa Labangan, San Jose, Occidental Mindoro noong kayo po ay hinuli ng mga tauhan ng DENR-CENRO San Jose?

Adel Atienza: Linggo po, ako ay nagbiyahe, pagdating ko po jan may humahabol po sa akin. Tapos pumara na po ako ng kusa.

Hearing Officer: Noong ikaw ay hinuli ng taga DENR ano ang iyong ginawa?

Adel Atienza: Sumunod po ako dito.

Hearing Officer: Anong sinabi ng taga DENR sa iyo o iba pang nangyari?

Adel Atienza: Mag attend daw po ako ng hearing.



Hearing Officer: Noong pagkahuli sa iyo, sinabi sayo na mag attend ng hearing?  
Adel Atienza: Opo.

Hearing Officer: Anong naging reaksiyon mo noong hinuli ka ng mga taga DENR?  
Adel Atienza: Nakikiusap po ako. Baka pwedeng palusutin at panggamit lang naman.

Hearing Officer: Kilala mo po ba ang naghuli sa iyo?  
Adel Atienza: Opo. Yung bagong hepe po ng DENR.

Hearing Officer: Ano pa ang ibang nangyari?  
Adel Atienza: Nakiusap po ako. Noong ayaw po nila pakawalan ay umuwi nap o ako.

Hearing Officer: Iniwan mo ang iyong motor at mga uling?  
Adel Atienza: Opo.

Hearing Officer: Saan galing ang mga uling?  
Adel Atienza: Binili ko po sa Bamban, kay Jr. Mindoro.

Hearing Officer: Noong ikaw ay nagbiyahe ng mga uling may dala ka bang transport permit na nanggaling sa tanggapan ng DENR?  
Adel Atienza: Wala po.

Hearing Officer: Alam mo ba na bawal magtransport ng uling na walng transport permit na galing sa tangggapan ng DENR?  
Adel Atienza: Ang pagkaalam ko po ay tatlo daw po ang pwede.

Hearing Officer: Wala pong isa-isa o dalawa, lahat po ay bawal pag walang transport permit.

Hearing Officer: Sabi mo kanina na galing sa Bamban ang mga uling, alam mo ba na bawal magkarga ng uling ng walang permiso galing sa tanggapan ng DENR?  
Adel Atienza: Opo.

Hearing Officer: Bakit ka nagkarga ng uling?  
Adel Atienza: Dadalhin ko po sa nanay ko.  
Hearing Officer: Anong ginagawa ng nanay mo sa mga uling, benebenta niya ba ito?  
Adel Atienza: Ako po ang nagbebenta sa nanay ko sa mga uling.

Hearing Officer: Matagal mo na bang ginagawa ang pagkarga ng mga uling?  
Adel Atienza: opo, pag kailangan po ng Nanay ko.

Hearing Officer: Magkano ang bili mo sa mga uling  
Adel Atienza: bale 140 pesos kada sako.

Hearing Officer: Doon ba sa pinagkuhanan ng mga uling ay meron bang permit to cut o permit ng paggawa ng mga uling?  
Adel Atienza: wala po siguro.

Hearing Officer: Ikaw po ba ang may-ari ng nasabing motor?  
Adel Atienza: Opo.

Hearing Officer: Meron ka bang katunayan na ikaw nga ang may-ari ng nasabing motor tulad ng rehistro?



Adel Atienza: Sa ngayon po ay nasa Banban po ang rehistro, binili lang po namin ito sa aming kamag-anak.

Hearing Officer: Meron ba kayong deed of sale?  
Adel Atienza: Sa Barangay po.

Hearing Officer: Taga saan yung dating may-ari ng motor?  
Adel Atienza: Taga Magsaysay po.

Hearing Officer: Mabibigyan mo ba kami ng kopya ng papeles ng iyong motor?  
Adel Atienza: Sa pagbalik ko po.

Hearing Officer: Saan mo ginagamit ang iyong motor?  
Adel Atienza: Sa pagdedeliver po ng isda.

Hearing Officer: Tapos pagbalik mo ba ay nagkakarga ka ng uling?  
Adel Atienza: Paminsan minsan lang po.

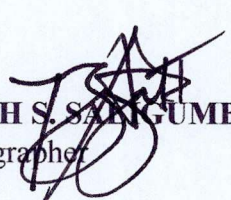
Hearing Officer: Meron ka pa bang sabihin o hingin sa pagsisiyasat na ito?  
Adel Atienza: Baka pwede namang hingin ko na ang aking motor, dahil wala akong panghanap buhay.

