



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

AUG 23 2022

MEMORANDUM

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

THRU : Assistant Regional Director
For Technical Services

FROM : The OIC PENR Officer

SUBJECT : REPORT ON THE APPREHENSION OF UNDOCUMENTED FOREST
PRODUCTS (7 PIECES OF GMELINA) WITH AN AGGREGATE
VOLUME OF 35.00 BOARD FEET AT BARANGAY BALANSAY ,
MAMBURAO, OCCIDENTAL MINDORO

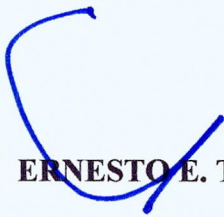


Respectfully forwarded is the memorandum from CENR Officer Anastacio A. Santos dated August 5, 2022 regarding the above-cited subject.

Both the Administrative and Criminal Case were filed against Mr. Horace Obligation Vales for violation of Section 77 of PD 705 as amended by RA 7161.

The Hearing Officer Ariston SJ Ramos recommends the forfeiture of the said apprehended forest products in favor of the government.

For your information and further instruction.


ERNESTO E. TAÑADA



Department of Environment and Natural Resources
PENRO Occidental Mindoro

PENRO DOCUMENT ACTION TRACKING SLIP

Provincial Doc. Number	P-2022-0003424	 	
Originating Office	CENRO SABLAYAN	Date Received	2022-08-16
Sender	ANASTACIO SANTOS		
Address	SABLAYAN OCC MDO		
Subject	APPREHENSION REPORT OF UNDOCUMENTED FOREST PRODUCTS (7 PCS OF GMELINA LUMBER) WITH A TOTAL VOLUME OF 35 BD FT AT BRGY TAYAMAAN MAMBURAO OCC MINDORO		
Addressee	PENRO		
Document Type	MEMORANDUM		
Attachment(s)	3 SETS, 29 PAGES		
Route to/Date/Time Received	Released to/Date/Time Released	Action Required/Taken Remarks/Status	
RECORDS / 2022-08-16 / BY: records	PENRO / 2022-08-16	OUT //	
PENRO-ISO 104-6 08-16-22 11:39 ISO-SP-1-13-2 8/16/22	Ch. 1780 Chief MR	Ph. ans. 7 /. for information & appropriate action Jhen Thy 8/16/2022	



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

Community Environment And Natural Resources Office

So. Balud, Sto. Niño, Sablayan, Occidental Mindoro

Email: cenrosablayan@denr.gov.ph

August 5, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 L&S Bldg. Roxas Blvd. Ermita Manila

THRU : The Provincial Environment and Natural Resources Officer
Mamburao, Occidental Mindoro

FROM : The Community Environment and Natural Resources Officer
Sablayan, Occidental Mindoro

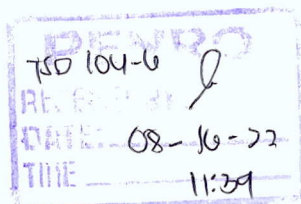
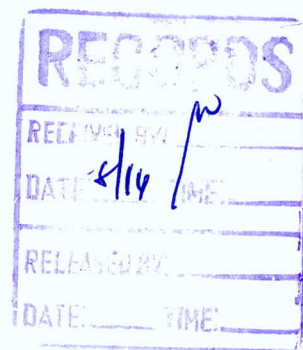
SUBJECT : **APPREHENSION REPORT OF UNDOCUMENTED
FOREST PRODUCTS (7 PIECES OF GMELINA LUMBER)
WITH A TOTAL VOLUME OF 35 BOARD FEET AT
BRGY. TAYAMAAN, MAMBURAO OCCIDENTAL
MINDORO**

Respectfully submitted herewith is the detailed report on the administrative case and criminal case filed against Mr. Horace Obligation Vales, together with other enclosures, to wit:

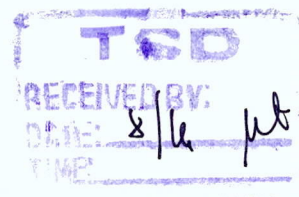
- I - Completed Staff Work (CSW) Report
- II- Administrative Hearing conducted on July 14, 2022.
- III- Criminal Case docketed as Criminal case No. Z-3613.

- 1. Apprehension Receipt
- 2. Seizure Order
- 3. Seizure Receipt
- 4. Pictures and other attachment

For your information, review, and evaluation.



FOR. ANASTACIO A. SANTOS MPA.



3-29

**COMPLETED STAFF WORK REPORT ON THE APPREHENDED
UNDOCUMENTED FOREST PRODUCTS, IN VIOLATION OF SECTION 77 OF
PD 705 AS AMENDED BY RA 7161**

I. HISTORY

This is in relation to Administrative Case No. 2022-07-14-19 for violation of Section 77 of PD 705 as amended by RA.

The case was filed against Horace Obligacion Vales.

That on March 23, 2022 at around 10:30 in the morning, phone call received by Mamburao MPS from concerned citizen informing that illegal logging activity was transpired at So. Dungan, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report.

The said suspect was caught in the act with the possession of cut sawn lumbers of Gemelina and one (1) STIHL chainsaw with serial no. Upon checking and verification, the suspect failed to present necessary documents pertaining to the said confiscated lumbers and the apprehended chainsaw with serial no. GLP51911295 was registered under the name of Mr. Diosdado Torrado.

It was brought and turned over to DENR PENRO Compound at Mamburao, Occidental Mindoro for safekeeping and proper disposition.

The accused were arrested and also brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding.

The Regional Trial Court Branch 44 issued an information against Horace Obligacion Vales for violation of Section 77, PD 705. The case was docketed as Z-3613.

The administrative hearing for the above apprehended illegal forest products was held on July 14, 2022 at the DENR-CENRO Sablayan Coordinating Office, EMS Chief Ariston SJ. Ramos acted as the hearing officer. The accused were present and given the chance to explain themselves.

OBSERVATION/FACTS

1. That the operatives of Mamburao Municipal Police Station conducted an anti-illegal logging operations at Barangay Tayamaan, Mamburao, Occidental Mindoro when they apprehended undocumented forest products.
2. That during the apprehension, it was found out that the accused were in possession of Gmelina lumber.
3. That during the apprehension, accused were arrested namely Horace Obligacion Vales.
4. That mere possession of timber or other forest products without the proper legal documents, even malice or criminal intent, is illegal under Section 77 of PD 705 as amended by RA 7161.

5. That in the Administrative hearing conducted on July 14, 2022, the accused stated that the apprehended Gmelina lumber will be for personal used only
6. That the accused were arrested and brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding.
7. That an information was issued against the accused on March 4, 2022. The case was docketed as Z-3613.

II. SUMMARY OF ADMINISTRATIVE PROCEEDINGS

It appears that the accused were caught during the illegal logging operations by the Mamburao Municipal Police Station. They were caught in the act with the possession of cut sawn undocumented forest products which is in violation of Section 77 of PD 705 as amended by RA 7161.

Section 77 clearly states that cutting, gathering, collecting or removing of timber or other forest products from any forest land without proper documents or permit from the proper authority is a violation under PD 705.

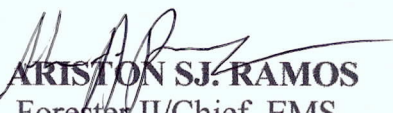
III. RECOMMENDATION

Based on the above statement of facts, administrative hearing and criminal case filed, it is hereby recommended that all forest products be forfeited in favor of the government.

Prepared by:


KARREEN D. ALVAREZ
Forest Technician II

Noted by:


ARISTON S.J. RAMOS
Forester II/Chief, EMS
Hearing Officer

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Address Sablayan, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.:	CSOPW-3-23-1222
E-FMS No.:	

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Status of the Person
HORACE OBLIGACION VALES	BRGY. TAYAMAAN, MAMBURAO, OCC. MDO		36	

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, tools and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS													
Kind	Item	Source/ Origin of Forest Products	Species Groupi ng	Species	Pcs.	Estimated Volume or BD.FT.						Estimated Value	Impounding Area
GOOD LUMBER	1			GMELINA	7	2	X	3	X	10	35.00 BD.FT	Php 1,575.00	DENR PENRO COMPOUND
TOTAL					7	35.00 BD.FT						Php 1,575.00	

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

Conveyance involved											
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.					Engine No.	Chassis No. Accessories
	N/A									N/A	

If Animal									
Kind	Quantity					Gender			Color

Equipment Involved									
Type									

Implementation Involved									
Type									

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 23, 2022 11:00 AM	Occidental Mindoro	Mamburao	TAYAMAAN			MAMBURAO MPS	Violation of Sec 77 of PD 705

Is/ are hereby declairing under apprehension on the following FACTUAL reasons:
VIOLATION OF SECTION 77 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 23RD day of MARCH year 2022 at Sablayan, Occidental Mindoro.

APPREHENDING OFFICERS

(Signature over Printed Name)

3. PSSg VON ERICK MACABENTA 2
Position:PSSg
Address: MAMBURAO, OCC. MINDORO

OWNER/CLAIMANT/REPRESENTATIVE/DRIVER

(Signature over Printed Name)

1. HORACE OBLIGASION VALES
Address: BRGY. TAYAMAAN, MAMBURAO, OCC.MDO

WITNESSES

(Signature over Printed Name)

1. SHERWIN TED DAVID
Position: FOREST RANGER
Address: MAMBURAO, OCCIDENTAL MINDORO

2
Position:
Address:

Signature over Printed Name

Signature over Printed Name

Remarks:

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
Community Environment and Natural Resources
Sablayan, Occidental Mindoro

SEIZURE RECEIPT

No. CS043-3-23-2022

The following apprehended items with Apprehension Receipt No. CS043-3-23-2022 are administrative seizure pursuant to Section 77 of PD 705.

A. FOREST PRODUCTS

MAJOR FOREST PRODUCTS											
Kind	Item	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.						Estimated Value
GOOD LUMBER	1		GMELINA	7	2	X	3	X	10	35.00 BD.FT	Php 1,575.00
TOTAL				7	35.00 BD.FT						Php 1,575.00

Note: Please use another sheet if necessary.

Name/Address of on-site offenders and nature of participation.

