



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. 2022-049



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 Racal 125 Motor (with trailer attached on the back) loaded with eleven (11) pieces of Banaba and Seven Pieces (7) of Mulawin (Molave) lumber at Barangay Poblacion, Calintaan, 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. 2022-049

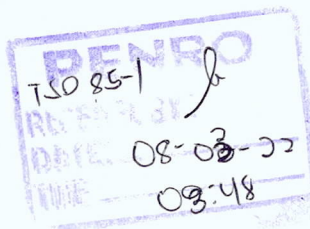
Respectfully submitted herewith is the Resolution No. 2022-048 as a result of administrative adjudication on the apprehended Eleven (11) pieces of Banaba lumbers and Seven (7) pieces of Mulawin (Molave) Specie with a total volume of 126.00 bdft, and One (1) Conveyance – Trailer powered by Racal 125 motor with RMC150ZEBS00001583 at Brgy. Poblacion, Calintaan, Occidental Mindoro. On April 17, 2019

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 ELEVEN (11) PIECES OF BANABA LUMBERS WITH A DIMENSION OF 2"x6"x7" AND SEVEN (7) PIECES OF 1"x12"x7" OF MULAWIN (MOLAVE) SPECIE WITH A TOTAL VOLUME OF 126.00 BDF. AND ONE (1) CONVEYANCE –TRAILER POWERED BY RACAL 125 MOTOR WITH RMC150ZEBS00001583 AT BRGY. POBLACION, CALITAAN, OCCIDENTAL MINDORO ON APRIL 17, 2019 AT AROUND 11:45 IN THE EVENING.

X-----X

RESOLUTION No. 2022-049

This pertains to the apprehension of Eleven (11) pieces of Banaba lumbers and Seven (7) pieces of Mulawin (Molave) Specie with a total volume of 126.00 bdf, and One (1) Conveyance – Trailer powered by RACAL 125 motor with RMC150ZEBS00001583 at Brgy. Poblacion, Calintaan, Occidental Mindoro on April 17, 2019 at around 11:45 in the evening by the Personnel of MPS Calintaan.

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

1. That on April 17, 2019, around 10:20 in the evening, based on the concerned citizens report, the Calintaan Municipal Police Station was able to intercept one (1) conveyance, a trailer powered with RACAL 125 Motor color black, which is carrying Eleven (11) pieces of Banaba lumbers and Seven (7) pieces of Mulawin (Molave) Specie with a total volume of 126.00 bdf. 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 lumber, 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 Chrizaldo Bagarino from San Roque II, San Jose, Occidental Mindoro. *(Please see attached judicial affidavit of PCMS Jofie A. Nepomuceno)*
2. That the Calintaan Municipal Police Station has apprehended Eleven (11) pieces of Banaba lumbers and Seven (7) pieces of Mulawin (Molave) Specie with a total volume of 126.00 bdf. and one (1) conveyance, a trailer powered with RACAL Motor color black. These was 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-F245 was issued by the apprehending officers which are the personnel from Calintaan Municipal Police Station *(please see attached apprehension receipt)*
4. That the Seizure Order with CENRO Control Number 2019-F245 was issued by The Seizure Officer CENR Officer Efren L. Delos Reyes. *(please see attached seizure order)*
5. That the Recapitulation and assessed value was issued by Deputy Chief EMS, Forester I Jomar B. Serquina.
6. That a notice of Administrative Hearing was received by Mr. Chrizaldo Bagarino and it was scheduled on May 7, 2019 at 3:00 in the afternoon. *(please see attached Notice of Administrative Hearing)*

7. That, an Administrative Hearing was held as scheduled on May 7, 2019 at 3:00 in the afternoon. *(Please see transcript of stenographic notes of the administrative hearing)*
8. That a case is filed against Chrizaldo Bagarino to the Prosecutors Office and it is docketed as IV-06-INQ-19D-00217 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 Eleven (11) pieces of Banaba lumbers and Seven (7) pieces of Mulawin (Molave) Specie with a total volume of 126.00 bdft. **Will be confiscated in favor of the government.**
2. **Whether or not the APPREHENDED one (1) conveyance, a trailer powered with RACAL Motor color black, 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 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 apprehended Eleven (11) pieces of Banaba lumbers and Seven (7) pieces of Mulawin (Molave) Specie with a total volume of 126.00 bdft, and One (1) Conveyance – Trailer powered by Racal 125 motor with RMC150ZEBS00001583. **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 Apprehended Eleven (11) pieces of Banaba lumbers and Seven (7) pieces of Mulawin (Molave) Specie with a total volume of 126.00 bdft, and One (1) Conveyance – Trailer powered by Racal 125 motor with RMC150ZEBS00001583, **shall be confiscated in favour of the government since those lumbers are products of an illegal act.**

