

## Republic of the Philippines Department of Environment and Natural Resources

## PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE MIMAROPA Region

AUG 1 0 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. 2022-048

DENR MIMAROPA RECORDS SECTION

2 C AUG 2022

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BY DATS NO.

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 eighteen (18) pieces of Gmelina lumber with a total volume of 51 board feet at Barangay Salvacion , Rizal , Occidental Mindoro.

For your information and record.

ERNESTO F. 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. 2022-048** 

Respectfully submitted herewith is the Resolution No. 2022-048 as a result of administrative adjudication on the apprehended eighteen (18) pieces of Gmelina lumbers with a dimension of 2"x3"x5", twelve (12) pieces and 2"x3"x7", six (6) pieces with a total volume of 51 bdft. at Brgy. Salvacion, Rizal, Occidental Mindoro last June 22, 2019.

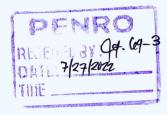
For your information and record.

EFREN Z. 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 EIGHTEEN (18) PIECES OF GMELINA LUMBERS WITH A DIMENSION OF 2"x3"x5', TWELVE (12) PIECES AND 2"x3"x7', SIX (6) PIECES WITH A TOTAL VOLUME OF 51.00 BDFT. AT BRGY. SALVACION, RIZAL, OCCIDENTAL MINDORO. ON JUNE 22, 2019 AT AROUND 11:50 IN THE MORNING.

### RESOLUTION No. 2022-048

This pertains to the apprehension of the Eighteen (18) pieces of Gmelina lumbers with a total volume of 51.00 bdft, at Brgy. Salvacion, Rizal, Occidental Mindoro. On June 22, 2019, at around 11:50 in the morning by the Personnel of PNP Rizal, Occidental Mindoro.

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

- 1. That on June 22, 2019, around 11:50 in the morning, based on a monitoring and surveillance that was conducted by Rizal, Municipal Police Station headed by PCMS Romulo D. Javier was able to apprehend undocumented lumbers while in the possession of the suspect which yielded to the turnover of the said illegal forest product to the Enforcement and Monitoring Section (EMS) by the DENR-CENRO, San Jose, Occidental Mindoro, when asked if he has documents for the said undocumented lumbers, he admitted that these Gmelina lumbers have no documents coming from the office of the DENR-CENRO, San Jose, Occidental Mindoro. Upon interrogation the suspect's identity is known as Eddie D. Malandac residing at Brgy. Salvacion, Rizal, Occidental Mindoro. (Please see attached spot report and geo-tag photos)
- That the team apprehended Eighteen (18) pieces of Gmelina lumbers with a total volume of 51.00 bdft. These were temporarily impounded at the DENR-CENRO, Brgy. Labangan, San Jose, Occidental Mindoro, for safekeeping. (Please see attached spot report and apprehension receipt.)
- 3. That the corresponding Apprehension Receipt with CENRO Control No.2019-F264 was issued by the apprehending officer headed by PCMS Romulo D. Javier. (please see attached apprehension receipt)
- 4. That the Seizure Order with CENRO Control Number 2019-F264 was issued by the Seizure Officer, EMS Chief, Forester III Hector S. Aragones, Jr. (please see attached seizure order)
- 5. That a notice of a Administrative Hearing was received by PCMS Romulo D. Javier and Mr. Eddie Malandac and it was scheduled on June 26, 2019 at 10:00 in the morning. (please see attached Noticed of Administrative Hearing))
- 6. That, an Administrative Hearing was held as scheduled on June 26, 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 eighteen (18) pieces of Gmelina lumbers with a total volume of 51.00 bdft. Will be confiscated in favor of the government.

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

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

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

xxx

SECTION 77-A. Administrative Authority of the Department Head or His 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.

2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended EIGHTEEN (18) PIECES OF GMELINA LUMBERS WITH DIMENSION OF 2"x3"x5', TWELVE (12) PIECES AND 2"x3"x7', SIX (6) PIECES, WITH A TOTAL VOLUME OF 51.00 BDFT. Shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation.