1. HORACE OBLIGACION VALES, BRGY. TAYAMAAN, MAMBURAO, OCC.

B.

Name of Registered Owner: N/A Address: _____
Type of Vehicle: _____ Model: _____ With Plate # _____
Engine/Motor Serial No. _____ Chassis Serial No. _____
Certificate of Registration No.: _____ Field Office: _____

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each and estimated value/ Names/ Address of possession/owner).

These items are apprehended at Brgy. Tayamaan, Mamburao, Occ. Mdo. on March 23, 2022

Due to _____ and the same items are
(State reason/s or offense committed)

Delivered to DENR CENRO Coordinating Office on March 23, 2022.

Further, these apprehended items are now deposited at DENR PENRO COMPOUND for safe keeping.

That the undersigned hereby acknowledge that the above listed item(s) are now under ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the purpose of custodial egis,

Therefore issue this Seizure Receipt No. _____

ANASTACIO A. SANTOS
CENR Officer

Republic of the Philippines
Department of Environment and Natural Resources
CENRO Sablayan, Occidental Mindoro

IN RE: _____

SEIZURE ORDER

CENRO Control No.: MCO CSony- 3-23- 722
E-FMS No:

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

A. FOREST PRODUCTS

MAJOR FOREST PRODUCTS													
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.							Estimated Value
GOOD LUMBER	1			TALUTO	7	2	X	3	X	10	35.00	BD.FT	Php 1,575.00
TOTAL						7. Pcs ,					35.00 BD.FT		Php 1,575.00

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

Conveyance involved													
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.					Engine No.		Chassis No.	Accessories
	N/A												

If Animal											
Kind		Quantity						Gender		Color	

Equipment Involved		
Type		

Implementation Involved		
Type		

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 23, 2022 (11:00 AM)	Occidental Mindoro	MAMBURAO	TAYAMAAN			MAMB MPS	Violation of Sec 77 of PD 705

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

Name	Address	Civil Status	Age	Participation	Status of the Person
HORACE OBLIGASION VALES	BRGY. TAYAMAAN, MAMBURAO, OCC. MDO.	MARRIED	45		

After thorough evaluation of the Apprehension Report dated 2022
Submitted by _____ 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 DENR laws and regulations
have been violated and that the offender is probably guilty of _____.

The specific violations committed are as follows:

- SECTION 77, P.D 705
- _____
- _____

So ordered this 23rd day of March, year 2022 At Sablayan, Occidental Mindoro.

ANASTACIO A. SANTOS
CENR OFFICER
SEIZURE OFFICER

Copy furnished: _____

C. EQUIPMENT AND OTHER IMPLEMENTS (Briefly describe the physical appearance and
These items are apprehended at Brgy. Tayamaan, Mamburao, Occ. Mindoro on March 23, 2022.

July 14, 2022

ADMINISTRATIVE ADJUDICATION
For Violation of PD 705
Administrative Case No. : 2022-07-14- 19

ANG ADMINISTRATIBONG PAGDINIG AY GINANAP NGAYONG IKA- 14 NG HULYO 2022 SA GANAP NA IKA- 10:12 NG UMAGA SA TANGGAPAN NG DENR-CENRO SABLAYAN COORDINATING OFFICE, MAMBURAO KANLURANG MINDORO SA LAYUNING MABIGYAN NG LINAW ANG ILANG BAGAY TUNGKOL SA NAHULING KAHUY NA HUMIGIT KUMULANG 35 BDFT NA GMELINA NA WALANG KAUKULANG DOKUMENTO NA NAHULI NG GRUPO NG MAMBURAO MUNICIPAL POLICE STATION NOONG IKA- 23 NG MARSO, 2022.

PAALALA:

Ginoong Horace Obligacion, kayo po ay inimbitahan na dumalo sa pagdinig na ito upang marinig ang inyong panig ukol sa pagkakahuli ng kahoy na humigit kumulang 35 bdft. na Gmelina na walang kaukulang dokumento na nahuli ng mga kagawad ng Mamburao Municipal Police Station.

Karapatan ninyo na sumagot o manahimik lamang sa mga katanungan sa inyo. Ang inyong mga sasabihin o isasagot ay maaaring gamitin pabor o laban sa inyo sa anumang hukuman.

1. TANONG: Naiintindihan mo ba ang iyong karapatan?

SAGOT:

Opo.

2. TANONG: Ikaw ba ay handang magsabi ng katotohanan at pawang katotohanan lamang.

SAGOT:

Opo.

3. TANONG: Kung ganon maari na po ba tayong magpatuloy sa pagdinig?

SAGOT:

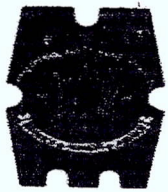
Opo.

4. TANONG: Maari mo ba ipakilala ang iyong sarili?

SAGOT:

Ako po si Horace Obligacion, 37 taong gulang, walang asawa. Nakatira sa Barangay Tayamaan,, Mamburao, Occidental Mindoro. Ako po ay isang panday, minsan po ay nag aarawan.

HORACE VALES



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Brgy.8, Mamburao, Occidental Mindoro



MEMORANDUM

FOR : Provincial Director, Occ Mindoro PPO
(ATTN: C, PIDMU/PIU/POMU/PCADU)

FROM : Acting Chief of Police

SUBJECT : **Spot Report on Violation of P.D. 705**

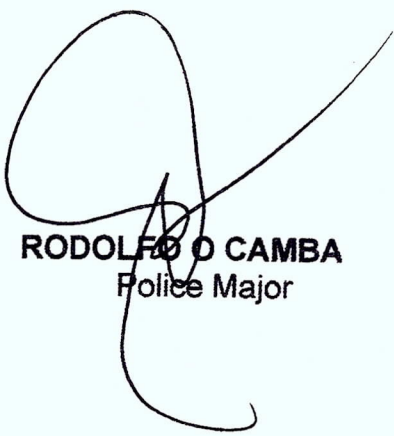
DATE : March 23, 2022

-
1. WHAT: Violation of PD 705
 2. WHERE: So. Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro
 3. WHEN: At about 11:00 AM, March 23, 2022
 4. WHO: Suspects was identified as Horace Obligacion Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, mamburao, Occidental Mindoro.

5. WHY/HOW:

At about 10:30 AM of March 23, 2022, phone call received by Mamburao MPS from concerned citizen informing that illegal logging activity was transpired at Sitio Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report that resulted to the apprehension Horace Obligacion Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, mamburao, Occidental Mindoro and seized from their possession and control are Seven (7) 2x3x10 gemilina lumber and and one (1) STILHL chainsaw with serial no. GLP 51911295 (with certification No. 2020-52). Arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while confiscated lumber and chainsaw was turned over to DENR. Same personnel returned to this office at about 12:00 PM this date. Investigator On-Case, PSSg Von Erick Macabenta with CP no. 09367151617.

6. For information.


RODOLFO O CAMBA
Police Major

5. TANONG: Nakakaintindi ka ba ng tagalog? Maalam ka ba magbasa at magsulat?

SAGOT:

Opo.

6. TANONG: Tanong ko lang, bakit ka nandito ngayon sa aming opisina?

SAGOT:

Dahil nahuli po ako.

7. TANONG: Bakit ka hinuli

SAGOT: Wala pong permit ang kahoy

8. TANONG: Saan galing ang kahoy?

SAGOT:

Sa akin pong pinsan

9. TANONG: Paano mo nalaman na wala ito permit?

SAGOT:

Sabi po ng may-ari ay nakuha pa lamang siya ng permit.

10. TANONG: Pero nag biyahe ka na agad?

SAGOT:

Hindi po ako nagbiyahe. Doon po ako hinuli sa pinagtititisan.

11. TANONG: Natatandaan mo ba ano oras ka hinuli?

SAGOT:

Mga alas 10 po ng umaga

12. TANONG: Ikaw ba ay nakulong?

SAGOT:

Opo. Dalawang araw po. Nakapag piyansa lamang po ako

13. TANONG: May kasama ka ba nahuli?

SAGOT:

Meron po. Yung may-ari po.

14. TANONG: Nakulong ba ang may-ari ng kahoy?

SAGOT:

Hindi po. Ako lamang po



J. HORAES VALES

15. TANONG: Kahoy ba lamang ang nahuli sa iyo?

SAGOT:

Opo.

16. TANONG: Ang ginamit mong chainsaw, hindi kinuha?

SAGOT:

Hindi po, dahil may permit po ang chainsaw.

17. TANONG: Paano mo nalaman na may permit ito?

SAGOT:

Sinabi po ng may-ari ng kahoy na may permit ito. Hiniram po sa kaibigan niya.

18. TANONG: Uulitin ko, Inabutan ka na nag puputol at nagtitistis ng kahoy kaya ka nahuli ng mga pulis at ikinulong? Pero ang chainsaw na ginamit mo ay may permit?

SAGOT:

Opo.

19. TANONG: Bibigyan kita ng pagkakataon na magsalita at sabihin ang iyong gustong iparating sa aming opisina. Anong gusto mong sabihin?

SAGOT:

Humihinge po ako ng tawad dahil sa pagkakasala sa pagputol ng kahoy. Dahil lamang po sa tindi ng pangangailangan kaya ko nagawa. Gusto ko rin lamang po itanong na bakit ako lamang po ang nahuli at hindi kasama ang pinsan ko na may ari ng kahoy?

20. TANONG: Meron ka pang gusto idagdag o ibawas sa iyong salaysay?

SAGOT:

Wala na po.

21. TANONG: Handa mo bang lagdaan ang iyong salaysay o isinagot sa aming katanungan.

SAGOT:

Opo.

HORACIO VALES

22. TANONG: At kung sakali po ba na kayo ay muling imbitahan ditto sa aming opisina, handa po ba kayong bumalik o makipa usap muli para sa karagdagang katanungan?

SAGOT:

Opo.

23.. TANONG: Kung ganon, pansamantala nating tatapusin ang administratibong pandinig na ito.

SAGOT:

Opo.

Sinumpaan at nilagdaanngayong ika-14 ng Hulyo taong 2022 saganapnaika- 12:30 ng Tanghali sa tanggapan ng CENRO Sablayan, Coordinating Office Mamburao Occ. Mindoro.