Issued this _____ day of JUL 29 2022 at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:


HECTOR S. ARAGON, JR.
Forester III/ Hearing Officer

Noted By:


EFREN L. DELOS REYES
CENR Officer

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

INVESTIGATION DATA FORM

To be accomplished by the Office

DATA RECEIVED:
(Stamped and initialed)
Time received:
Receiving Staff:



NPS DOCKET NO.: 10-06-1NQ-19M-00217

Assigned to:

Date Assigned:

4:30 PM

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

COMPLAINANT/S: Name, Sex, Age & Address

Jomar B. Serquiña, male, 38 y/o,
Brgy. Bagong Sikat, San Jose, Occ. Mdo

RESPONDENT/S: Name, Sex, Age & Address

Chrisaldo Ramos Bagarino, male, 29 y/o,
Brgy. San Roque 2, San Jose, Occ. Mdo.

OFFENSE/S COMMITTED/LAW/S VIOLATED:
PD 705 (Illegal Logging/transportation)

WITNESS: Name & Address

Police Chief Master Sgt. Jolie A. Nepomuceno &
Police Staff Sgt. Micheal O. Valdez
Resident of MPS Calintaan, Occ. Mdo

DATE & TIME of COMMISSION:
April 17, 2019 (11:45 P.M)

PLACE of COMMISSION:
Brgy. Poblacion, Calintaan, Occ. Mdo

1. Has a similar complaint been filed before any other office? * YES ___ NO ___
2. Is this complaint in the nature of a counter-charge? * YES ___ NO ___
If yes, indicate details below
3. Is this complaint related to another case before this office? * YES ___ NO ___
If yes, indicate details below

I.S. 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 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.

JOMAR B. SERQUIÑA
(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this 22 day of APR 2019, 20 in

AB [Signature]
BERTO B. SANTIAGO
PROSECUTOR II

Prosecutor Administering Oath



1ST INDORSEMENT

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 : **CHRISALDO RAMOS BAGARINO**
Brgy. San Roque 2, San Jose, Occidental Mindoro
Date and Place : April 17, 2019
Brgy. Poblacion, Calintaan, Occidental Mindoro

Facts:

That on or about 11:45 in the night of April 17, 2019 that a certain Chrisaldo Ramos Bagario is in possession of illegal Major forest products within the jurisdiction of His Honorable Court at the above named accused, did then and there, willfully, unlawfully and feloniously possessed eleven (11) pieces of 2x6x7 sawn lumber of Banaba Specie and seven (7) pieces of 1x12x7 sawn lumber belonging to Mulawin (Molave) Specie with a total volume of 126 board feet with a total amount of Php 6,405.00 loaded in a trailer powered by a RACAL 125 motor with RMC150ZEBS00001583 without legal documents required by existing laws, rules and regulation of forestry to the damage and prejudice of the government.

Please be informed also that the subject apprehended forest products and conveyances are also subjected to the administrative proceeding of this Office pursuant to DENR Administrative Order No. 97-32.

Witness:


1. Police Chief Master Sgt. Jojie A. Nepomuceno
2. Police Staff Sgt. Micheal O. Valdez

Evidences:

1. Affidavit of Apprehending Officer
2. Apprehension receipt of forest products and conveyance involved
3. Seizure receipt of apprehended Forest Product and conveyance involved
4. Recapitulation of damage/ assessed value of apprehended items
5. Tally Sheet
6. Pictures of apprehended items
7. Others (booking mug shot, PNP spot report, PNP referral and turn-over of seized items, receipt /inventory of property)

Advice of the action taken will be appreciated.

