



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. 2022-050

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated August 01, 2022 pertaining to the result of administrative adjudication on the apprehended one (1) unit of motorcycle (RUSI 150 with skeletal sidecar, Color Blue) loaded with twenty (20) pieces of Malaruhut lumber having a total volume of 138 board feet at Barangay Poblacion, Magsaysay, 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

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

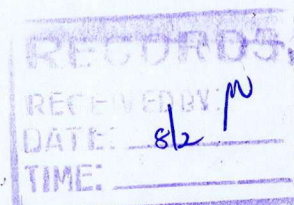
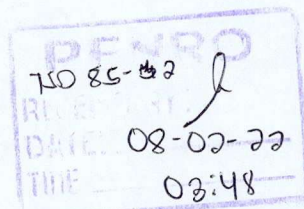
SUBJECT: **RESOLUTION NO. 2022-050**

Respectfully submitted herewith is the Resolution No. 2022-050 as a result of administrative adjudication on the apprehended twenty (20) pieces Malaruhat lumber with different dimensions having an aggregate volume of 138.00 bdft, loaded in one (1) unit motorcycle with skeletal sidecar (TORA-TORA), RUSI 150, color Blue at Brgy. Poblacion, Magsaysay, Occidental Mindoro.

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 TWENTY (20) PIECES OF MALARUHAT LUMBERS WITH DIFFERENT DIMENSIONS OF 2"x3"x12', ELEVEN (11) PIECES AND NINE (9) PIECES OF 2"x4"x12' WITH A TOTAL VOLUME OF 138.00 BDFT. AND, ONE (1) CONVEYANCE – RUSI 150 COLOR BLUE WITH SKELETAL SIDECAR (TORATORA) AT BRGY. POBLACION, MAGSAYSAY, OCCIDENTAL MINDORO ON MARCH 11, 2019 AT AROUND 1:00 IN THE MORNING.

X-----X

RESOLUTION No. 2022-050

This pertains to the apprehension of Twenty (20) pieces of Malaruhats with different dimensions of 2"x3"x12', eleven (11) pieces and nine (9) pieces of 2"x4"x12' with a total volume of 138.00 bdft, and One (1) Conveyance – Rusi 150 color blue with skeletal sidecar (torator) at Brgy. Poblacion, Magsaysay, Occidental Mindoro. On March 11, 2019 at around 1:00 in the morning by the Personnel from Magsaysay Municipal Police Station, Magsaysay, Occidental Mindoro.

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

1. That on March 11, 2019, around 1:00 in the morning, based on the concerned citizens report, that there will be a transport of undocumented lumbers that will be passing by So. Borlado, Poblacion, Magsaysay, Occidental Mindoro. And from there the Magsaysay Municipal Police Station personnel was able to intercept one (1) conveyance, Rusi 150 colorblue with skeletal side car (torator), which is carrying Twenty (20) pieces of malaruhats with different dimensions of 2"x3"x12', eleven (11) pieces and nine (9) pieces of 2"x4"x12' with a total volume of 138.00 bdft. When asked by the Police operatives if the driver of the conveyance has a necessary legal documents from the office of the DENR, regarding the transport of the said lumbers, the driver answered that he has none. Upon verification the identity of the person transporting the illegal and undocumented forest products was known and identified as Raymundo S. Enano from So. Bamban, Brgy. Nicolas, Occidental Mindoro. *(Please see attached judicial affidavit of SP03 Alexander Relopez Garcia)*
2. That the Magsaysay Municipal Police Station has apprehended Twenty (20) pieces of malaruhats with different dimensions of 2"x3"x12' eleven (11) pieces and nine (9) pieces of 2"x4"x12' with a total volume of 138.00 bdft. And One (1) Conveyance – one (1) conveyance, Rusi 150 color blue with skeletal sidecar (torator). These were temporarily impounded at the DENR-CENRO Brgy. Labangan, San Jose Occidental Mindoro, for safekeeping. *(Please see seizure and apprehension receipt.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2019-F229 was issued by the apprehending officer SP03 Alexander Garcia *(please see attached apprehension receipt)*
4. That the Seizure Order with CENRO Control Number 2019-F229 was issued by The Seizure Officer, ECOMS II, In-Charge, office of the CENRO Neil Anthony A. Del Mundo. *(please see attached seizure order)*
5. That the Recapitulation and assessed value was issued by Forest Ranger Emmanuel G. Ignacio *(please see attached recapitulation and assessed value).*