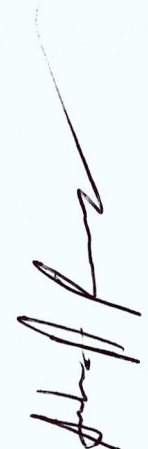
HORACE VALES
HORACE VALES OBLIGACION
Nagsalaysay

SAKSI:

Hearing Officer:


ARISTON S.J. RAMOS
Chief MES


KARREEN D. ALVAREZ
Forest Technician II




Republic of the Philippines
Fourth Judicial Region
REGIONAL TRIAL COURT
Branch 44
Mamburao, Occidental Mindoro

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIM. CASE NO. Z- 3613

- versus -

- for -

HORACE VALES y OBLIGASION ,
Accused.

VIOL. OF SEC. 68, P.D. 705
AS AMENDED BY E.O. NO. 277
SERIES OF 1987

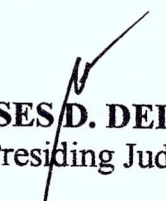
X-----X

COMMITMENT ORDER

TO: THE CHIEF OF POLICE
Municipal Police Station
Mamburao, Occidental Mindoro

I hereby commit to you the person/s of **HORACE VALES y OBLIGASION** accused in the above- entitled case, to keep in custody as detention prisoner/s subject to the Order of this Court.

Issued by the **Hon. ULYSSES D. DELGADO** Judge of this court this 24th day of **March, 2022.**


ULYSSES D. DELGADO
Presiding Judge

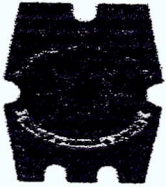
RECEIVED the person/s of
MANUEL NON, JR. @ "JUN"

This 24th day of March 2022

time 3:45 PM

date MARCH 24, 2022

By PSSG Van Erick Macabenta



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Brgy. 8, Mamburao, Occidental Mindoro



March 23, 2022

Turn-Over of Confiscated/Seized Evidence

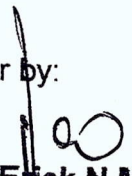
I, PSSg Von Erick Macbenta, Seizing Officer properly turnover to DEND-CEDEB SADLAYAN the following confiscated/seized pieces of evidence seized for Violation of P.D. 705, to wit.

Description of Evidence/s:

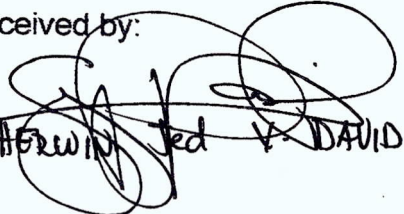
1. Seven (7) pcs of 2x3x10 geminina lumber; and
2. One (1) unit of STILHL chainsaw with serial no. GLP51911295

Request Acknowledge receipt.

Turned over by:


PSSg Von Erick N Macabenta
Seizing Officer

Received by:


Sheriff Ed V. DAVID



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
National road, Barangay, Sto. Niño, Sablayan, Occidental Mindoro
Email: denrcsby02@gmail.com

DENR SABLAYAN; Monitoring and Enforcement Section (MES)
Supervision

ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

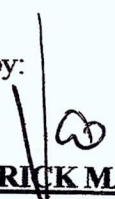
THIS IS TO ACKNOWLEDGE THE RECEIPT from **Municipal Police Station of Mamburao, Occidental Mindoro**, to wit;

No. of Pieces	Dimension	Species	Volume
7	2x3x10	Gmelina	35
XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
No. of Pieces	Article / Brand	Serial No.	Remarks
1	STHIL	GLP51911295	In good condition
XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX

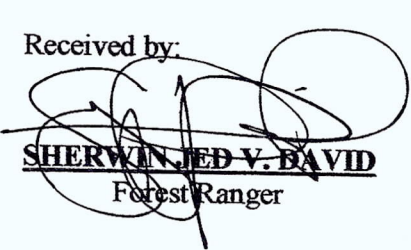
Note: *The above mentioned will be transported from Mamburao MPS, Occidental Mindoro to DENR-CENRO Sablayan Coordinating Office at Mamburao, Occidental Mindoro for safekeeping.*

Received this **23rd** day of **March, 2022** at Mamburao, Occidental Mindoro.

Turned-over by:


PSSg VON ERICK MACABENTA
Seizing Officer

Received by:


SHERWIN J. DAVID
Forest Ranger

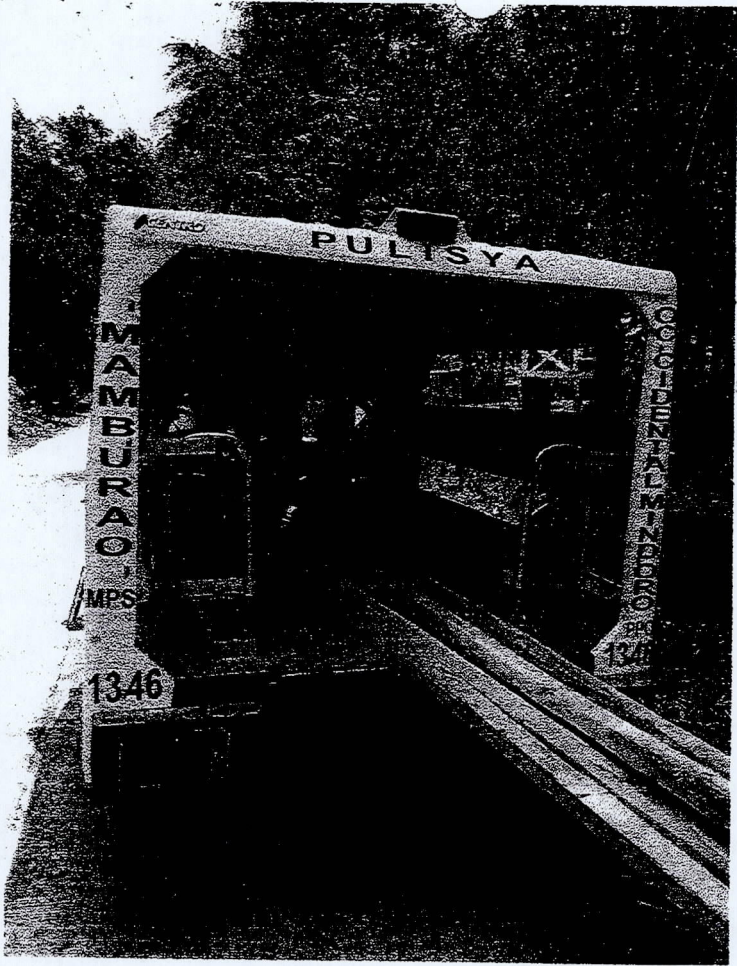


PHOTO TAKEN BY:

PSSg Von Enck N Macabenta



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Sta. Isabel, Sta. Nino, Sablayan, Occidental Mindoro 5104
Email Add: denr102@denr.gov.ph

CERTIFICATION OF REGISTRATION

NO. 2022-02

After having complied with the provisions of DENR Administrative Order No. 2003-24, Series of 2003 otherwise known as "The Implementing Guidelines of the Chain Saw Act of 2002 (R.A. 9175) entitled "ACT REGULATING POSSESSION, OWNERSHIP, SALE, IMPORTATION AND USE OF CHAINSAW PENALIZING VIOLATIONS THEREOF AND FOR OTHER RELATED PURPOSES" this Certificate of Registration is hereby issued to the owner of a chainsaw as follows:

DIOSDADO TORRADO

(Name of Owner)

ABRA DE ILOG, OCCIDENTAL MINDORO

(Address)

Bearing the following information and descriptions:

USE OF CHAINSAW : To be used for cutting clearing of trees under Titled Property, Private Plantation and for Other Legal Purposes

BRAND OF CHAINSAW : STIHL MODEL: 070

DATE ACQUISITION : _____ SERIAL NUMBER: GLP 51911295

HORSEPOWER : _____

MAXIMUM LENGTH OF GUIDE BAR : 1 meter

ISSUED on June 16, 2020 at DENR-CENRO SABLAYAN, OCCIDENTAL MINDORO

EXPIRY DATE: June 16, 2022

An authentic copy of this Certificate must accompany the chainsaw at all times

Recommending Approval:


ECOMS I Chief, Permitting Unit

Approved:


CAESAR E. QUEBEC
CENR Officer



Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

UNANG PABATID

July 11, 2022

G. HORACE OBLIGACION
Barangay Tayamaan
Mamburao, Occidental Mindoro

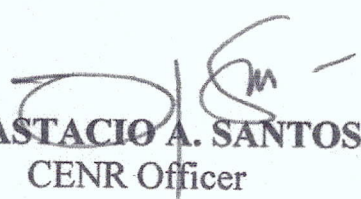
Ginoo,

Ito po ay may kaugnayan sa chainsaw at mga kahoy na natagpuan sa inyong pagmamay-ari na may daming 35 bd ft. noong ika-23 ng Marso, 2022 sa Barangay Tayamaan, Mamburao, Occidental Mindoro na pawang walang pahintulot mula sa aming opisina.

Dahil po dito, kayo ay aming isasailalim sa isang pandinig (Administrative Hearing) tungkol sa "Violation of Section 77 of PD 705". Ang pagdinig ay gaganapin sa ika-10 ng umaga, July 14, 2022 sa tanggapan ng DENR-CENRO Sablayan Coordinating Office, Mamburao, Occidental Mindoro.

Inaasahan po namin ang inyong pakikiisa.