Thank You.


EFREN L. DE LOS REYES
Officer-In-Charge

Republic of the Philippines)
Province of Occidental Mindoro) S.S
Municipality of Calintaan)

JUDICIAL AFFIDAVIT

Ako, PCMS Jojie A Nepomuceno, 46 taong gulang, may asawa, miyembro ng Pambansang Pulisya ng Pilipinas at nakatalaga sa Calintaan Municipal Police Station at naninirahan sa Brgy. Adela, Calintaan, Occidental Mindoro matapos makapanumpa ng naayon sa batas ay kusang loob na nagsasalaysay ng tulad dito ay ang mga sumusunod:

PANGUNANG SALITA

Ang nagtatanong sa akin sa judicial affidavit kong ito ay si PSSg Harris V Abdala na isang pulis na nakatalaga sa Calintaan Municipal Police Station at ginanap ang pagtatanong niya sa akin sa Himpilan ding ito.

Sinagot ko ang mga tanong sa akin sa ilalim ng aking sinumpaang magsabi ng katotohanan lamang at batid ko na maari akong managot kung sakaling ako ay magsinungaling.

MGA TANONG AT SAGOT

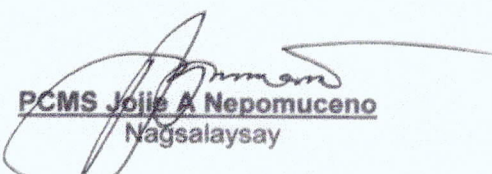
01. TANONG : Ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?
SAGOT : Opo
02. T : Ano naman ang dahilan at naririto ka ngayon sa loob ng Investigation Section at nahaharap sa pagsisiyasat na ito ?
S : Magbibigay po ako ng aking salaysay hinggil sa paghuli namin kay Crizaldo Ramos Bagarino.
03. T : Sino ang kasama mong humuli sa mga taong iyong nabanggit?
S : Sila PSSg Michael O Valdez at PAT Reymund A Danao.
04. T : Ano naman ang dahilan at siya ay inyong hinuli?
S : Dahil po sa illegal na pagba byahe niya ng kahoy na walang kaukulang dukumento.
05. T : Kailan at saan naman nangyari ang ginawa ninyong paghuli sa tinutukoy mong mga tao?
S : Noon pong ika -17 ng Abril 2019 humigit kumulang ika - 10:45 ng gabi sa Brgy. Poblacion Calintaan Occidental Mindoro.
05. T : Sa ikaliliwanag ng pagsisiyasat na ito, maari mo bang isalaysay o sabihin kung ano ang tunay na nangyari sa pagkakahuli ninyo sa taong iyong nabanggit?
S : Noong pong ika - 17 ng Abril 2019 humigit kumulang ika- 10:20 ng gabi ay nakatanggap ang aming himpilan ng tawag mula sa isang concerned citizen na

X -----X

di umano ay may dumaang Racal motor vehicle na may karga ng mga gayat ng kahoy patungo sa direksyon ng Brgy. Poblacion Calintaan Occidental Mindoro kung kayat agad kaming nag tungo sa lugar para alamin ang nasabing sumbong. At doon nga po ay aming naaktohan si Crisaldo Ramos Bagarino na aktong nagba byahe ng kahoy gamit ang Racal motor vehicle.

06. T : Ano pa ang mga sumunod na pangyayari?
S : Inalam namin kung may kaukolang dukumento ang mga dala nilang kahoy?
07. T : Mayroon ba silang naipakita sa inyong dukumento sa dala nilang mga kahoy?
S : Wala po.
08. T : Ano naman ang iyong ginawa matapos na wala silang maipakitang dukumento sa mga dala nilang kahoy?
S : Dinala po namin sila sa istasyon at kinumpiska ang dala nilang mga kahoy.
09. T : Ano ang ginawa ninyo sa mga nakumpiska ninyong kahoy mula kay Crisaldo Ramos Bagarino?
S : Minarkahan ko po ang mga kahoy ng markang JN1 hanggang JN18 at iturn over ko po sa aming embistigador kasama ang Racal motor vehicle.