6. That a notice of Administrative Hearing was received by Raymundo S. Enano and it was scheduled on May 15, 2019 at 10:00 in the morning. *(please see attached Notice of Administrative Hearing)*
7. That, an Administrative Hearing was held as scheduled on May 15, 2019 at 10:00 in the morning. *(Please see transcript of stenographic notes of the administrative hearing)*
8. That a case is filed against Raymundo S. Enano to the Prosecutors Office and it is docketed as IV-06-INQ-19C-00218 for violation of PD 705. *(Please see attached Prosecutors Investigation Data Form)*

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

1. Whether or not the **APPREHENDED** Twenty (20) pieces of malaruhut lumbers with different dimensions of 2"x3"x12' eleven (11) pieces and nine (9) pieces of 2"x4"x12' with a total volume of 138.00 bdf. **Will be confiscated in favor of the government.**
2. **Whether or not the APPREHENDED** one (1) conveyance, Rusi 150 color blue with skeletal sidecar (toratora), **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. 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 Twenty (20) pieces of malaruhats with different dimensions of 2"x3"x12' eleven (11) pieces and nine (9) pieces of 2"x4"x12' with a total volume of 138.00 bdf., and One (1) Conveyance – Rusi 150 color blue with skeletal sidecar (toratora). **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 2, Par C. the following are hereby recommended:

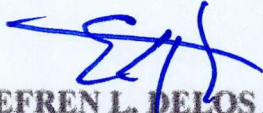
1. The Twenty (20) pieces of malaruhats with different dimensions of 2"x3"x12' eleven (11) pieces and nine (9) pieces of 2"x4"x12' with a total volume of 138.00 bdf., and One (1) Conveyance – Rusi 150 color blue with skeletal sidecar (toratora), **shall be confiscated in favour of the government since those lumbers are products of an illegal act.**

Issued this _____ day of April 29 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 ON THE APPREHENDED ONE (1) UNIT MOTORCYCLE RUSI 150 COLOR BLUE WITH SKELETAL SIDECAR (TORA TORA) LOADED WITH TWENTY (20) PCS. OF UNDOCUMENTED LUMBER BELONGING MALARUHAT SPECIES WITH DIFFERENT DIMENSIONS OF 2X3X12 (11 PCS.) AND 2X4X12 (9 PCS.) WITH TOTAL VOLUME OF 138 BOARD FEET WHICH WAS APPREHENDED BY PNP MAGSAYSAY ON MARCH 11, 2019 AT POBLACION, MAGSAYSAY, OCCIDENTAL MINDORO.

Present:

1. Raymund S. Enano= respondent
2. Maryjean M. Barolo= stenographer
3. Hector S. Aragon Jr.= Hearing Officer

Hearing Officer: This is an Administrative Hearing regarding the apprehended one (1) unit Motorcycle RUSI 150 color Blue with skeletal sidecar (tora tora) loaded with twenty (20) pcs. of undocumented lumber belonging Malaruhat species with different dimensions of 2x3x12 (11 pcs.) and 2x4x12 (9 pcs.) with total volume of 138 board feet which was apprehended by PNP Magsaysay on March 11, 2019 at Poblacion, Magsaysay, Occidental Mindoro.

For the respondent, 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. Enano, pwede po ba kayong tumayo, at magsasabi ng buong katotohan at pawang katotohanan lamang sa pagsisiyasat sa araw na ito?

Mr. Enano: Opo sir.

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

Mr. Enano: Ako po si Raymundo Enano, 32 taong gulang, may asawa, may 3 anak, ekstra ekstra sa construction (laborer) isang katutubo, taga Bamban.

Hearing Officer: Maraming salamat Ginoong Enano, pwede ka nang umupo.

Hearing Officer: Pwede mo bang ikwento ang buong pangyayari noong March 11, 2019 noong ikaw ay hinuli ng mga tauhan ng PNP Magsaysay?

Mr. Enano: Noong nagbayahe po ako papuntang So. Borlado na kung saan don ako kukuha ng kahoy ng magpapagawa ng bahay sa akin, doon nila ako nahuli

Hearing Officer: Saan galing kahoy mo?

Mr. Enano: Sa So. Bamban po, sa aming sariling kaingin.