Gumagalang,


FOR. ANASTACIO A. SANTOS, MPA
CENR Officer

7-13-22
HORACE VALES
HORACE JEFF VALES

Republic of the Philippines
Department of Justice
NATIONAL PROSECUTION SERVICE
OFFICE OF THE PROVINCIAL PROSECUTOR
MAMBURAO OFFICE
MAMBURAO, OCCIDENTAL MINDORO

To be accomplished by the Office:

Republic of the Philippines
Department of Justice
INVESTIGATION DATA FORM
OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

DATE RECEIVED

NPS DOCKET NO: N-06a-1N0-22C-00095

(Stamped and initialed):

Time Received

Receiving Staff

RECEIVED
By: [Signature] Date: 24 MAR 2022 Time: 9:15 AM

Assigned to: _____

Date Assigned: _____

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

COMPLAINANT/S: Name, Sex, Age, & Address

PSSg Von Erick Macabenta

MAMBURAO MPS

CP # 09367151617

macabentavonerick7@gmail.com

RESPONDENT/S: Name, Sex, Age, & Address

Horace Obligacion Vales,

Brgy. Tayamaan, Mamburao Occ Mindoro

LAW/S VIOLATED:

P.D. 705

WITNESS/ES: Name & Address:

PSSg Von Erick Macabenta

PSSg Ricky E Munar

MAMBURAO MPS

DATE & TIME of COMMISSION:

March 23, 2022 at about 11:00 AM

PLACE of COMMISSION:

**So. Dungon, Brgy. Payompon, Mamburao,
Occidental Mindoro**

1. Has a similar complaint been filed before any other office?
2. Is this complaint in the nature of a counter-affidavit?
3. Is this complaint related to another case before this office?

YES _____ NO _____

YES _____ NO _____ If yes, indicate details below.

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 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.

PSSg Von Erick Macabenta

(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this 24 MAR 2022 day of March 2022 in Mamburao, Occidental Mindoro.

STEPHEN A. LAMANILAO
Associate Provincial Prosecutor
Administering Prosecutor/ Officer



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
MAMBURAO MUNICIPAL POLICE STATION



Mamburao, Occidental Mindoro
E-mail: Add: Mamburaomps_11@yahoo.com
Station Hotline: 09391460626
Department of Justice

OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

March 24, 2022

The Honorable Deputy Provincial Prosecutor
Mamburao, Occidental Mindoro

Madam/Sir,

RECEIVED
By: *[Signature]* Date: 24 MAR 2022 Time: 9:15 AM

May I have the honor to refer to your good office for appropriate action the herein attached criminal charges Horace Obligation Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, Mamburao, Occidental Mindoro for Violation of P.D. 705

FACTS OF THE CASE:

At about 10:30 AM of March 23, 2022, phone call received by Mamburao MPS from concerned citizen informing that illegal logging activity was transpired at Sitio Dungan, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report that resulted to the apprehension Horace Obligation Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, mamburao, Occidental Mindoro and seized from their possession and control are Seven (7) 2x3x10 gemilina lumber and and one (1) STILHL chainsaw with serial no. GLP 51911295 (with certification No. 2020-52). Arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while confiscated lumber and chainsaw was turned over to DENR.

Prepared by:

[Signature]
PSSg Von Erick Macabenta
Investigator-On-Case

[Signature]
NOTED FOR FILING;

RODOLFO CAMBA
Police Major
OIC

ATTACHMENTS;

JA of PSSg Von Erick Macabenta

JA of PSSg Ricky Munar

Inventory/Receipt

Certificate of registration

Accused's receipt

Apprehension

Pictures

ED

Turned over

Republika ng Pilipinas)
Lalawigan ng Occidental Mindoro : S.S)
Bayan ng Mamburao)
X-----X

JUDICIAL AFFIDAVIT

AKO, si **PSSg Ricky Empuerto Munar**, nasa hustong gulang, may-asawa, kawani ng Pambansang Pulisya ng Pilipinas na kasalukuyang nakatalaga bilang Intel operative dito sa Mamburao Municipal Police Station, kasalukuyang naninirahan sa Sta Cruz, Occidental Mindoro, matapos makapanumpa ng naaayon sa ating saligang batas ay kusang loob na nagsasalaysay ng mga sumusunod:

PANGUNANG SALITA

Ang nagtatanong sa akin sa Judicial Affidavit kong ito ay si PSSg Von erick N Macabenta, isang pulis na nakatalaga sa Investigation and Detective Management Section ng Mamburao Municipal Police Station, Mamburao, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa Himpilan ding ito sa harap nina PSSg Von Erick Macabenta, kasapi ng Mamburao Municipal Police Station ngayong March 23, 2022.

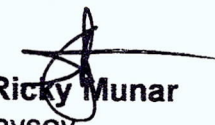
Sinagot ko ang mga tanong sa akin sa ilalim ng aking sinumpaang salaysay na magsasabi ng katotohanan lamang at batid ko na maaari akong managot kung sakaling ako ay magsinungaling.

MGA TANONG AT SAGOT:

- | | | | |
|-----|--------|---|---|
| 01. | TANONG | - | PSSg Ricky Empuerto Munar ,
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. |
| 04. | TANONG | - | Ano naman ang dahilan at ikaw ay naririto sa
aming tanggapan at nagbibigay ng iyong malaya at
kusang- loob na salaysay? |
| | SAGOT | - | Upang magbigay ng salaysay at ihabla sapaglabag
sa P.D. 705 si Horace Obligation Vales |
| 05. | TANONG | - | Bakit nais mong kasuhan ng P.D. 705 ang taong
nabangit mo? |
| | SAGOT | - | Dahil sa nahuli po namin siya ako na illegal na
namumutol ng puno |
| 06. | TANONG | - | Kailan at saan mo naman naaktuhang namumutol ng
puno taong iyong nabangit? |
| | SAGOT | - | Humigit kumulang 11:00 ng umaga, March 23, 2022,
sa So. Dungon, Barangay Tayamaan, Mamburao,
Occidental Mindoro |

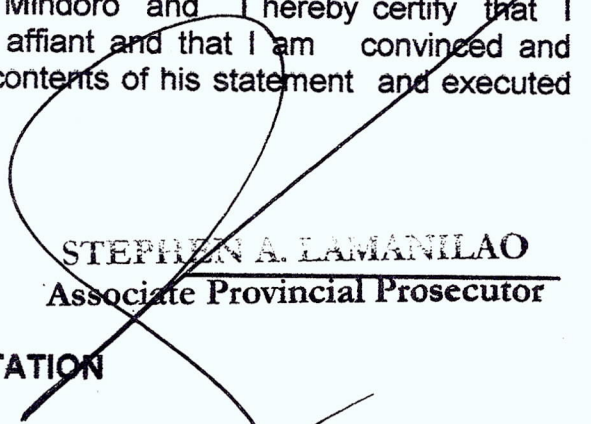
07. TANONG - Sa paanong paraan mo naman siya nahuli?
SAGOT - Ganito po iyon, nakatangap ng tawag ang aming himpilan galing sa isang concern citizen at ipinagbigay alam niya na mayroong nagaganap na illegal na pamumutol ng punosa So. Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro
08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?
SAGOT - Agad po kaming nagtungo sa lugar kung saan nangyayari ang illegal na pamumutol ng puno
09. TANONG - Ano naman sumunod na nangyari, kung meron man?
SAGOT - Naaktuhan namin ang isang tao na nagpuputol ng puno at ginagawang tabla gamit ang isang chainsaw.
10. TANONG - Nakilala mo ba yung taong naaktuhan mong nagpuputol ng puno?
SAGOT - Opo, si Horace Vales
11. TANONG - Ano naman ang mga ebedenbsyang nakuha mo at nakumpiska sa kanya?
SAGOT - Pitong pirasong 2x3x10 na gemilina na walang permit to cut o anumang patunay na may permit ang kanyang mga nilagareng kahoy at isang STILT chainsaw na may SN GLP51911295 na siyang ginamit para putulin at tablahin ang puno ng gemilina.
12. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man?
SAGOT - Ipinaalam ko po kay Horace Vales na siya ay mahaharap sa kasong paglabag sa P.D. 705 at ipinaalam ko sa kanila ang kanilang mga karapatan na naayon sa batas.
13. T : Meron ba kayong gamit na Body Worn Camera o Alternative Recording Device na inuubliga ng batas ngayon?
S : Wala po kaming Body Worn Camera pero may Alternative Recording Device naman po kaming gamit na pasok at naayon sa batas gamit ni PSSg Von Erick Macabentaang isang Samsung A22 5g.
14. T : Sa anong kadahilanan at wala kayong gamit na body camera?
S : Wala po kaming issue na body camera at ang pagkakadakis po kay Horace Vales ay resulta ng police response at hindi planadong operasyon, may gamit rin po kaming alternative recording device na pasok sa itinatadhana ng batas.
15. T : Wala na akong itatanong sa iyo, mayroon ka pa bang nais idagdag o bawasin sa salaysay mo?

- S : Meron po, ang mga ebedensya po ay aking inilipat sa pangangalaga ng aming imbistigador na si PSSg Von Erick Macabenta na agad rin naman naiturn over sa DENR.
16. T : Ikaw ba ay pinilit, tinakot, binigyan o pinangakuan ng anumang pabuya para gawin ang salaysay mong ito?
S : Hindi po.
17. T : Handa mo bang lagdaan ang salaysay mong ito?
S : Opo.


PSSg Ricky Munar
Nagsalaysay

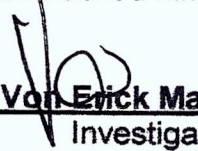
OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022 of March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

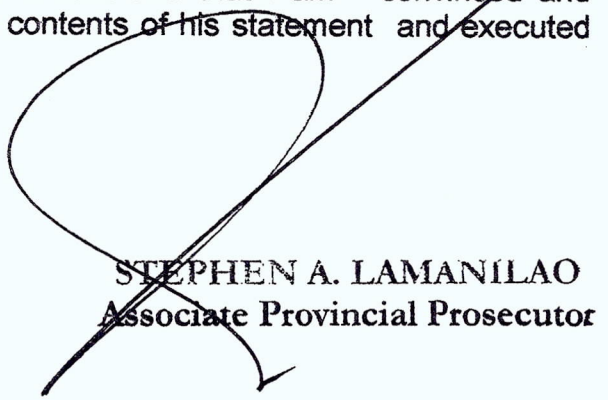
ATTESTATION

I attest to the fact that I personally supervised the taking of the testimony of the witness PSSg Ricky Munar, the result was reduced in this Judicial Affidavit and I, further attest that the questions asked of the complainant and his answer to the same were faithfully record and that no one assisted or coached the complainant when he answered the question asked him.