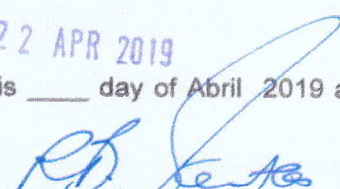
WAKAS NG SALAYSAY. Ika - 22 ng Abril 2019 ganap na ika - 08:00 ng umaga


PCMS Jolie A Nepomuceno
Nagsalaysay

OATH

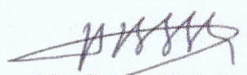
22 APR 2019

SUBSCRIBED AND SWORN to before me this ____ day of Abril 2019 at
San Jose, Occidental Mindoro.


ROBERTO B. SANTO
PROSECUTOR II

ATTESTATION


I attest to the fact that I personally supervised the taking of the testimony of the witness **PCMS Jolie A Nepomuceno**, the result was reduced in this Judicial Affidavit and I further attest that the questions asked of the witness and his answer to the same were faithfully recorded and that no one assisted or coached the witness when she answered the question ask on him.


Harris V Abdala
Police Staff Sergeant
Investigator

OATH AND CERTIFICATION

12 2 APR 2019

SUBSCRIBED AND SWORN to before me this _____ day of Abril 2019 at San Jose, Occidental Mindoro. I further certify that I have personally examined the affiant and I am fully satisfied that he voluntarily executed and understood his statement.


ROBERTO B. SANTOS
PROSECUTOR II

Republic of the Philippines)
Province of Occidental Mindoro) S.S
Municipality of Calintaan)

JUDICIAL AFFIDAVIT

Ako, PSSg Michael O Valdez, 37 taong gulang, may asawa, miyembro ng Pambansang Pulisya ng Pilipinas at nakatalaga sa Calintaan Municipal Police Station at naninirahan sa Brgy. Sto. Niño, Rizal, Occidental Mindoro matapos makapanumpa ng naayon sa batas ay kusang loob na nagsasalaysay ng tulad dito ay ang mga sumusunod:

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Sinagot ko ang mga tanong sa akin sa ilalim ng aking sinumpaang magsabi ng katotohanan lamang at batid ko na maari akong managot kung sakaling ako ay magsinungaling.

MGA TANONG AT SAGOT

01. TANONG : Ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?
SAGOT : Opo
02. T : Ano naman ang dahilan at naririto ka ngayon sa loob ng Investigation Section at nahaharap sa pagsisiyasat na ito?
S : Magbibigay po ako ng aking salaysay hinggil sa paghuli namin kay Crizaldo Ramos Bagarino.
03. T : Sino ang kasama mong humuli sa mga taong iyong nabanggit?
S : Ang amin pong Team Leader na si PCMS Jojie A Nepomuceno at PAT Reymund A Danao.
04. T : Ano naman ang dahilan at siya ay inyong hinuli?
S : Dahil po sa illegal na pagba byahe niya ng kahoy na walang kaukulang dukumento.
05. T : Kailan at saan naman nangyari ang ginawa ninyong paghuli sa tinutukoy mong tao?
S : Noon pong ika -17 ng Abril 2019 humigit kumulang ika - 10:45 ng gabi sa Brgy. Poblacion Calintaan Occidental Mindoro.
05. T : Sa ikaliliwanag ng pagsisiyasat na ito, maari mo bang isalaysay o sabihin kung ano ang tunay na nangyari sa pagkakahuli ninyo sa taong iyong nabanggit?
S : Noong pong ika - 17 ng Abril 2019 humigit kumulang ika- 10:20 ng gabi ay nakatanggap ang aming himpilan ng tawag mula sa isang concerned citizen na

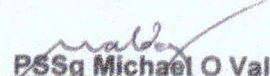
Pahina 2... Karugtong ng Salaysay ni PSSg Michael O Valdez ngayong ika – 22 ng Abril 2019.

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di umano ay may dumaang Racal motor vehicle na may karga ng mga gayat ng kahoy patungo sa direksyon ng Brgy. Poblacion Calintaan Occidental Mindoro kung kayat agad kaming nag tungo sa lugar para alamin ang nasabing sumbong. At doon nga po ay aming naaktohan si Crizaldo Ramos Bagarino na aktong nagba byahe ng kahoy gamit ang Racal motor vehicle.