Hearing Officer: Ang report o resulta po ng pagsisiyasat na ito ay aming gagawin at ito ay isusumete sa Regional Office at sila nap o ang magdidisyon kung ano po gagawin sa iyong motor.


Hearing Officer: Mr. Atienza, meron ka pa bang gustong sabihin?  
Adel Atienza: Wala na po.

Hearing Officer: Maraming sa lamat Ginoong Atienza sa pagsagot sa aming mga katanungan.  
Dahil wala ng katanungan at iba ba ang pagsisiyasat na ito ay natatapos ngayong ika alas 3 ng hapon.

Prepared by:

  
**AUGRETH S. SAN GUMBA**  
Stenographer

Noted by:

  
**HECTOR S. ARAGONES JR.**  
Hearing Officer









April 8, 2019

## NOTICE OF ADMINISTRATIVE HEARING

**MR. ADEL ATIENZA**

So. Bamban, Brgy. San Nicolas,  
Magsaysay, Occidental Mindoro

Dear Mr. Atienza,

Ito po ay patungkol sa nahuling isang (1) unit ng single RUSI 125, kulay asul na may Chassis Number RWCLPP200BE237810 at may kargang limang (5) sako ng uling na nahuli ng mga tauhan ng DENR noong Marso 31, 2019 ganap na 6:22 ng umaga sa Brgy. Labangan Poblacion, San Jose, Occidental Mindoro.

Ang nasabing sasakyan at uling ay dinala sa tanggapan ng DENR-CENRO San Jose Office sa Brgy. Labangan, San Jose, Occidental Mindoro para sa pangangalaga.

Kayo po ay aming inaanyayahan dito sa aming opisina sa ika-16 ng Abril, 2019 bandang 2:00 ng hapon dito sa aming tanggapan.

Nagpapasalamat,

**HECTOR S. ARAGONES JR.**

Forester III/ Chief, CDS

Hearing Officer/ Seizure Officer

received by:

  
**ADEL ATIENZA**

Brgy. Labangan, San Jose, Occidental Mindoro

Telephone No. 043-457-0236

Email Address: [denrcenro\\_sanjose@yahoo.com](mailto:denrcenro_sanjose@yahoo.com)



## APPREHENSION RECEIPT

This APPREHENSION RECEIPT is issued to -

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 for the following Forest Products, Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

## MAJOR FOREST PRODUCTS

### Minor Forest Products

### Conveyance involved

Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
Single motor	RUSI 125						RWCLPP200BE237810	
			EMV: 46,000.00					



If Animal			
Kind	Quantity	Gender	Color

Equipment Involved			
Type	Quantity	Estimated Value	Custodian

Implements Involved	
Type	Quantity

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		
MARCH 31, 2019 6:17 AM	OCC. MDW.	SAN JOSE	LARANGAN POBLACION		DENR PERSONNEL	

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

- The owner is transporting forest products without any legal documents
- from the DENR.
- 

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 31st day of March, year 2019 at DENR - CENRO SAN JOSE.



APPREHENDING OFFICER  
(Signature over Printed Name)

1. JONAR B. SERQUIJA  
Position: FORESTER 1, CHIEF EMS  
Address: \_\_\_\_\_

2. EMMANUEL E. IGNACIO  
Position: FOREST RANGER  
Address: \_\_\_\_\_

3. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

4. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

5. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

6. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

WITNESSES:

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

1. ADEL ATIENZA  
Position: DRIVER  
Address: \_\_\_\_\_

2. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

3. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

3. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

5. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

6. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

Copy Received by:

Signature over Printed Name

Date/Time

Signature over Printed Name

Date/Time

Remarks:

The conveyance and forest product is impounded at DENR-CENRO  
San Jose, Compound.



## SEIZURE ORDER

CENRO Control No.:	2019 - F242
E-FMS No:	2019 - 175110 - F242

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:

[illegible]

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/ Markings	CR No.	OR No.
Single motor	RMS/ 125				

Estimated = 40,000. n



Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*

\*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

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian

Implements Involved			
Type	Quantity	Details	Custodian

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
Adel Hienza					

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	Sitio		
mar. 31, 2019 6:25 am	Occ. MDO.	SAN JOSE	LABANGAN		HECTOR S. ARAGONC JR.	

Examination Conducted by Seizure Officer:

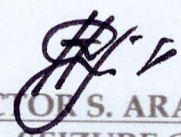
Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			



After thorough evaluation of the Apprehension Report dated March 31, 2019 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 \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_ at \_\_\_\_\_.