Hearing Officer: Anong klaseng kahoy ang ibayahe mo?

Mr. Enano: Malaruhat po.

Hearing Officer: Ilang piraso?

Mr. Enano: 20 piraso.

Hearing Officer: Meron bang permit?

Mr. Enano: Wala po.

Hearing Officer: Sino may ari ng kahoy?

Mr. Enano: Lolo ko po.

Hearing Officer: Saan mo dadalhin ang kahoy?
Mr. Enano: Ibebenta ko sa magpapagawa ng bahay sa akin.

Hearing Officer: Kilala mo ba ang nanghuli sa iyo?
Mr. Enano: Opo, si Sir Garcia po.

Hearing Officer: Noong ikaw ay hinuli ng pulis ano ang iyong ginawa?
Mr. Enano: Sumama na lang po ako ng matiwasay.

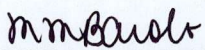
Hearing Officer: Ikaw ba may-ari ng sasakyan?
Mr. Enano: Hindi po, hiniram ko sa aking lolo.

Hearing Officer: Alam nya ba na ikaw ay magbabahe ng kahoy?
Mr. Enano: Opo, pinaalam ko sa kanya dahil kelangan lang ng kaunting pinansyal.

Hearing Officer: May gusto ka pa bang sasabihin?
Mr. Enano: Wala na po.

Hearing Officer: Dahil sa wala ng katanungan, ang pagsisiyasat na ito ay tapos na ngayong ika 10:50 ng umaga.

Prepared by:


MARYJEAN M. BAROLO
Stenographer

Noted by:


HECTOR S. ARAGONES JR.
Hearing Officer

Republic of the Philippines
Department of Justice
National Prosecution Service
Office of the Provincial Prosecutor
San Jose, Occidental Mindoro



INVESTIGATION DATA FORM

DATE RECEIVED:

stamped and initialed

Time Received:

Receiving Staff:

To be accomplished by the office:

NPS DOCKET NO.:

Assigned to:

Date Assigned:

14-06-1NQ-19C-00/28

To be accomplished by complainant/counsel/law enforcer
(Use back portion if space is not sufficient)

COMPLAINANT/S: Name,
Sex, Age & Address

RESPONDENT/S: Name,
Sex, Age & Address

DENR, BRGY LARANGAN, SAN JOSE
OCCIDENTAL MINDORO

RAYMUND SALUSTIA ENARO, MATH
314 PM RD, SITAO BARANGAY, BANGAL
NIGLAS, MAGSAYSAY, OCCIDENTAL MINDORO

LAW/S VIOLATED:

WITNESS/ES: Name & Address

PD 705

SPO4 ALEXANDER R GARCIA
MAGSAYSAY MPS

DATE & TIME of COMMISSION:

PLACE of COMMISSION:

MARCH 10, 2019, 01:20 AM

SITAO BARANGAY, POSTOFFICE, MAGSAYSAY
OCCIDENTAL MINDORO

1. Has a similar complaint been filed before any other office? * YES ☐ NO ☐
2. Is this complaint in the nature of a counter-affidavit? * YES ☐ NO ☐
3. Is this complaint related to another case before this office? * YES ☐ NO ☐

If yes, indicate details below.

If yes, indicate details below.

I.S. No./ NPS No:

Handling Prosecutor:

CERTIFICATION

I CERTIFY, under oath, that all the information on this sheet are true and correct to the best of my knowledge and belief, that I have not commenced any action or filed any claim involving the same issues in any court, tribunal, or quasi-judicial agency, and that if I should thereafter learn that a similar action has been filed and/or is pending, I shall report that fact to this Honorable Office within five (5) days from knowledge thereof.

RE Luis M. Cordero
(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this

11 MAR 2019

day of

20

in

ROBERTO E. SANTOS

Prosecutor Administering Oath

*1, 2, 3 and Certification need to be accomplished for inquest cases



1ST INDORSEMENT
March 11, 2019

NPS DOC. NO. IV-06-190-190-00128

Respectfully referred for inquest to the Honorable Prosecutor herein case for the proper disposition.