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S : Minarkahan po ni PCMS Jojie A Nepomuceno ang mga kahoy ng markang JN1 hanggang JN18 at itinurn over po sa aming embistigador kasama ang Racal motor vehicle.

WAKAS NG SALAYSAY. Ika – 22 ng Abril 2019 ganap na ika – 08:00 ng umaga


PSSg Michael O Valdez
Nagsalaysay

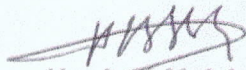
OATH 122 APR 2019

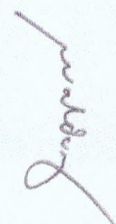
SUBSCRIBED AND SWORN to before me this ____ day of April 2019 at San Jose, Occidental Mindoro.


ROBERTO B. SANTOS
PROSECUTOR II

ATTESTATION

I attest to the fact that I personally supervised the taking of the testimony of the witness **PSSg Michael O Valdez**, the result was reduced in this Judicial Affidavit and I further attest that the questions asked of the witness and his answer to the same were faithfully recorded and that no one assisted or coached the witness when she answered the question ask on him.


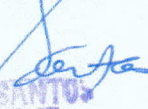

Harris V Abdala
Police Staff Sergeant
Investigator



OATH AND CERTIFICATION

22 APR 2019

SUBSCRIBED AND SWORN to before me this _____ day of April 2019 at San Jose, Occidental Mindoro. I further certify that I have personally examined the affiant and I am fully satisfied that he voluntarily executed and understood his statement.



ALBERTO B. SANTOS
PROSECUTOR II

APPREHENSION RECEIPT

CENRO Control No.: 2019 - F245
E-FMS No: 2019-175110 - F245

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
CARIZALDO R. BACARINO	San Jose # San Jose, Occ. Mind.	M		Driver	

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
				Ba Naba	1	2 x 6 x 9 = 72	3465.00		
				mbaga	7	1 x 12 x 7 = 49	2940.00		
						126	6,405.00		

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

Conveyance involved								
Type	Make/Model /Year	Plate No.	Color/Mark ings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
PACALIS Motor			black					
			Estimated Value: 70,000.00					

If Animal			
Kind	Quantity	Gender	Color

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value

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		
April 17, 2019 6:45 PM	Occ. Mdo.	Calintan	Poblacion		PNP Calintan	Violation of P.D 705

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

- _____
- _____
- _____

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

Done this 17 day of April, year 2019 at _____

APPREHENDING OFFICER
(Signature over Printed Name)

1. JOTIE A NEPOMUCENO
Position: Police Chief Master Sgt.
Address: Calintaan MPS

2. MICHAEL O. VALDEZ
Position: Police Staff Sgt.
Address: Calintaan MPS

3. _____
Position: _____
Address: _____

4. _____
Position: _____
Address: _____

5. _____
Position: _____
Address: _____

6. _____
Position: _____
Address: _____

WITNESSES:

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

1. Crisaldo Ramos Bagarino
Position: _____
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:

SEIZURE ORDER

CENRO Control No.: 2019 - F245

E-FMS No: 2019-17110- F245

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

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS

[illegible]

Minor Forest Products

[illegible]

Conveyance Involved

Type	Make/ Model/ Year	Plate No.	Color/ Markings	CR No.	OR No.
✓ b	Racer #25 Motor (trailer)		Black Env: 70,000.00		

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*
RMC 150 ZEB5 0000 1583			

*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

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		
April 22, 2019 12:10 pm	Rizal	San Jose	Lobangon		Efren L. Delos Reyes	


Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated April 17, 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 22 day of April year 2019 at
DENR - CENRO Labangan.