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

1. The eighteen (18) pieces of Gmelina lumbers with dimension of 2"x3"x5', twelve (12) pieces and 2"x3"x7', six (6) pieces, with a total volume of 51.00 bdft. Shall be confiscated in favour of the government since those lumbers are products of an illegal act.

Issued Occide	this	day	of	JUL	1	9	20 <b>22</b>	_at	DENR-CENRO	San	Jose,

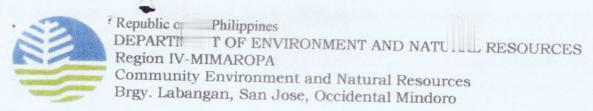
HECTOES. ARAGONES, JR. Forester III/Hearing Officer

Prepared by:

Noted by:

EFREN L. DELOS REYES

**CENR Office** 



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

## EMAIL FOR TRANSMISSION June 22, 2019

FOR:

THE OIC, REGIONAL 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 PERSONNNEL OF PNP RIZAL HAD APPREHENDED AND TURNED OVER TO THIS OFFICE EIGHTEEN (18) PCS. OF GMELINA LUMBER WITH AN AGGREGATE VOLUME OF 51.00 BOARD FEET IN BARANGAY SALVACION CMA RIZAL CMA OCCIDENTAL MINDORO ON JUNE 22, 2019 AT AROUND 11:50 IN THE MORNING PD

THE APPREHENDED FOREST PRODUCTS WAS OWNED BY A CERTAIN EDDIE DELA CRUZ MALANDAC AND BROUGHT TO CENRO OFFICE COMPOUND FOR SAFEKEEPING PURPOSES PD HOWEVER CMA THE SAID ITEMS WERE SUBJECTED TO APPREHENSION.

THAT THE SAID FOREST PRODUCTS ARE ALSO SUBJECT TO THE ADMINISTRATIVE PROCEEDINGS OF THIS OFFICE PURSUANT TO DAO 97-32 PD FOR HIS INFORMATION AND RECORD PD

FOR. ARAGONES

SENDER:







June 24, 2019

### NOTICE OF ADMINISTRATIVE HEARING

MR. EDDIE D. MALANDAC Brgy. Salvacion, Rizal, Occidental Mindoro

Dear Mr. Malandac.

Ito po ay patungkol sa labing walong (18) pirasong Gmelina kahoy na may kabuuang dami (volume) 51.00 bdft. na nahuli ng tauhan ng PNP Rizal noong Hunyo 22, 2019 ganap na 11:50 ng umaga sa Brgy. Salvacion, Rizal, Occidental Mindoro.

Ang nasabing kahoy ay dinala sa opisina ng DENR-CENRO Office para sa pansamantalang pangangalaga.

Kaugnay nito, kayo po ay aming inaanyayahan sa ika- 26 ng Hunyo, 2019 bandang 10:00 ng umaga dito sa aming tanggapan para sa gagawing Administrative Hearing na naayon sa DENR Administrative Order No. 97-32.

Maraming salamat at umaasa po kami sa inyong pagdalo.

Lubos na Gumagalang,

HECTOR'S. ARAGONES JR. Hearing Officer/ Seizure Officer

E Malandac



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy.Labangan, San Jose, Occidental Mindoro

June 26, 2019

SUBJECT:

BELONGING TO GMELINA SPECIES WITH DIFFERENT DIMENSION AND TOTAL VOLUME OF 51.00 BOARD FEET WHICH WAS APPREHENDED BY PNP RIZAL LAST JUNE 22, 2019 AT BRGY. SALVACION, RIZAL, OCC. MINDORO. ATTENDANCE ON THE ADMINISTRATIVE PROCEEDING RE: APPREHENSION OF EIGHTEEN (18) PCS. OF UNDOCUMENTED LUMBER

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# Republic of the Philippines Dement of Environment and Natural Reservices CENRO SAN JOSE Address: Labangan, San Jose, Occidental Mindoro

### APPREHENSION RECEIPT

CENRO Control No.:	2019 - F264	
E-FMS No: ANG 17	5110 - F244	

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
Eddie D. Malandac	Brgy. Salvacion	married	29 y/o	owner	Healthy
	Rizal, Occ. Mdo				The contract of the contract o
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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:

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## APPREHENDING OFFICER (Signature over Printed Name)

1ROMULO D. JAVIER	5.
Position: PCMS	Position:
Address: Rizal, Occ. Mdo	Address:
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1. Eddie Dela Cruz Malandac Position: Owner Address: Brgy. Salvacion, Rizal, Occ. Mdo  2.	3
1. Eddie Dela Cruz Malandac Position: Owner Address: Brgy. Salvacion, Rizal, Occ. Mdo	3
1. Eddie Dela Cruz Malandac Position: Owner Address: Brgy. Salvacion, Rizal, Occ. Mdo  2 Position:	3
1. Eddie Dela Cruz Malandac Position: Owner Address: Brgy. Salvacion, Rizal, Occ. Mdo  2. Position:	3

Remarks:

## Department of Environment and Natural Temurces Address: Labangan San Jose, Occidental Mindoro SEIZURE ORDER

CENRO Control No.: 2019 - F264

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-22 Series of 1997 the following format and 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: E-FMS NO.

1. Forest Products: Custodia MAJOR FOREST PRODUCTS Impounding Area Volume/Uni 17 Estimated t of Value Piec Measuremen Species Origin Species DENR- CENRO San Groupin ŧ of Item Forest g Kind Jose 900.00 Product 2x3x5=30.00 8 12 630.00 Gmelina 2x3x7=21.00 LUS Total= 51 Bd. Lumb Php 1, 530 6 er ft Custodian **Estimated Value** Minor Forest Products No. of Units Unit of Measurement Kind N/A SI OR No. CR No. Tui Caryovance Involved Color/Markings 10:

Republic of the Philippines

Dep nent of Environment and Natural burces

CENRO SAN JOSE

Address: Labangan San Jose, Occidental Mindoro

### SEIZURE ORDER

CENRO Control No.:

2019 - F264

E-FMS No:

2019-175110-F264

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:

Kind	Item :	Source/ Origin of Forest Product s	ODUCTS Species Groupin g	Species	Piec es	Volume/Uni t of Measuremen t	Estimated Value	Impounding Area	Custodia n
Lumb er			LUS	Gmelina	12	2x3x5=30.00	900.00	DENR- CENRO San Jose	
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### **Minor Forest Products**

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gine No.	Chassis No.	Accessories	Estimated Market	Custodian'
			Value	
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*turned over to the highest offic	r of the Regional Office concerned if	government-owned vehicle.

Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodiar
			N/A		
			Tel de Paris (Companied A. El Casa de Grand de Grand de Santa de Casa	n de francousen kijatokaljonolovite, vitjerien nejepliene er elitolovite elitorioven zelate elitolovite ja eli	
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<b>Equipment Involved</b>		international and the second of the second o	erver e e ende efmanent europoliste et e 1 marie 10 marie 10 marie 20 marie	elegen control and control and expension to expension paper - or extend on control and control and distribute in a vision and we electrolism.
Туре	Quantity	Details	Estimated Value	Custodian
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			an menghiri dan meneri dan dan mengengga dan dan Arip meneri piptagan sakan berperandan dan perunggan meneringi padap ada sebagai	Annual to the experience of particular particular particular and control than control and annual particular and particular and particular and annual particular and annual particular and annual particular annual
			The second section of the second seco	va Codiff transista europere estados e abioco e encontror provedros cultar pruz europeru inche la propertio de

Implements Involve			
Type	Quantity	Details	Custodian
		N/A	

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

Name	Address	Civil Status	Age	Participation	Status of the Person
Eddie D. Malandac	Brgy. Salvacion	married	29 y/o	owner	Healthy
	Rizal, Occ. Mdo		and the second s		

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

Date and		Place of Seizu		and an alternative of the first stock and and a first stock is a considerable stock and a second and a second a		
Time of Province Seizure	City/Municipality	Barangay	Sitio	Seizing Officer	Legal Basis for Seizure	
June 24, 2018 10:00 AM	Occ. Mdo	San Jose	Labangan		For. Hector S. Aragones, Jr	Violation of P.D. 705