Offense Committed : Violation of Section 77, PD 705 as amended by E. O. 277

Respondent Address : RAYMUND S. ENANO
So. Bamban, Brgy. Nicolas, Magsaysay, Occ. Mindoro

Date and Place : March 10, 2019
So. Borlado, Brgy. Poblacion, Magsaysay, Occ. Mindoro

Facts:

That on or about 1:20 in the morning of March 10, 2019 that a certain Raymund S. Enano is in possession of illegal major forest products within the jurisdiction of His Honorable Court the above named accused, did then and there, willfully, unlawfully and feloniously possessed twenty (20) pieces of undocumented lumbers belonging to Malaruhut species with an aggregate volume of 138.00 board feet with an estimated amount of Php 4,830.00 and loaded in one (1) unit motorcycle RUSI 150 colored blue with skeletal sidecar (tora-tora), without legal documents required by existing laws, rules and regulation of forestry to the damage and prejudice of the government.

Witness:

1. SPO3 Alexander R. Garcia

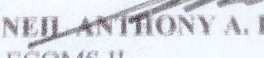
Evidences:

1. Affidavit of the Apprehending Officers
2. Apprehension receipt of forest products and conveyance involved
3. Seizure receipt
4. Recapitulation of damage/ assessed value
5. Tally Sheet
6. Pictures
7. Mugshot
8. Referral from PNP Magsaysay
9. Turn-over of confiscated items

Advice of the action taken will be appreciated.

Thank You.

For the CENR Officer:


NEIL ANTHONY A. DEL MUNDO
ECOMS II
In-Charge, Office of the CENRO

Republika ng Pilipinas)
LALAWIGAN NG KANLURANG MINDORO) S.S
BAYAN NG MAGSAYSAY)

SINUMPAANG SALAYSAY

Ako si **SP03 Alexander Relopez Garcia**, nasa hustong gulang, may asawa, alagad ng batas na nakatalaga sa Magsaysay Municipal Police Station at kasalukuyang naninirahan sa Barangay Pobalcio, Magsaysay, Occidental Mindoro matapos makapanumpa ng ayon sa bagong saligang batas ay nagsasabi ng mga sumusunod.

PANGUNANG SALITA

Ang nagtatanong sa akin sa affidavit kong ito ay si PO2 Luis F Corpuz Jr, na isang pulis na nakatalaga sa Investigation Section Magsaysay Municipal Police Station, Magsaysay, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa loob ng Police Station gaya ng mga sumusunod:

(ANG NAGSALAYSAY AY PINAHIWATIGAN O PINAALALAHANAN NG LAHAT NG KANYANG MGA KARAPATAN ALIN SUNOD SA ITINATADHANA NG BAGONG SALIGANG BATAS)

MGA TANONG AT SAGOT

01. TANONG - **SP03 Alexander Relopez Garcia**, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?
SAGOT - Opo.
02. TANONG - Ikaw ba ay handang magbigay ng iyong malaya at kusang loob na salaysay?
SAGOT - Opo.
03. TANONG - Maari mo bang sabihin sa pagsisiyasat na ito ang iyong tunay na pangalan at iba pang mapagkakakilanlan sa iyong tunay na pagkatao?
SAGOT - Ako si **SP03 Alexander Relopez Garcia**, nasa hustong taong gulang, may asawa alagad ng batas na nakatalaga sa Magsaysay Municipal Police Station at kasalukuyang naninirahan sa Barangay Pobalcio, Magsaysay, Occidental Mindoro
04. T - Ano ang dahilan at naririto ka sa aming tanggapan at nagbibigay ng iyong Malaya at kusang loob na salaysay?

PAHINA 2. KARUGTONG NG SALAYSAY NI SP03 Alexander Relopez Garcia
NGAYONG IKA- 10 ng Marso 2019 .