EFREN L. DELOS REYES
Officer-In-Charge
CENRO San Jose

Copy furnished:



RECAPITULATION AND ASSESSED VALUE

Specie	Total Volume	Price/Bd. Foot	Total
Banaba	77 board feet	Php 45.00	Php 3,465.00
Mulawin (Molave)	49 board feet	Php 60.00	Php 2,940.00
Grand Total:			Php 6,405.00

Type of Conveyance	Unit	Price
Trailer powered by RACAL125 motor	1	Php 70, 000.00

Prepared by: JOMAR B. SERQUINA
Chief, Enforcement and Monitoring Section



Scale sheet on the apprehended/seized sawn lumbers loaded in a RACAL 125 motorcycle at
Barangay Poblacion, Calintaan, Occidental Mindoro

Specie	Pieces	Thickness (inches)	Width (inches)	Length (feet)	Volume (board Feet)
BANABA	11	2	6	7	77 bd. feet
MULAWIN	7	1	12	7	49 bd. feet
TOTAL					126 Bd. Ft

Scaled By:


DOMINIC L. VIDAL
Forest Technician I



23 APR 2019

NOTICE OF ADMINISTRATIVE HEARING

MR. CHRIZALDO R. BAGARINO

Brgy. San Roque II
San Jose, Occidental Mindoro

Dear Mr. Bagarino,

This pertains to the apprehended one (1) unit motor vehicle RACAL 125, with Chassis Number RMC150ZEBS00001583 loaded with eleven (11) pcs. of undocumented lumber belonging to Banaba species with a dimension of 2x6x7 and seven (7) pcs. of Mulawin lumber with a dimension of 1x12x7 and a total volume of 126 board feet which was apprehended by PNP Calintaan on April 17, 2019 at Brgy. Poblacion, Calintaan, 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 7, 2019 at 3:00 pm** at DENR-CENRO San Jose, Brgy. Labangan Pob., San Jose, Occidental Mindoro.

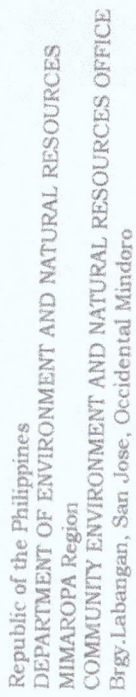
Very Truly Yours,

EFREN L. DELOS REYES
Officer-in-Charge

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

CAL 000 MDO 10:AM

MAXIMO VILLADARES JR



SUBJECT: ATTENDANCE ON THE ADMINISTRATIVE PROCEEDING RE: APPREHENSION OF ONE (1) UNIT MOTOR VEHICLE RACAL 125 WITH CHASSIS NUMBER RMC150ZBS0001583 LOADED WITH ELEVEN (11) PCS. OF UNDOCUMENTED LUMBER BELONGING TO BANABA SPECIES WITH DIFFERENT DIMENSION AND TOTAL VOLUME OF 126 BOARD FEET WHICH WAS APPREHENDED BY PNP CALINTAAAN LAST APRIL 17, 2019 AT BRGY. POBLACION, CALINTAAAN, OCC. MINDORO.

[illegible]



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
CALINTAAN MUNICIPAL POLICE STATION
Calintaan, Occidental Mindoro
Station's Hotline: 09219625991
Email address: CALINTAMPS_AB@yahoo.com



CALMPSIDMS-

FOR : MR. EFREN L. DELOS REYES
CENRO Officer
DENR-CENRO, San Jose Occidental Mindoro

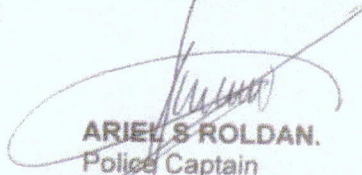
FROM : Officer In-Charge

SUBJECT : Referral and Turn-over of Seized Illegally/Undocumented Cut
Lumber

DATE : 22 April, 2019

Respectfully referred/turn-over to the Office of the CENRO Officer, DENR-CENRO, San Jose, Occidental Mindoro the seized illegally/undocumented cut lumber with approximate volume of forty nine (49) board feet of Mulawin Specie and seventy seven (77) board feet of Banaba specie and One (1) unit of Rascal Motorcycle and the arrested suspect Crizaldo Ramos Bagarino in connection with Violation of PD 705 (Illegal Logging) committed on April 17, 2019 in Barangay Poblacion Calintaan, Occidental Mindoro.

Hoping for consideration and appropriate action on the matter.


ARIEL S. ROLDAN.
Police Captain
Officer In-Charge

EVIDENCE/ENCLOSURE

1. Spot Report re Violation of PD 705 dated April 17, 2018
2. Receipt of Property Seized, and
3. Others allied documents to be submitted.