PSSg Von Erick Macabenta
Investigator

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022 of March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

Republika ng Pilipinas)
Lalawigan ng Occidental Mindoro : S.S)
Bayan ng Mamburao)
X-----X

JUDICIAL AFFIDAVIT

AKO, si **PSSg Von Erick Macabenta**, nasa hustong gulang, kawani ng Pambansang Pulisya ng Pilipinas na kasalukuyang nakatalaga bilang Chief Investigator dito sa Mamburao Municipal Police Station, kasalukuyang naninirahan sa Baranagay 8, Mamburao, Occidental Mindoro, matapos makapanumpa ng naayon sa ating saligang batas ay kusang loob na nagsasalaysay ng mga sumusunod:

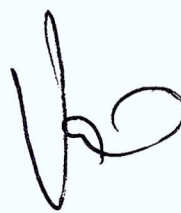
PANGUNANG SALITA

Ang nagtatanong sa akin sa Judicial Affidavit kong ito ay si PSSg Von erick N Macabenta, isang pulis na nakatalaga sa Investigation and Detective Management Section ng Mamburao Municipal Police Station, Mamburao, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa Himpilan ding ito sa harap nina PSSg Bernard Cris Gonzales Jr., kasapi ng Mamburao Municipal Police Station ngayong March 23, 2022.

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

MGA TANONG AT SAGOT:

- | | | | |
|-----|--------|---|--|
| 01. | TANONG | - | PSSg Von Erick Macabenta ,
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. |
| 04. | TANONG | - | Ano naman ang dahilan at ikaw ay naririto sa
aming tanggapan at nagbibigay ng iyong malaya at
kusang- loob na salaysay? |
| | SAGOT | - | Upang magbigay ng salaysay at ihabla sapaglabag
sa P.D. 705 si Horace Obligation Vales |
| 05. | TANONG | - | Bakit nais mong kasuhan ng P.D. 705 ang taong
nabangit mo? |
| | SAGOT | - | Dahil sa nahuli po namin siya ako na illegal na
namumutol ng puno |
| 06. | TANONG | - | Kailan at saan ninyo naman naaktuhang namumutol
ng puno taong iyong nabangit? |
| | SAGOT | - | Humigit kumulang 11:00 ng umaga, March 23, 2022,
sa So. Dungon, Barangay Tayamaan, Mamburao,
Occidental Mindoro |



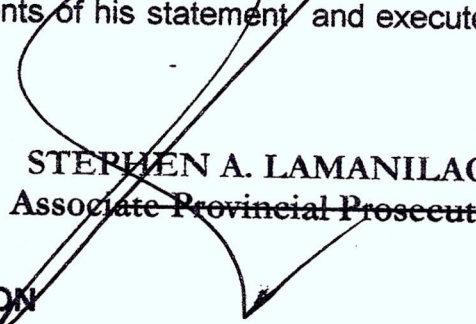
07. TANONG - Sa paanong paraan ninyo naman siya nahuli?
SAGOT - Ganito po iyon, nakatangap ng tawag ang aming himpilan galing sa isang concern citizen at ipinagbigay alam niya na mayroong nagaganap na illegal na pamumutol ng punosa So. Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro
08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?
SAGOT - Agad po kaming nagtungo sa lugar kasama ko si PSSg Ricky Munar kung saan nangyayari ang illegal na pamumutol ng puno
09. TANONG - Ano naman sumunod na nangyari, kung meron man?
SAGOT - Naaktuhan namin ang isang tao na nagpuputol ng puno at ginagawang tabla gamit ang isang chainsaw.
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SAGOT - Opo, si Horace Vales
11. TANONG - Ano naman ang mga ebedenbsyang nakuha ninyo at nakumpiska sa kanya?
SAGOT - Pitong pirasong 2x3x10 na gemilina na walang permit to cut o anumang patunay na may permit ang kanyang mga nilagareng kahoy at isang STILT chainsaw na may SN GLP51911295 na siyang ginamit para putulin at tablahin ang puno ng gemilina.
12. TANONG - Ano naman ang mga sumunod na nangyari, kung meron man?
SAGOT - Hinanapan namin siya ng permit sa kanyang pagpuputol ng puno galing DENR pero wala siyang maipakita sa amin.
13. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man?
SAGOT - Ipinaalam namin kay Horace Vales na siya ay mahaharap sa kasong paglabag sa P.D. 705 at ipinaalam ko sa kanila ang kanilang mga karapatan na naayon sa batas.
14. T : Meron ba kayong gamit na Body Worn Camera o Alternative Recording Device na inuubliga ng batas ngayon?
S : Wala po kaming Body Worn Camera pero may Alternative Recording Device naman po kaming gamit na pasok at naaayon sa batas ang isang Samsung A22 5g.
15. T : Sa anong kadahilanan at wala kayong gamit na body camera?
S : Wala po kaming issue na body camera at ang pagkakadakis po kay Horace Vales ay resulta ng police response at hindi planadong operasyon, may gamit rin po kaming alternative recording device na pasok sa itinatadhana ng batas.
16. T : Wala na akong itatanong sa iyo, mayroon ka pa bang nais idagdag o bawasin sa salaysay mo?

- S : Meron po, ang mga ebedensya po ay aking inilipat sa pangangalaga ng aming imbistigador na si PSSg Von Erick Macabenta na agad rin naman naiturn over sa DENR. Ako rin po ang humawak ng ARD at ang nakuhang video mula sa ARD ay aking isinalin sa aming desktop computer at inilipat kung muli sa rewritable CD na siyang minarkahan ko ng VEN-1 3/23/2022 na may pirma
16. T : Ikaw ba ay pinilit, tinakot, binigyan o pinangakuan ng anumang pabuya para gawin ang salaysay mong ito?
S : Hindi po.
17. T : Handa mo bang lagdaan ang salaysay mong ito?
S : Opo.


PSSg Von Erick Macabenta
Nagsalaysay

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR, 2022
March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

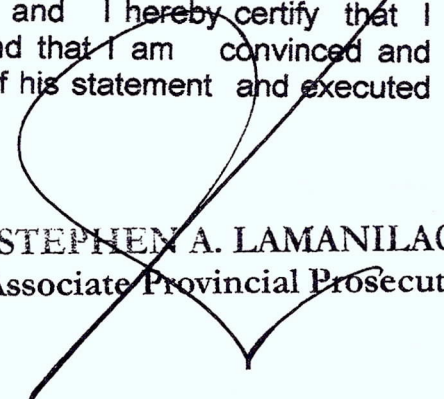
ATTESTATION

I attest to the fact that I personally supervised the taking of the testimony of the witness **PSSg Von Erick Macabenta**, the result was reduced in this Judicial Affidavit and I, further attest that the questions asked of the complainant and his answer to the same were faithfully record and that no one assisted or coached the complainant when he answered the question asked him.


PSSg Bernard Cris Gonzales
Investigator

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR, 2022
March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

Republic of the Philippines
Department of Justice
OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

MPS-MAMBURAO, OCC. MINDORO
REP. BY:
PSSg VON ERICK MACABENTA
Complainant,

NPS DOCKET NO. IV-
06a-INQ-22C-00095

-versus-

-for-

HORACE VALES y OBLIGASION,
Respondent.,

VIOLATION OF PD 705

X ----- X

RESOLUTION

For inquest before this office is the referral complaint filed by local PNP-Mamburao, Occidental Mindoro charging the above-named respondent for Violation of PD 705.

In support of the complaint are the following evidence, to wit: **(a)** SS of PSSg Von Erick Macabenta; **(b)** SS of PSSg Ricky Munar; **(c)** Certificate of Registration; **(d)** Acknowledgment Receipt; **(e)** Photographs; **(f)** Apprehension Receipt; **(g)** Turn-over Receipt; and **(h)** CD.

That on March 23, 2022 at on or about 10:30 o'clock in the morning Mamburao Municipal Police Station, Mamburao, Occidental Mindoro received a phone call from concerned citizen reported that illegal logging activities transpired at Sitio Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, intel personnel of MPS-Mamburao led by PSSg Ricky Munar, conducted Anti-Illegal Logging Operation at the said place, that resulted to the apprehension of the respondent Horace Obligation Vales. The respondent failed to present necessary documents. Confiscated from his possession and control were seven (7) pieces of 2x3x10 of gemilina lumber with the total of more or less Thirty-Five (35) board feet and with an estimated value amounting to Two Thousand One Hundred Pesos (Php2,100.00) and one (1) unit of STHIL chainsaw with serial no. GLP 51911295 with Registration No. 2020-52. Hence, this complaint.

Upon perusal of the records and examination of the witnesses, the undersigned inquest prosecutor finds the complaint as proper for inquest, the warrantless arrest of the respondent **Horace Vales y Obligation** as being lawful and there exist a probable cause that the crime of VIOLATION OF PD 705 has been committed and that the respondent is probably guilty thereof and should be held for trial.

The arrested respondent did not opt to avail of preliminary investigation nor signed any waiver of Art. 125 of the Revised Penal Code.

WHEREFORE, premises considered, let information charging **HORACE VALES y OBLIGACION** for Violation of Sec. 68, PD. 705 as amended by E.O. No. 277 series of 1987 BE FILED before the proper court of competent jurisdiction.

This Resolution is being issued with prior written authority from the Provincial Prosecutor Hon. Dante V. Ramirez in conducting inquest cases.

Mamburao, Occidental Mindoro, March 24, 2022.

STEPHEN A. LAMANILAO
Associate Provincial Prosecutor
Roll No. 57985
MCLE Compliance No. VII-0012014

169
PSS Macabente
03/24/2022

HORACE VALES
~~HORACE VALES~~
03/24/2022



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

AUG 23 2022

MEMORANDUM

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

THRU : Assistant Regional Director
For Technical Services

FROM : The OIC PENR Officer

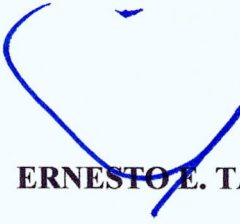
SUBJECT : REPORT ON THE APPREHENSION OF UNDOCUMENTED FOREST
PRODUCTS (7 PIECES OF GMELINA) WITH AN AGGREGATE
VOLUME OF 35.00 BOARD FEET AT BARANGAY BALANSAY ,
MAMBURAO, OCCIDENTAL MINDORO

Respectfully forwarded is the memorandum from CENR Officer Anastacio A. Santos dated August 5, 2022 regarding the above-cited subject.