- Upang magbigay ng salaysay kaugnay sa isinagawang operasyon ng Magsaysay Municipal Police Station laban sa ipinagbabawal na pagbyabyahe ng kahoy o paglabag sa PD 705 (Illegal Logging) na naganap sa Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro.
05. S -
- T - Kailan at saan nangyari ang paghuli o operasyon laban sa ipinagbabawal na pagbyabyahe ng kahoy o PD 705 (Illegal Logging) At ano ang naging partisipasyon mo dito?
- S - Humigit Kumulang sa 1:00 ng umaga (madaling araw) Marso 10, 2019, sa Brgy. Poblacion, Magsaysay, Occidental Mindoro at ako po ay naatasang mag-aresto sa driver o suspect.
06. T - Maari mo bang isalaysay ang buong pangyayari sa isinagawa ninyong paghuli o operasyon laban sa pagbyabyahe ng kahoy o PD 705 (Illegal Logging) sa Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro?
- S - Noong ika-10 ng Marso 2019, ang oras ay humigit kumulang sa ika 01:00 ng umaga (madaling araw) ay nakatanggap ng impormasyon ang Himpilan ng Pulisya ng Magsaysay mula sa aming isang confidential asset na may ibinabiyahing kahoy sa Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro. Na agad kaming pinulong ng aming Officer In-Charge (OIC) na si Police Senior Inspector GERRY H OLAR. At pagkatapos agad kaming pumunta nila SP01 Aurelio M Nacar, P03 Von J Mortos at P03 Raymond Mamalayan, sa Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro upang isagawa ang paghuli sa nasabing pagbyabyahe ng kahoy o PD 705 (Illegal Logging). At bandang 01:20 ng umaga ng Marso 10, 2019, pagdating namin sa lugar sa Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro? ay aming inabangan ang sinabi ng aming asset na may nagbyabyahe ng kahoy patungo sa Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro ay tumambad sa amin ang isang Rusi 150, na kulang blue na walang plaka na may skeletal sidecar (tora-tora) na may sakay na mga kahoy (maladuhat Specie, good lumber) At nang hanapan namin ng kaukulang papeles para ibyahe (Permit to transport) ang driver na si Raymund Sallera Enano ay wala siyang ipakita sa amin ng Permit to Transport kaya siya ay aking inaresto at Aming dinala ang **twenty (20)** piraso ng kahoy (good lumber) na may sukat na 9 pcs 2x4x12 at 11 pcs 2x3x12 may kabuoang hindi hihigit at hindi kukulang sa one hundred thirty eight bd.ft. na may halagang humigit kumulang sa four thousand eight hundred thirty (Php4,830) Na habang inaaresto ko ang suspek ay ipinaalam ko sa kanya na siya ay may karapatang manahimik, ipagtanggol ang sarili sa pamamagitan ng pagpili niya ng manananggol at kung hindi nila kayang magbayad ay bibigyan sila ng libreng abogado ng gobyerno, at gayundin ang kanyang karapatan upang makipagtalastasan sa mga kaanak at kaibigan.

**PAHINA 3. KARUGTONG NG SALAYSAY NI SP03 Alexander Relopez Garcia
NGAYONG IKA- 10 ng Marso 2019.**

07. T - Ano pa ang mga sumunod na pangyayari ?
S - Matapos namin siyang hulihin ay dinala namin siya sa Magsaysay sa Police Station para sa pagdudukumento.
08. T - Wala na akong gustong itanong sa iyo. Handa mo bang lagdaan ang salaysay mong ito na walang tumakot, pumilit o nagbigay ng pabuya sa iyo at binubuo ng tatlong (4) pahina?
S - Opo.

WAKAS NG SALAYSAY:

SP03 Alexander Relopez Garcia
Nagsalaysay

OATH

SUBSCRIBED AND SWORN to before me this MAR 7 1 2019 day of March 2019 at San Jose, Occidental Mindoro.

ATTESTATION

RS Santos
ROBERTO B. SANTOS
PROSECUTOR II

I attest to the fact that I personally supervised the taking of the affidavit from **SP03 Alexander Relopez Garcia** and the result was reduced in the judicial affidavit. And, I further attest that the questions asked to the complainant and his answers to the same were faithfully recorded and that no one assisted or coached the complainant when he answered the question asked of him.

YH Corpuz Jr
PO2 Luis H Corpuz Jr
Investigator

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN to before me this MAR 7 1 2019 day of March 2019 at San Jose Occidental Mindoro. I hereby certify that I have examined the herein affiant under oath and that I am satisfied that he voluntarily executed and understood his statement

RS Santos
ROBERTO B. SANTOS
PROSECUTOR II

APPREHENSION RECEIPT

CENRO Control No.: 2019-F229

E-FMS No: 2019-AS110-F229

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
RAYMUND SALCEDA ENINO	30. BAHAY	MARRIED	32		
	BRUY. NIGUIS				
	HALSAYDAY				
	OLE. MINDORO				