DENR - CENRO SAN JOSE
MIMAROPA REGION

RECEIVED BY: 4
DATE: 04-22-2019



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
CALINTAAN MUNICIPAL POLICE STATION
Calintaan, Occidental Mindoro
Hotline: 09219525991 Email add: calintaanmps_4b@yahoo.com



MEMORANDUM

FOR : PD, Occidental Mindoro PPO
Camp Winston Sibley Ebersole
San Jose, Occidental Mindoro
(Attn: C, PIDMB)

FROM : Officer in-Charge

SUBJECT : Report on Violation of PD 705

DATE : April 17, 2019

1. **WHAT :** Violation of PD 705 (Illegal Logging)

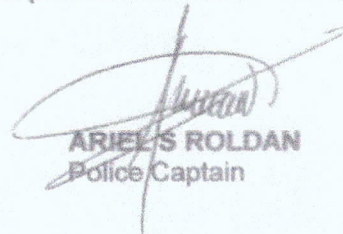
2. **WHERE :** Brgy. Poblacion, Calintaan, Occidental Mindoro

3. **WHEN :** April 17, 2019 at about 11:45 PM.

4. **WHO :** The suspect was identified as Crisaldo Ramos Bagarino, 29 years old, single, and resident of San Roque 2, San Jose, Occidental Mindoro.

5. **HOW :** Alert Patrol Team of Calintaan MPS led by PCMS Jojie A Nepomuceno under the supervision of PCPT ARIEL S ROLDAN, OIC was conducted Anti-illegal Logging operation which resulted to the arrest of the above-named suspect while on the act of transporting illegally cut/undocumented lumber with a total scale of approximately one hundred and twenty (120) board feet of so-called Banaba and Mulawin specie loaded in a motor vehicle. Suspect, and recovered evidence were placed under custody of this station for proper disposition.

6. Investigation is going on and progress report to follow. IOC – PSSg Harris V Abdala with CP # 09353243613.


ARIEL S ROLDAN
Police Captain



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
CALINTAAN MUNICIPAL POLICE STATION
Calintaan, Occidental Mindoro
Station's Hotline: 09219525991
Email address: calintaanmps_4b@yahoo.com



April 22, 2019

RECEIPT/INVENTORY OF PROPERTIES SEIZED

THIS IS TO CERTIFY that an inventory was conducted in connection with the Anti-Illegal Logging operation, to wit:

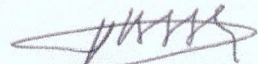
PERSON ARRESTED : Crizaldo Ramos Bagarino .

DATE/TIME ARRESTED : April 17, 2019/ 11:45 PM

PLACE OF ARREST : Poblacion, Calintaan, Occidental Mindoro

This certifies that the following items/properties were seized in the possession of above-named arrested person, to wit:

Item No.	Quantity	Description
1	Seven (7) pcs	1x12x7 cut lumber of Mulawin specie, Marked as JN1 to JN7 respectively.
2	Eleven (11) pcs	2x6x7 cut lumber of Banaba specie, Marked as JN8 to JN18
3	One (1) Unit	Racal 125 Motor Vehicle
NOTHING FOLLOWS		