Both the Administrative and Criminal Case were filed against Mr. Horace Obligation Vales for violation of Section 77 of PD 705 as amended by RA 7161.

The Hearing Officer Ariston SJ Ramos recommends the forfeiture of the said apprehended forest products in favor of the government.

For your information and further instruction.


ERNESTO E. TAÑADA

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Address Sablayan, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.:	CS0714-3-23-222
E-FMS No.:	

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Status of the Person
HORACE OBLIGASION VALES	BRGY. TAYAMAAN, MAMBURAO, OCC. MINDO		36	

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, tools and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS												
Kind	Item	Source/Origin of Forest Products	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.					Estimated Value	Impounding Area
GOOD LUMBER	1			GMELENA	7	2	X	3	X	10	35.00 BD.FT	Php 1,575.00 DENR PENRO COMPOUND
TOTAL					7	35.00 BD.FT					Php 1,575.00	

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

Conveyance involved												
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.					Engine No.	Chassis No.	Accessories
	N/A									N/A		

If Animal												
Kind	Quantity					Gender				Color		

Equipment Involved												
Type												

Implementation Involved												
Type												

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 23, 2022 11:00 AM	Occidental Mindoro	Mamburao	TAYAMAAN								MAMBURAO NPS	Violation of Sec 77 of PD 705



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment And Natural Resources Office
So. Balud, Sto. Niño, Sablayan, Occidental Mindoro
Email: cenrosablayan@denr.gov.ph

August 5, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 L&S Bldg. Roxas Blvd. Ermita Manila

THRU : The Provincial Environment and Natural Resources Officer
Mamburao, Occidental Mindoro

FROM : The Community Environment and Natural Resources Officer
Sablayan, Occidental Mindoro

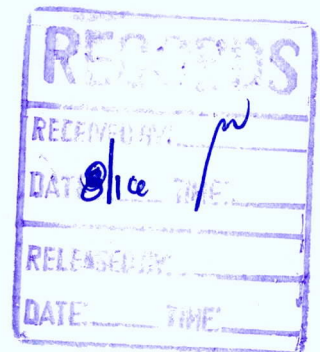
SUBJECT : **APPREHENSION REPORT OF UNDOCUMENTED
FOREST PRODUCTS (7 PIECES OF GMELINA LUMBER)
WITH A TOTAL VOLUME OF 35 BOARD FEET AT
BRGY. TAYAMAAN, MAMBURAO OCCIDENTAL
MINDORO**

Respectfully submitted herewith is the detailed report on the administrative case and criminal case filed against Mr. Horace Obligation Vales, together with other enclosures, to wit:

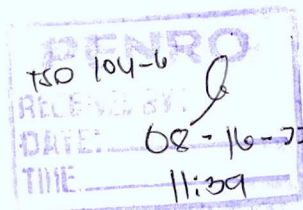
- I - Completed Staff Work (CSW) Report
- II - Administrative Hearing conducted on July 14, 2022.
- III - Criminal Case docketed as Criminal case No. Z-3613.

- 1. Apprehension Receipt
- 2. Seizure Order
- 3. Seizure Receipt
- 4. Pictures and other attachment

For your information, review, and evaluation.



FOR. ANASTACIO A. SANTOS MPA.



**COMPLETED STAFF WORK REPORT ON THE APPREHENDED
UNDOCUMENTED FOREST PRODUCTS, IN VIOLATION OF SECTION 77 OF
PD 705 AS AMENDED BY RA 7161**

I. HISTORY

This is in relation to Administrative Case No. 2022-07-14-19 for violation of Section 77 of PD 705 as amended by RA.

The case was filed against Horace Obligacion Vales.

That on March 23, 2022 at around 10:30 in the morning, phone call received by Mamburao MPS from concerned citizen informing that illegal logging activity was transpired at So. Dungan, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report.

The said suspect was caught in the act with the possession of cut sawn lumbers of Gemelina and one (1) STIHL chainsaw with serial no. Upon checking and verification, the suspect failed to present necessary documents pertaining to the said confiscated lumbers and the apprehended chainsaw with serial no. GLP51911295 was registered under the name of Mr. Diosdado Torrado.

It was brought and turned over to DENR PENRO Compound at Mamburao, Occidental Mindoro for safekeeping and proper disposition.

The accused were arrested and also brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding.

The Regional Trial Court Branch 44 issued an information against Horace Obligacion Vales for violation of Section 77, PD 705. The case was docketed as Z-3613.

The administrative hearing for the above apprehended illegal forest products was held on July 14, 2022 at the DENR-CENRO Sablayan Coordinating Office, EMS Chief Ariston SJ. Ramos acted as the hearing officer. The accused were present and given the chance to explain themselves.

OBSERVATION/FACTS

1. That the operatives of Mamburao Municipal Police Station conducted an anti-illegal logging operations at Barangay Tayamaan, Mamburao, Occidental Mindoro when they apprehended undocumented forest products.
2. That during the apprehension, it was found out that the accused were in possession of Gmelina lumber.
3. That during the apprehension, accused were arrested namely Horace Obligacion Vales.
4. That mere possession of timber or other forest products without the proper legal documents, even malice or criminal intent, is illegal under Section 77 of PD 705 as amended by RA 7161.

5. That in the Administrative hearing conducted on July 14, 2022, the accused stated that the apprehended Gmelina lumber will be for personal used only
6. That the accused were arrested and brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding.
7. That an information was issued against the accused on March 4, 2022. The case was docketed as Z-3613.

II. SUMMARY OF ADMINISTRATIVE PROCEEDINGS

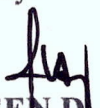
It appears that the accused were caught during the illegal logging operations by the Mamburao Municipal Police Station. They were caught in the act with the possession of cut sawn undocumented forest products which is in violation of Section 77 of PD 705 as amended by RA 7161.

Section 77 clearly states that cutting, gathering, collecting or removing of timber or other forest products from any forest land without proper documents or permit from the proper authority is a violation under PD 705.

III. RECOMMENDATION

Based on the above statement of facts, administrative hearing and criminal case filed, it is hereby recommended that all forest products be forfeited in favor of the government.

Prepared by:


KARREEN D. ALVAREZ
Forest Technician II

Noted by:


ARISTON S. RAMOS
Forester II/Chief, EMS
Hearing Officer

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Address Sablayan, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.:	CS0714-3-23-2222
E-FMS No.:	

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Status of the Person
HORACE OBLIGASION VALES	BRGY. TAYAMAAN, MAMBURAO, OCC. MDO		36	

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, tools and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS													
Kind	Item	Source/ Origin of Forest Products	Species Groupi ng	Species	Pcs.	Estimated Volume or BD.FT.						Estimated Value	Impounding Area
GOOD LUMBER	1			GMELINA	7	2	X	3	X	10	35.00 BD.FT	Php 1,575.00	DENR PENRO COMPOUND
TOTAL					7	35.00 BD.FT						Php 1,575.00	

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

Conveyance involved												
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.					Engine No.	Chassis No.	Accessories
	N/A									N/A		

If Animal												
Kind	Quantity					Gender				Color		

Equipment Involved												
Type												

Implementation Involved												
Type												

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 23, 2022 11:00 AM	Occidental Mindoro	Mamburao	TAYAMAAN							MAMBURAO MPS	Violation of Sec 77 of PD 705	

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Address Sablayan, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.:	CS0714-3-23-222
E-FMS No.:	

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Status of the Person
HORACE OBLIGASION VALES	BRGY. TAYAMAAN, MAMBURAO, OCC. MINDO		36	

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, tools and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS													
Kind	Item	Source/ Origin of Forest Products	Species Groupi ng	Species	Pcs.	Estimated Volume or BD.FT.					Estimated Value	Impounding Area	
GOOD LUMBER	1			GMELINA	7	2	X	3	X	10	35.00 BD.FT	Php 1,575.00	DENR PENRO COMPOUND
TOTAL					7	35.00 BD.FT					Php 1,575.00		

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

Conveyance involved													
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.					Engine No.		Chassis No.	Accessories
	N/A									N/A			

If Animal									
Kind	Quantity					Gender	Color		

Equipment Involved			
Type			

Implementation Involved			
Type			

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 23, 2022 11:00 AM	Occidental Mindoro	Mamburao	TAYAMAAN			MAMBURAO NPS	Violation of Sec 77 of PD 705

Is/ are hereby declairing under apprehension on the following FACTUAL reasons:
VIOLATION OF SECTION 77 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 23RD day of MARCH year 2022 at Sablayan, Occidental Mindoro.

APPREHENDING OFFICERS
(Signature over Printed Name)

3. PSSg VON ERICK MACABENTA 2
Position:PSSg
Address: MAMBURAO, OCC. MINDORO

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

1. HORACE OBLIGASION VALES
Address: BRGY. TAYAMAAN, MAMBURAO, OCC.MDO

WITNESSES
(Signature over Printed Name)

1. SHERWIN ED DAVID
Position: FOREST RANGER
Address: MAMBURAO, OCCIDENTAL MINDORO

2
Position:
Address:

Signature over Printed Name

Signature over Printed Name

Remarks:

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
Community Environment and Natural Resources
Sablayan, Occidental Mindoro

SEIZURE RECEIPT

No. CS0704-3-23-2022

The following apprehended items with Apprehension Receipt No. CS0704-3-23-2022 are administrative seizure pursuant to Section 77 of PD 705.

A. FOREST PRODUCTS

MAJOR FOREST PRODUCTS

Kind	Item	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.						Estimated Value
GOOD LUMBER	1		GMELINA	7	2	X	3	X	10	35.00 BD.FT	Php 1,575.00
TOTAL				7	35.00 BD.FT						Php 1,575.00

Note: Please use another sheet if necessary.

Name/Address of on-site offenders and nature of participation.

1. HORACE OBLIGASION VALES, BRGY. TAYAMAAN, MAMBURAO, OCC.

B.

Name of Registered Owner: N/A Address: _____
Type of Vehicle: _____ Model: _____ With Plate # _____
Engine/Motor Serial No. _____ Chassis Serial No. _____
Certificate of Registration No.: _____ Field Office: _____

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each and estimated value/ Names/ Address of possession/owner).