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
LUMBER				MALABUMAT	11	2x3x12= 66		DENR-CENRO	DENR-CENRO
					9	2x4x12= 72	138x35	SAN JOSE,	SAN JOSE
						138BAFT	74,830	OLE. MINDORO	OLE. MINDORO

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

Conveyance involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
	PUZI 150		BLUE					

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 10, 2019 1:20 AM	Occidental Mindoro	HAGSAYAT	POBLACION		SP03 ALEXANDER GARCIA	VIOLATION OF PD 705

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

- VIOLATION OF PD 705
- _____
- _____

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 10th day of MARCH, year 2019 at _____

APPREHENDING OFFICER
(Signature over Printed Name)

1. ALEXANDER LARCA
Position: SPO3
Address: MOY. OCC. MOO

4. _____
Position: _____
Address: _____

2. _____
Position: _____
Address: _____

5. _____
Position: _____
Address: _____

3. _____
Position: _____
Address: _____

6. _____
Position: _____
Address: _____

WITNESSES:

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

P. Grand
1. RAYMOND SALLERA ENANO
Position: OWNER
Address: SO. BAMBAN, BRU. NIZOLAS, MOY. OCC. MOO

3. _____
Position: _____
Address: _____

2. _____
Position: _____
Address: _____

5. _____
Position: _____
Address: _____

3. _____
Position: _____
Address: _____

6. _____
Position: _____
Address: _____

Copy Received by:1

Signature over Printed Name

Date/Time

Signature over Printed Name

Date/Time

Remarks:

SEIZURE ORDER

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:

1. Forest Products:

[illegible]

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
	PSU 150		BLUE		

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	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

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		
MARCH 11, 2019 10:00 AM	Occidental Mindoro	SAN JOSE	LABANMAN PDB, LAGUN		DENR	


Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated MARCH 10, 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 11th day of MARCH, year 2019 at
DENR-CENRO SAN JOSE, OCC. MINDORO.


NEIL ANTHONY A. DEL MUNDO
ECOMS II
In-Charge, Office of the CENRO

Copy furnished:



RECAPITULATION AND ASSESSED VALUE

Malaruhat-----20 pcs.
138.00 board feet =
Php 4,830.00

TOTAL: -----20 pcs.
138.00 board feet =
Php 4,830.00

Prepared by: EMMANUEL G. IGNACIO
Forest Ranger



May 14, 2019

2ND NOTICE OF ADMINISTRATIVE HEARING

MR. RAYMUND S. ENANO
So. Bamban, Brgy. Nicolas,
Magsaysay, Occidental Mindoro

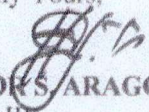
Dear Mr. Enano,

This pertains to the apprehended one (1) unit motorcycle RUSI 150 color Blue with skeletal sidecar (tora tora) loaded with twenty (20) pcs. of undocumented lumber belonging Malaruhut species with different dimensions of 2x3x12 (11 pcs.) and 2x4x12(9 pcs.) with total volume of 138 board feet which was apprehended by PNP Magsaysay on March 11, 2019 at Poblacion, Magsaysay, Occidental Mindoro.

The said apprehended/ seized conveyance and lumber is impounded at DENR-CENRO Office Brgy. Labangan, San Jose, Occidental Mindoro for safekeeping purposes.

You are hereby notified that the administrative hearing is set on **May 15, 2019 at 10:00 am** at DENR-CENRO San Jose, Brgy. Labangan Pob., San Jose, Occidental Mindoro.

Very Truly Yours,


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

received by:
R. Enano
RAYMUND ENANO

Brgy. Labangan, San Jose, Occidental Mindoro
Telephone No. 043-457-0236
Email Address: denrcenro_sanjose@yahoo.com



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV-MIMAROPA
Community Environment and Natural Resources
Brgy. Labangan, San Jose, Occidental Mindoro