  
HECTOR S. ARAGONES, JR.  
SEIZURE OFFICER  
HEARING OFFICER

Copy furnished:  
\_\_\_\_\_





March 31, 2019

**MEMORANDUM**

**FOR :** The Officer-In-Charge  
DENR, San Jose, Occidental Mindoro

**FROM :** The Chief, Enforcement and Monitoring Section

**SUBJECT :** **SUBMISSION OF REPORT RE: APPREHEDED ONE (1) UNIT  
RUSI 125 MOTORCYCLE WITH CHASIS NUMBER  
RWCLPP200BE237810 LOADED FIVE (5) SACKS OF  
UNDOCUMENTED FOREST PRODUCT AT BARANGAY  
LABANGAN POBLACION, SAN JOSE, OCCIDENTAL  
MINDORO**

Please be informed that on March 31, 2019, personnel from Enforcement and Monitoring Section of DENR- CENRO San Jose had conducted checkpoint and monitoring of illegal forest activities within the vicinity of Barangay Labangan, San Jose, Occidental Mindoro where in about 6:17 in the morning they have intercepted one (1) unit of RUSI 125 motorcycle without plate number bearing a chassis number RWCLPP200BE237810 loaded with five (5) sacks of charcoal. Upon determination that the forest products have no legal permits/documents to transport from the DENR an apprehension receipt was immediately issued to Mr. Adel Atienza, driver of the said conveyance.

Be informed further, that the apprehended conveyance together with the forest product was brought to the DENR-CENRO San Jose compound for safekeeping and for administrative adjuration as per DAO 97-32.

For information, record and further instructions.

**JOMAR B. SERQUINA**





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

GEO-TAGGED PHOTO OF THE APPREHENDED ONE (1) UNIT OF RUSI 125 MOTORCYCLE LOADED WITH FIVE (5) SACKS OF UNDOCUMENTED FOREST PRODUCT AT BARANGAY LABANGAN, SAN JOSE, OCCIDENTAL MINDORO



4

Brgy. Labangan, San Jose, Occidental Mindoro  
Email Address: denrcenro\_sanjose@yahoo.com  
Tel. No. (043) 457 0236




REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF OCCIDENTAL MINDORO ) S.S  
MUNICIPALITY OF SAN JOSE )  
X \_\_\_\_\_ X

## PINAGSAMANG SALAYSAY

Kami, **JOMAR B. SERQUIÑA** at **EMMANUEL G. IGNACIO**, may mga sapat na gulang, pilipino at mga residente ng San Jose, Occidental Mindoro, matapos makapanumpa alinsunod sa batas ay nagsalaysay ng mga sumusunod:

1. Na, kami ay mga kawani ng DENR-CENRO San Jose, Occidental Mindoro na nakatalaga sa Enforcement and Monitoring Section bilang Forester I at Forest Ranger;
2. Na, noong ika-31 ng Marso 2019, kami ay nagsagawa ng checkpoint at monitoring ng illegal forest activities sa Barangay Labangan, San Jose, Occidental Mindoro;
3. Na, ika-6:22 ng umaga, kami ay nakahuli ng isang RUSI 125 motorcycle na may chassis number na RWCLPP200BE237810 na may kargang lima (5) sako ng uling;
4. Na, agad po naming tinanong ang driver ng nasabing motor na si Ginoong Adel Atienza kung merong kaukulang dokumento/transport permit na galing sa tanggapan ng DENR;
5. Na, noong wala po siyang maipakitang mga dokumento o permit ay amin pong hinuli ang kanyang motor at mga kargang uling at kami po ay agad na nagbigay ng apprehension receipt;
6. Na, amin pong dinala ang nasabing motor kasama ang mga uling sa tanggapan ng DENR-CENRO San Jose para sa pansamantalang pangangalaga habang ito ay iniimbistigahan na naaayon sa DENR Administrative Order No. 97-32.
7. Na, sa pamamagitan ng salaysay na ito upang mapatunayan ng lahat ng nakasad sa itaas para sa kaalaman ng lahat ng kinaukulan.

BILANG PATOTOO, kami ay lalagda ngayong ika- 31 ng Marso, 2019 dito sa San Jose, Occidental Mindoro.

  
**JOMAR B. SERQUIÑA**  
(Nagsasalaysay)

  
**EMMANUEL G. IGNACIO**  
(Nagsasalaysay)

SINUMPAAN AT NILAGDAAN sa harap ko ngayong ika- \_\_\_\_\_ ng \_\_\_\_\_ dito sa San Jose, Occidental Mindoro.