These items are apprehended at Brgy. Tayamaan, Mamburao, Occ. Mdo. on March 23, 2022

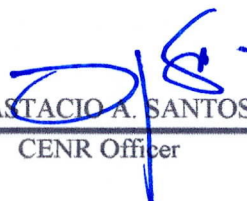
Due to _____ and the same items are
(State reason/s or offense committed)

Delivered to DENR CENRO Coordinating Office on March 23, 2022.

Further, these apprehended items are now deposited at DENR PENRO COMPOUND for safe keeping.

That the undersigned hereby acknowledge that the above listed item(s) are now under ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the purpose of custodial egis,

Therefore issue this Seizure Receipt No. _____


ANASTACIO A. SANTOS

CENR Officer

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
Community Environment and Natural Resources
Sablayan, Occidental Mindoro

SEIZURE RECEIPT
No. CS0704-3-23-222

The following apprehended items with Apprehension Receipt No. CS0704-3-23-222 are administrative seizure pursuant to Section 77 of PD 705.

A. FOREST PRODUCTS

MAJOR FOREST PRODUCTS											
Kind	Item	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.						Estimated Value
GOOD LUMBER	1		GMELINA	7	2	X	3	X	10	35.00 BD.FT	Php 1,575.00
TOTAL				7	35.00 BD.FT						Php 1,575.00

Note: Please use another sheet if necessary.

Name/Address of on-site offenders and nature of participation.
1. HORACE OBLIGASION VALES, BRGY. TAYAMAAN, MAMBURAO, OCC.

B.

Name of Registered Owner: N/A Address: _____
Type of Vehicle: _____ Model: _____ With Plate # _____
Engine/Motor Serial No. _____ Chassis Serial No. CS0704-3-23-222
Certificate of Registration No.: _____ Field Office: _____

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each and estimated value/ Names/ Address of possession/owner).

These items are apprehended at Brgy. Tayamaan, Mamburao, Occ. Mdo. on March 23, 2022

Due to _____ and the same items are
(State reason/s or offense committed)

Delivered to DENR CENRO Coordinating Office on March 23, 2022.

Further, these apprehended items are now deposited at DENR PENRO COMPOUND for safe keeping.

That the undersigned hereby acknowledge that the above listed item(s) are now under ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the purpose of custodial egis,

Therefore issue this Seizure Receipt No. _____


ANASTACIO A. SANTOS
CENR Officer

IN RE: _____

CENRO Control No.: MCO	CS0704-3-23-2022
E-FMS No:	

FACTS

MAJOR FOREST PRODUCTS													
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.							Estimated Value
GOOD LUMBER	1			TALUTO	7	2	X	3	X	10	35.00	BD.FT	Php 1,575.00
TOTAL						7. Pcs ,					35.00 BD.FT		Php 1,575.00

[illegible][illegible]

If Animal							
Kind	Quantity					Gender	Color

Equipment Involved		
Type		

Implementation Involved		
Type		

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 23, 2022 (11:00 AM)	Occidental Mindoro	MAMBURAO	TAYAMAAN				MAMB MPS	Violation of Sec 77 of PD 705

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

Name	Address	Civil Status	Age	Participation	Status of the Person
HORACE OBLIGASION VALES	BRGY. TAYAMAAN, MAMBURAO, OCC. MDO.	MARRIED	45		

After thorough evaluation of the Apprehension Report dated _____ 2022
Submitted by _____ 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 DENR laws and regulations
have been violated and that the offender is probably guilty of _____.

The specific violations committed are as follows:

- SECTION 77, P.D 705
- _____
- _____

So ordered this 23rd day of March, year 2022 At Sablayan, Occidental Mindoro.


ANASTACIO A. SANTOS
CENR OFFICER
SEIZURE OFFICER

Copy furnished: _____

C. EQUIPMENT AND OTHER IMPLEMENTS (Briefly describe the physical appearance and
These items are apprehended at Brgy. Tayamaan, Mamburao, Occ. Mindoro on March 23, 2022.

July 14, 2022

ADMINISTRATIVE ADJUDICATION
For Violation of PD 705
Administrative Case No. : 2022-07-14-19

ANG ADMINISTRATIBONG PAGDINIG AY GINANAP NGAYONG IKA- 14 NG HULYO 2022 SA GANAP NA IKA- 10:12 NG UMAGA SA TANGGAPAN NG DENR-CENRO SABLAYAN COORDINATING OFFICE, MAMBURAO KANLURANG MINDORO SA LAYUNING MABIGYAN NG LINAW ANG ILANG BAGAY TUNGKOL SA NAHULING KAHUY NA HUMIGIT KUMULANG 35 BDFT NA GMELINA NA WALANG KAUKULANG DOKUMENTO NA NAHULI NG GRUPO NG MAMBURAO MUNICIPAL POLICE STATION NOONG IKA- 23 NG MARSO, 2022.

PAALALA:

Ginoong Horace Obligacion, kayo po ay inimbitahan na dumalo sa pagdinig na ito upang marinig ang inyong panig ukol sa pagkakahuli ng kahoy na humigit kumulang 35 bdft.. na Gmelina na walang kaukulang dokumento na nahuli ng mga kagawad ng Mamburao Municipal Police Station.

Karapatan ninyo na sumagot o manahimik lamang sa mga katanungan sa inyo. Ang inyong mga sasabihin o isasagot ay maaaring gamitin pabor o laban sa inyo sa anumang hukuman.

1. TANONG: Naiintindihan mo ba ang iyong karapatan?

SAGOT:

Opo.

2. TANONG: Ikaw ba ay handang magsabi ng katotohanan at pawang katotohanan lamang.

SAGOT:

Opo.

3. TANONG: Kung ganon maari na po ba tayong magpatuloy sa pagdinig?

SAGOT:

Opo.

4. TANONG: Maari mo ba ipakilala ang iyong sarili?

SAGOT:

Ako po si Horace Obligacion, 37 taong gulang, walang asawa. Nakatira sa Barangay Tayamaan,, Mamburao, Occidental Mindoro. Ako po ay isang panday, minsan po ay nag aarawan.

HORACE VAES

5. TANONG: Nakakaintindi ka ba ng tagalog? Maalam ka ba magbasa at magsulat?

SAGOT:

Opo.

6. TANONG: Tanong ko lang, bakit ka nandito ngayon sa aming opisina?

SAGOT:

Dahil nahuli po ako.

7. TANONG: Bakit ka hinuli

SAGOT: Wala pong permit ang kahoy

8. TANONG: Saan galing ang kahoy?

SAGOT:

Sa akin pong pinsan

9. TANONG: Paano mo nalaman na wala ito permit?

SAGOT:

Sabi po ng may-ari ay nakuha pa lamang siya ng permit.

10. TANONG: Pero nag biyahe ka na agad?

SAGOT:

Hindi po ako nagbiyahe. Doon po ako hinuli sa pinagtitistisan.

11. TANONG: Natatandaan mo ba ano oras ka hinuli?

SAGOT:

Mga alas 10 po ng umaga

12. TANONG: Ikaw ba ay nakulong?

SAGOT:

Opo. Dalawang araw po. Nakapag piyansa lamang po ako

13. TANONG: May kasama ka ba nahuli?

SAGOT:

Meron po. Yung may-ari po.

14. TANONG: Nakulong ba ang may-ari ng kahoy?

SAGOT:

Hindi po. Ako lamang po

HORACE VALES



15. TANONG: Kahoy ba lamang ang nahuli sa iyo?

SAGOT:

Opo.

16. TANONG: Ang ginamit mong chainsaw, hindi kinuha?

SAGOT:

Hindi po, dahil may permit po ang chainsaw.

17. TANONG: Paano mo nalaman na may permit ito?

SAGOT:

Sinabi po ng may-ari ng kahoy na may permit ito. Hiniram po sa kaibigan niya.

18. TANONG: Uulitin ko, Inabutan ka na nag puputol at nagtititistis ng kahoy kaya ka nahuli ng mga pulis at ikinulong? Pero ang chainsaw na ginamit mo ay may permit?

SAGOT:

Opo.

19. TANONG: Bibigyan kita ng pagkakataon na magsalita at sabihin ang iyong gustong iparating sa aming opisina. Anong gusto mong sabihin?

SAGOT:

Humihinge po ako ng tawad dahil sa pagkakasala sa pagputol ng kahoy. Dahil lamang po sa tindi ng pangangailangan kaya ko nagawa. Gusto ko rin lamang po itanong na bakit ako lamang po ang nahuli at hindi kasama ang pinsan ko na may ari ng kahoy?

20. TANONG: Meron ka pang gusto idagdag o ibawas sa iyong salaysay?

SAGOT:

Wala na po.

21. TANONG: Handa mo bang lagdaan ang iyong salaysay o isinagot sa aming katanungan.

SAGOT:

Opo.

HORACE VALES

4

22. TANONG: At kung sakali po ba na kayo ay muling imbitahan ditto sa aming opisina, handa po ba kayong bumalik o makipa usap muli para sa karagdagang katanungan?

SAGOT:

Opo.

23.. TANONG: Kung ganon, pansamantala nating tatapusin ang administratibong pandinig na ito.

SAGOT:

Opo.

Sinumpaan at nilagdaanngayong ika-14 ng Hulyo taong 2022 saganapnaika- 12:30 ng Tanghali sa tanggapan ng CENRO Sablayan, Coordinating Office Mamburao Occ. Mindoro.

HORACE VALES
HORACE VALES OBLIGASION
Nagsalaysay

SAKSI:

Hearing Officer:


ARISTON B. RAMOS
Chief MES


KARREEN D. ALVAREZ
Forest Technician II

Republic of the Philippines
Fourth Judicial Region
REGIONAL TRIAL COURT
Branch 44
Mamburao, Occidental Mindoro

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIM. CASE NO. Z- 3613

- versus -

- for -

HORACE VALES y OBLIGASION ,
Accused.