DENR-IVB-CENRO SJO: (Enforcement Unit)
Supervision

EMAIL FOR TRANSMISSION
March 11, 2019

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

THRU: ARD FOR TECHNICAL SERVICES
DENR-IVB, MIMAROPA
ERMITA, MANILA

FROM: CENRO SAN JOSE
OCCIDENTAL MINDORO

PLEASE BE INFORMED THAT PERSONNEL OF MAGSAYSAY MUNICIPAL POLICE HAD TURNED-OVER TO THIS OFFICE THE APPREHENDED ONE (1) UNIT MOTORCYCLE RUSI 150 COLORED BLUE WITH SKELETAL SIDECAR AND TWENTY(20) PIECES OF UNDOCUMENTED MALARUHAT SPECIES WITH AN AGGREGATE VOLUME OF 138.00 BOARD FEET IN SO. BORLADO CMA BARANGAY POBLACION CMA MAGSAYSAY CMA OCCIDENTAL MINDORO ON MARCH 10, 2019 AT AROUND 1:20 IN THE MORNING PD


THE CONVEYANCE AND FOREST PRODUCTS WERE OWNED BY A CERTAIN MR. RAYMUND S. ENANO CMA SAID CONVEYANCE AND FOREST PRODUCTS ARE SUBJECTED TO APPREHENSION PD

SAID CONVEYANCE AND FOREST PRODUCTS ARE NOW AT DENR-CENRO OFFICE COMPOUND FOR SAFEKEEPING PD

FOR HIS INFORMATION AND RECORD PD

ECOMS II DEL MUNDO

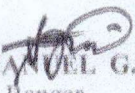
SENDER:

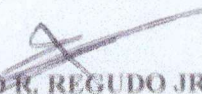

NEIL ANTHONY A. DEL MUNDO
ECOMS II
In-Charge, Office of the CENRO

TALLY/ SCALE SHEET OF MALARUHAT LUMBER APPREHENDED BY PNP
MAGSAYSAY

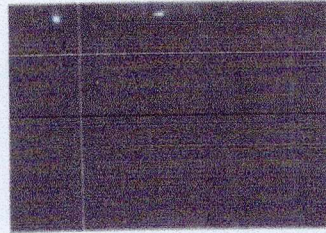
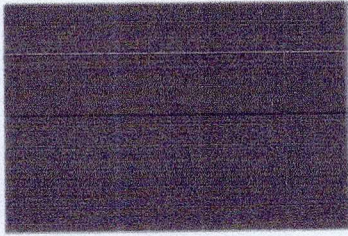
NO. OF PIECES	SPECIES	DIMENSION			VOLUME (bdft.)
		T	W	L	
11	Malaruhat	2	3	12	#VALUE!
9	Malaruhat	2	4	12	72.00
20					#VALUE!

Scaled By:


EMMANUEL G. IGNACIO
Forest Ranger


EDUARDO R. REGUDO JR.
Forest Ranger

Remarks: Photo Taken by: SP01 Aurelio M Nacar





Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
MAGSAYSAY MUNICIPAL POLICE STATION
Magsaysay, Occidental Mindoro



MGYMPSIDMS

FOR : Officer-in-Charge
DENR
San Jose, Occidental Mindoro

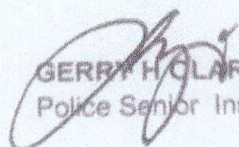
FROM : Officer In-Charge

SUBJECT : Referral

DATE : March 10, 2019

Respectfully referred to DENR the herein pertinent documents for the crime of "Violation of PD 705 " (Illegal Logging) against **Raymund Sallera Enano**, 32 years old, male, married, construction worker and a resident of Sitio Bamban, Barangay Nicolas, Magsaysay, Occidental Mindoro committed on March 10, 2019 at around 01:20 in the morning at Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro for any action deemed necessary on the premise.

Respectfully yours,


GERRY H. OLAR
Police Senior Inspector

EXHIBITS:

1. Spot Report;
2. Affidavit of SPO3 Alexander R Garcia – Arresting Officer;
3. One (1) motorcycle Rusi 150, colored blue with skeletal sidecar (tora-tora);
4. Twenty (20) pieces of illegally cut lumbers (Maladuhat species) (9 pcs 3x4x12 marked with "MGY MPS RSE 1 to 9 and 11 pcs 2X3x12 marked with "MGY MPS RSE 1 to 11");
5. Receipt/Inventory of Confiscated Seized Items.