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer	arrang kalang na maya na gana sani kalang na pangan pagan kana sani unga mata, an an mangahat mang dasa kana bagan pagawan jaka		
Witnesses	aatta aman aalake amis ee aake oproges (1900 on ommon negero van 40 projekt ook 2016, siid vald de dekroon astronoon val van		
			andronopping any standard philosopping of a material state and a dead of the action is a state or a state of the individual state of the state of th

After thorough evaluation of the Apprehension Report dated <u>June 22, 2019</u> 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 24th day of June year 2019 a

HECTOR S. ARAGONES, JR. SEIZURE OFFICER

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Page	y mentioned the American	-

SN No.00485071

#### REPUBLIC OF THE PHILIPPINES DEPARTMENT OF JUSTICE LAND REGISTRATION AUTHORITY

REGISTRY OF DEEDS FOR THE PROVINCE OF OCCIDENTAL MINDORO

### Transfer Certificate of Title No.

Entered in accordance with Republic Act No 6657, dated June 10, 1988, pursuant to a Certificate of Land Ownership Award issued by the Department of Agrarian Reform, at Quezon City, and spread in the records of the said Department of Agrarian Reform, as follows:

## "PEPURIC OF THE PHILIPPINES

REPUBLI	C OT THE THE PROPERTY OF THE
DEPARTMEN	T OF AGRARIAN REFORM
CERTIFICATE OF LA	ND OWNERSHIP AWARD NO. 00485071
TO ALL WHOM THESE PRESENTS SHA	COLUMN COME CONTROL OF THE CONTROL OF THE LAND TO 1988
WHEREAS, pursuant to the provi	isions of Republic Act No. 6657, dated June 10, 1988,
INCOMPRIORIZE A COMPREHENSIVE	ACRARIAN REFORM PROGRAM IO INCIMOLO
SOCIAL JUSTICE AND INDUSTRIAL	IZATION AND PROVIDING THE MECHANISM FOR
THE THE PERSON AND TH	a parcel of agricultural land situated in Barangay
Control of the speciment of the second of th	Atumbaliantity of mean Province of
SALYBOLED COMMENCE OF SERVICE	a parcel of agricultural land situated in Barangay  Municipality of pizal Province of Philippines, containing an area of ORED THESTY THESE (21.733) square meters.
Occidental Minders . Island of]	ALMOST Commence of the large transfer to the large transfer transfer to the large transfer transfer to the large transfer
TWENTY ONE THOUSAND SEVEN HUN	DRED THISTY THUSE (21.733) square meters, rly bounded and described at the back hereof, with the
more or less, which is now more particula	rly bounded and described at the back never)
WHEREAS it has been establish	ed that the netern and are in the land
and the second second and addition assertions.	Bowlink list A set Nico files 1
MAD MURDENDE VMAN VE	That he authority of the provincial of the con-
At MAY 19 the and by homeless accomplant tenter	the antil " Matianiti T. Philippinalis VIIIII M. W.
level are married to renotens	is gualen and a resident of galvacien, gizal, and covering the parcel of agricultural land herein described to covering the parcel of agricultural land herein described to the parcel of agricultural land herein described to the parcel of th
this Castificate of Land Ownership Awa	ed covering the parcel of agricultural land herein described
and the second of the second second	· · · · · · · · · · · · · · · · · · ·
a period of ten (10) years, riogram,	I from the Government or the Land Bank of the Philippines
shall have a right to repulchase the land	a data of transfer
within a period of two (2) years from th	
IN TESTIMONY WHEREOF, and	oy authority testers to be made patent and the seal of the
President of the Philippines, hereby	course triese terres to be though
Denuklic of the Philippines to be nereun	10 a// 1xea.   1   1   1   1   1   1   1   1   1
of Our Lord nineteen hundred and	The Contraction of the contract of the Contraction

BY AUTHORITY OF THE PRESIDENT OF THE PHILIPPINES:

\*Gooddental Minders

EMMESTE IS TRADICAN Secretary of Agranan Beform

Act No. 6657 on this 24 of Republic nineteen hundred and

REFERENCE:

This certificate is a transfer Certificate of from . Title No.

galwacien, Rizal, Occidental Mindere (Owner's postel oddress)

Register of Deeds

\*State the coal status, name of spouse if

It is hereby certified that this is a true electronic copy of the document on file in Registry of Deeds of Mindoro Occidental, San Jose, which consists of 4 page(s). This is a system generated Certified True Copy, and does not require a manually-affixed signature. Issued at Registry of Deeds of Mindoro Occidental, San Jose. Requested By: GERALDO MALANDAC

Ref. No.: 2013000614 OR No.: : 1003701258

1-10170 129

#### DESCRIPTION OF THE LAND

Thelma Fejas

A PARCEL OF LAND (Let 77h-A of the subdivision plan, pad-Oh-088172 being a pertien of Let 77h, pls-2583, gan Jese Friar Land ), situated in the Barrie of Salvagubdivisien. LRC Recerd He. cien, Municipality of Rizal, prevince of Occidental Mindere, Island of Mindere. Beunded on the NW., ME., & SW., along lines 1-2-3-4-5-6-7-8 by Let 774-B of the subdivision plan; on the Sw., along lines 8-9-10 by Let 772; and en the NW., along line 10-1by Let 773, beth of Fls-2583, gan Jose priar Land gubdivision. Beginning at a point marked "I" en the plan being S. 00 deg. 20°g., 800.11; m. frem BLIM No. 13, pls-2583, gan Jese Friar Land gubdivisien.

> thence N. 67 deg. 39 E., 166.91 m. to point 2; thence S. 39 deg. 00°E., 8h.37 m. to peint 3; thence N. 63 deg. 43°E., 8.02 m. to point his thence S. 22 deg. 56'g., 96.98 m. te peint 5; thence S. 40 deg. 51 W., 10.55 m. to peint 6; 5.67 m. to point 7; thencew. 60 deg. 46 w., thence N. 84 deg. 00 w., 58.24 m. to peint 8; thence N. 71 deg. 28°W., 61.07 m. to peint 91 thence N. 71 deg. 31 W., 149.99 m. to point 10; thence N. 41 deg. 06°E., 26.56 m. to the point of

beginning; centaining an area of TWENTY ONE THOUSAND SEVEN HUNDRED THIRTY THREE (21,733) SQUARE METERS, mere er less. All peints referred te are indicated en the plan and are marked en the ground by: "Old BL" and PS Cyl. cenc. Mens. 15 x 60 cm. bearings true; date of original survey on May 17, 1935-October 10, 1941 and that of the subdivision survey en Octeber 14, 1994 executed by ENGINEER ROBERTO TEODORO and was approved on April 2, 1996.

CERTIFIED CORRECT:

DOMENGO C. ROQUE; Gesdetic Engineer

/eca97 (Continued on Page B.

Register of Deeds

MEMORANDUM OF ENCUMBRANCES

1-10-120 Px

Entry No .\_

(Memorandum of Encumbrances continued on Page ...

Register of Deeds

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Ref No 2013000614 OR No. : 1003701258

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Ref. No. : 2013000614 OR No. : 1003701258

Republika ng Pilipinas ) Lalawigan ng Kanlurang Mindoro ) S.S. Bayan ng Rizal

11.0

### SINUMPAANG SALAYSAY

Ako si, **PCMS** Romulo Dumalaog Javier, 40 taong gulang, kawani ng Pambansang Pulisya ng Pilipinas at kasalukuyang nakatalaga sa Rizal Muncipal Police Station, nakatira sa Brgy. Salvacion, Rizal, Occidental Mindoro, matapos makapanumpa ng ayon sa batas ay nagsasaad ng mga sumusunod;

### PANGUNANG SALITA

Ang nagtatanong sa akin sa Affidavit kong ito ay si PSMS Joeyrex Pacaul Dimalaluan na isang pulis na nakatalaga sa INVESTIGATION SECTION SA RIZAL MUNICIPAL POLICE STATION, RIZAL, OCCIDENTAL MINDORO. Ginanap ang pagtatanong niya sa akin sa POLICE STATION ng mga sumusunod:

(ANG NAGSALAYSAY AY PINAHIWATIGAN O PINAALALAHANAN NG LAHAT NG KANYANG MGA KARAPATAN ALINSUNOD SA ITINADHANA NG ATING BAGONG SALIGANG BATAS)

### MGA TANONG AT SAGOT

01. Tanong: PCMS Romulo Dumalaog Javier, 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.

O3. Tanong
Sagot
: Ano naman ang dahilan bakit naririto ka sa investigation section?
: Magbibigay ako ng aking pahayag upang aking masampahan ng kaso si Eddie Dela Cruz Malandac, kaugnay sa pagkakahuli ko sa kanya dahil sa kanyang illegal na pagpapaputol ng punong kahoy na walang kaukulang permit galing sa DENR.

04. T: Kailan at saan mo naman nahuli si Eddie Dela Cruz Malandac

S: Noong June 22, 2019 bandang ika-11:50 ng umaga sa Barangay Salvacion, Rizal, Occidental Mindoro.

05. T: Paano mo naman nahuli si Eddie Dela Cruz Malandac

S: Kasalukuyan kaming nagsasagawa ni PSSg Eliseo Tacuyo Jr ng Intel monitoring against all illegal activities sa Barangay Salvacion, Rizal, Occ. Mindoro, nang madaanan namin itong si Eddie Malandac na iniaayos ang pagkakasalansan ng mga tabla ng kahoy na Gemelina. Nang tanungin ko siya kung may dokumento ba ang mga nasabing tabla ay wala siyang maipakita,

### IKALAWANG PAHINA NG SINUMPAANG SALAYSAY NI PCMS ROMULO DUMALAOG JAVIER.

. . . hanggang sa inaresto ko siya at kasunod niyon ay kinumpiska ko rin ang nasabing mga tabla, kung kaya't agad kong ipinaalam sa kanya ang kanyang mga karapatan bilang isang akusado, (Miranda Doctrine).

- 06. T: Bakit mo kinumpiska ang mga tabla ni Eddie Dela Cruz Malandac, gayong hindi naman siya ang pumutol nito?
  - S:Hinanapan ko siya ng permit sa ginawa niyang pagpapaputol subalit wala naman siyang maipakitang permit to cut sa nasabing puno, kaya ko siya inaresto.
- 07. T: Anong klasing kahoy ang tinutukoy mong tabla at gaano karami ito? S:Anim (6) na pirasong 2x3x7 at labing dalawa (12) pirasong 2x3x5, may kabuoang bilang na 51 board feet.
- 08. T: Ano ang lagay ng panahon ng iyong mahuli si Eddie Dela Cruz Malandac S: Maaraw noong mga oras na iyon.
- 09. T : Mayroon ka pa bang nais na idagdag o kaya'y nais na baguhin sa salaysay mong ito?S : Wala na po.
- 10. T : Ikaw ba ay handang maglagda ng ioyng pangalan dito sa ibaba bilang patunay sa lahat ng iyong mga sinabi sa salaysay mong ito, at sa iyo ay walang nanakot, namili to kaya'y gumamit ng dahas upang makagambala sa iyong malayang pagpapasya?

S: Opo.

PCMS Romulo Dumalaog Javier (nagsalaysay)

**OATH** 

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

**ATTESTATION** 

I attest to the fact that I personally did the taking of testimony of the arresting officer/complainant PCMS Romulo Dumalaog Javier, the result was reduced in the Judicial Affidavit. And, I further attest that the questions asked to the arresting officer/complainant and his answer to the same were faithfully recorded and that no one assisted or coached the arresting officer/complainant when he answered the question asked to him.

PSMS Joeyrex P Dimalaluan (Investigator)

### **OATH AND CERTIFICATION**

SUBSCRIBED AND SWORN to before me thisth day of th day of th	9
2019, at San Jose, Occidental Mindoro. I hereby certify that I have examined the affiant under oath and that I am fully satisfied and he voluntarily executed and	7
understood his statement.	No.

DEERTO B. SAMERA. PROSECUTOR I