PSSg Harris V Abdala
Seizing Officer

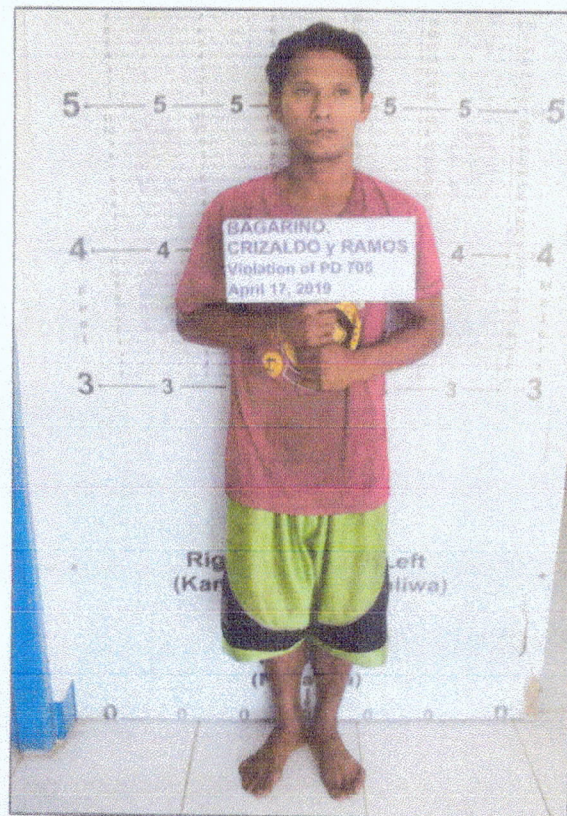
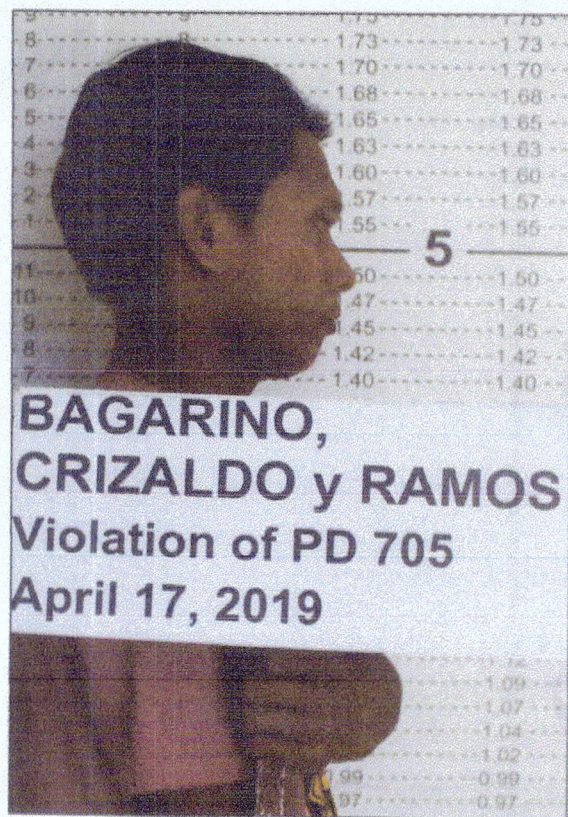
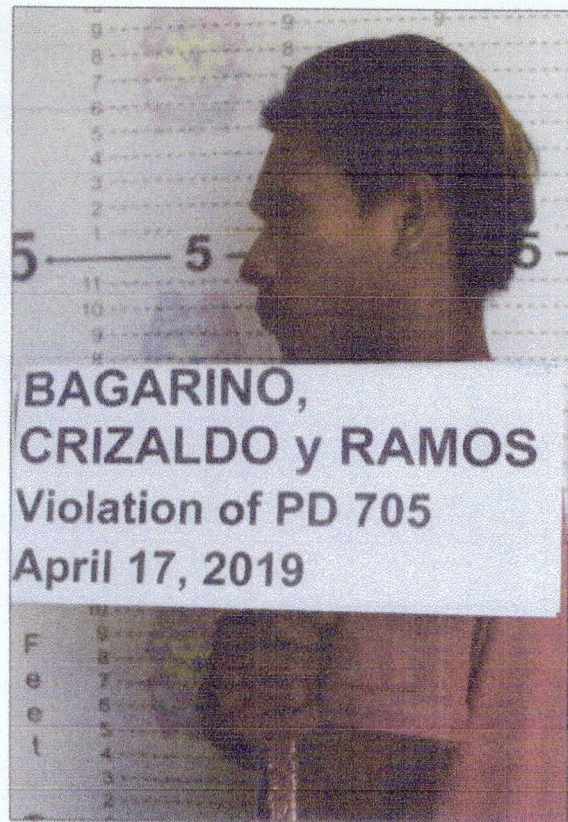
Suspect's acknowledgement (name and signature over printed name):



BOOKING MUGSHOT

NAME OF SUSPECT:	Bagarino (Family)	Crizaldo (First)	Ramos (Middle)
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Blotter Entry Nr: 03935



Scaling of Apprehended Forest Product loaded in a Racal 125 motor