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAGSAYSAY MUNICIPAL POLICE STATION
Magsaysay, Occidental Mindoro



MEMORANDUM

FOR : Officer-in-Charge
DENR
San Jose, Occ. Mindoro


FROM : Officer In-Charge

SUBJECT : Turn-Over of Confiscated Items/Properties

DATE : March 10, 2019

DENR - CENRO SAN JOSE
MINDORO REGION
RECEIVED BY: 42019-6662
DATE: 03 PP-19

1. References:
 - a. Standard Operating Procedure; and
 - b. Police Blotter Entry No. 3140 page No. 302 dated March 10, 2019.
2. In this regard, properly turned-over to your office the confiscated items/properties consisting of following:
 - a) One (1) motorcycle Rusi 150, colored blue with skeletal sidecar (torator);
 - b) Nine (9) pcs 3x4x12 marked with "MGY MPS RSE 1 to 9;
 - c) Eleven (11) pcs 2X3x12 marked with "MGY MPS RSE 1 to 11"; and
 - d) Arrested person named: Raymund Sallera Enano, 32 years old, male, married, construction worker and resident of Sitio Bamban, Barangay Nicolas, Magsaysay, Occidental Mindoro.
3. For info and request acknowledge receipt.


GERRY H. OLAR
Police Senior Inspector



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAGSAYSAY MUNICIPAL POLICE STATION
Magsaysay, Occidental Mindoro



RECEIPT/INVENTORY OF PROPERTIES SEIZED

THIS IS TO CERTIFY that an inventory was conducted by IOC in connection with the case of Violation of PD 705 (Anti-Illegal Logging) to wit:

PERSON ARRESTED: Raymund Sallera Enano, 32 years old, male, married, construction worker and a resident of Sitio Bamban, Barangay Nicolas, Magsaysay, Occidental Mindoro.

DATE/TIME ARRESTED : March 10, 2019/ 01:20 AM

PLACE OF ARREST : Sitio Borlado, Brgy Poblacion, Magsaysay, Occ Mindoro.

This certifies that the following items/properties were seized during anti-illegal logging operation:

1. One (1) motorcycle Rusi 150, colored blue with skeletal sidecar (tora-tora) driven by Raymund Sallera Enano, 32 years old, male, married, construction worker and resident of Sitio Bamban, Barangay Nicolas, Magsaysay, Occidental Mindoro;
2. Nine (9) pcs 3x4x12 marked with "MGY MPS RSE 1 to 9; and
3. Eleven (11) pcs 2X3x12 marked with "MGY MPS RSE 1 to 11";

Received by:

Date:



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
MAGSAYSAY MUNICIPAL POLICE STATION
Magsaysay, Occidental Mindoro



MEMORANDUM

FOR : **Officer In-Charge**
Occidental Mindoro PPO
Camp Winston Ebersole
San Jose, Occ. Mindoro
(Attn: C, PIDMB/POBP/PIB/PCRB)

FROM : **Officer In-Charge**

SUBJECT : Spot Report Re Violation of PD 705

DATE : March 10, 2019

1. What : Violation of PD 705
2. Where : Brgy. Poblacion, Magsaysay, Occidental Mindoro.
3. When : March 10, 2019, about 01:20 AM
4. Who : The suspect was identified as Raymund Sallera Enano, 32 years old, male, married, construction worker and resident of Sitio Bamban, Barangay Nicolas, Magsaysay, Occidental Mindoro.
5. How : Investigation conducted by this station disclosed that on March 10, 2019, about 01:20 in the morning upon receipt of information from our confidential asset personnel of this station led by the undersigned together with SPO3 Alexander Garcia, SP01 Aurelio M Nacar, PO3 Von J Mortos and PO3 Raymond Mamalayan conducted SACLEO (Anti Illegal Logging Operation) at Sitio Borlado, Brgy. Poblacion, Magsaysay, Occidental Mindoro intercepted one (1) motorcycle Rusi 150, colored blue with skeletal sidecar (tora-tora) loaded with twenty (20) pieces of illegally cut lumbers (maladuhat specie) (9 pcs 3x4x12 and 11 pcs 2X3x12) more or less 138 board feet with an estimated amount of four thousand eight hundred thirty (Php4,830.00) pesos. Suspect failed to present any legal document (Permit to Transport). Suspect is now under custody of this station prior to turnover to DENR for proper disposition. PO2 Luis F Corpuz Jr- IOC with Cellphone Number 09466415556.
6. For info and reference.

GERRY H OLAR
Police Senior Inspector

BOILING MUG SHOTS

NAME OF SUSPECT: ENANO RAYMUND SALLERA
 (Family) (First) (Middle)

Blotter Entry Nr. 3140