VIOL. OF SEC. 68, P.D. 705
AS AMENDED BY E.O. NO. 277
SERIES OF 1987

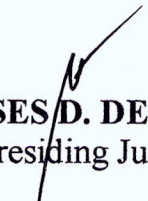
X-----X

COMMITMENT ORDER

TO: THE CHIEF OF POLICE
Municipal Police Station
Mamburao, Occidental Mindoro

I hereby commit to you the person/s of **HORACE VALES y OBLIGASION** accused in the above- entitled case, to keep in custody as detention prisoner/s subject to the Order of this Court.

Issued by the **Hon. ULYSSES D. DELGADO** Judge of this court this 24th day of **March, 2022.**


ULYSSES D. DELGADO
Presiding Judge

RECEIVED the person/s of
MANUEL NON, JR. @ "JUN"

This 24th day of March 2022

time 3:45 PM

date MARCH 24, 2022

By PSSG Vanrick Macabenta

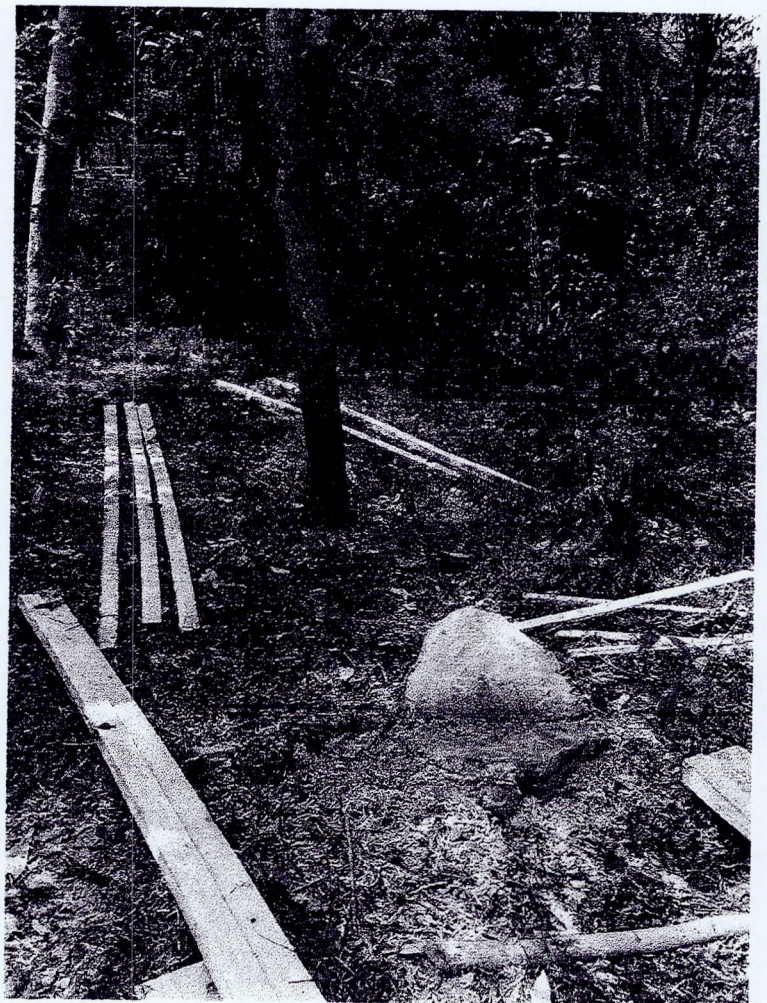
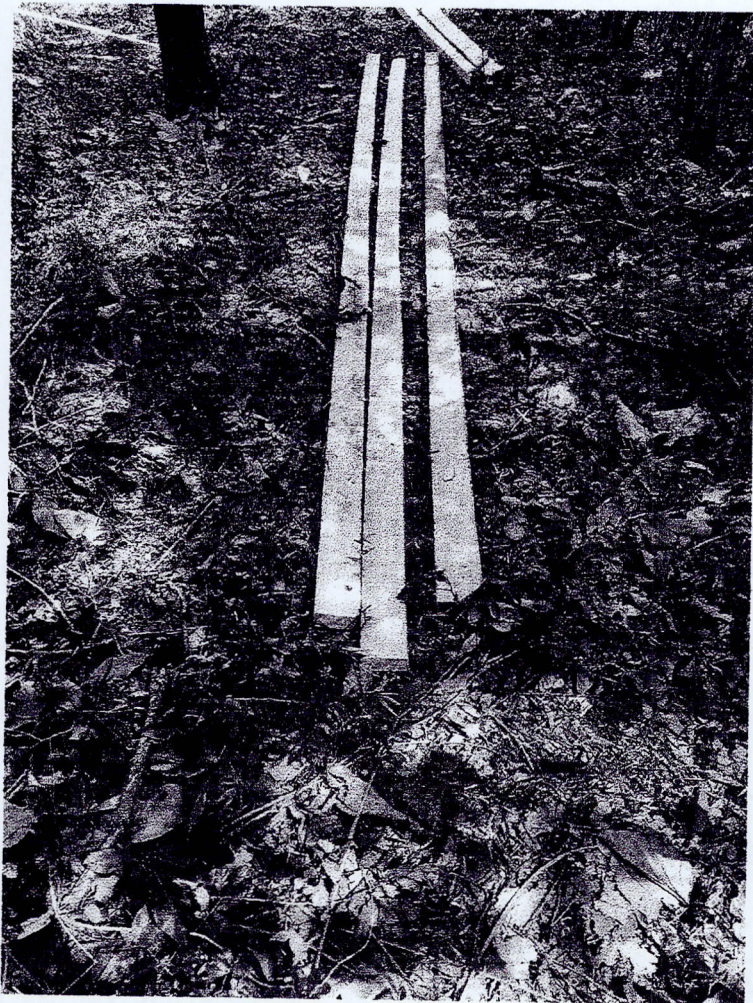
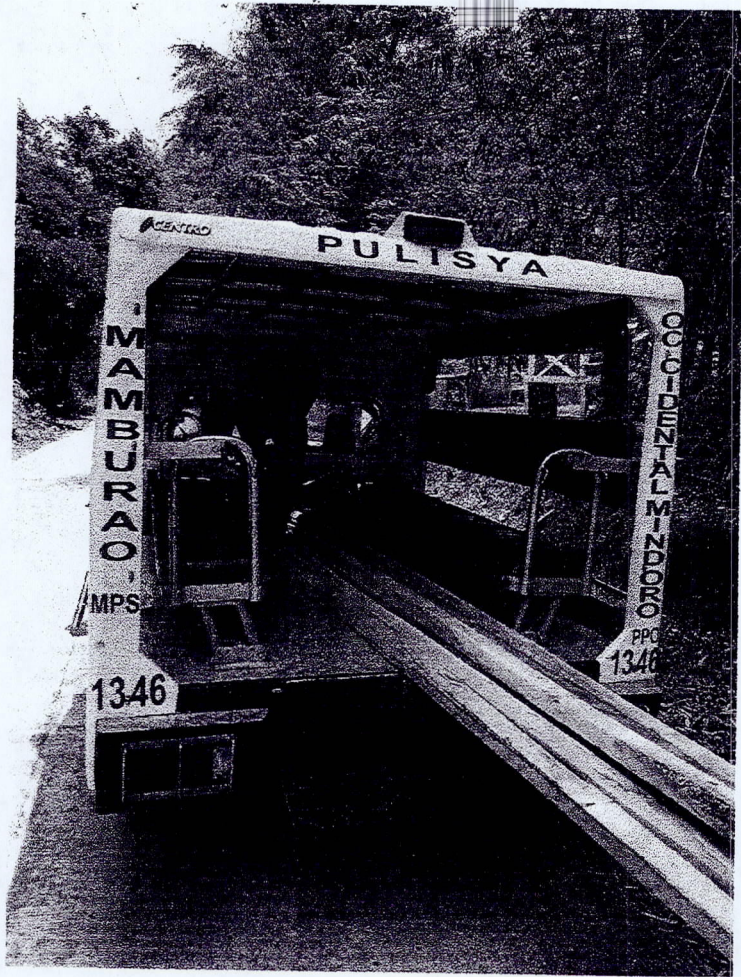


PHOTO TAKEN BY:

PSSg Von Enck N Macabenta



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Sta. Isabel, Sta. Nino, Sablayan, Occidental Mindoro 5104
Email Add: denr.mro@denr.gov.ph

CERTIFICATION OF REGISTRATION

NO. 2022-02

After having complied with the provisions of DENR Administrative Order No. 2003-24, Series of 2003 otherwise known as "The Implementing Guidelines of the Chain Saw Act of 2002 (R.A. 9175) entitled "ACT REGULATING POSSESSION, OWNERSHIP, SALE, IMPORTATION AND USE OF CHAINSAW PENALIZING VIOLATIONS THEREOF AND FOR OTHER RELATED PURPOSES" this Certificate of Registration is hereby issued to:

DIOSDADO TORRADO

(Name of Owner)

ABRA DE ILOG, OCCIDENTAL MINDORO

(Address)

Bearing the following information and descriptions:

USE OF CHAINSAW : To be used for cutting/clearing of trees under Titled Property, Private Plantation and for Other Legal Purposes.

BRAND OF CHAINSAW : STIHL MODEL: 070

DATE ACQUISITION : _____ SERIAL NUMBER: GLP 51911295

HORSEPOWER : _____

MAXIMUM LENGTH OF GUIDE BAR : 1 meter

ISSUED on June 16, 2020 at DENR-CENRO SABLAYAN, OCCIDENTAL MINDORO

EXPIRY DATE: June 16, 2022

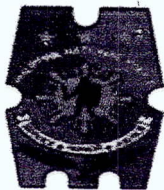
An authentic copy of this Certificate must accompany the chainsaw at all times

Recommending Approval:

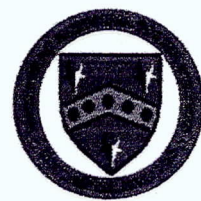

ECOMS I Chief, Permitting Unit

Approved:


CAESAR E. QUEREC
CENR Officer



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Brgy.8, Mamburao, Occidental Mindoro



MEMORANDUM

FOR : Provincial Director, Occ Mindoro PPO
(ATTN: C, PIDMU/PIU/POMU/PCADU)

FROM : Acting Chief of Police

SUBJECT : **Spot Report on Violation of P.D. 705**

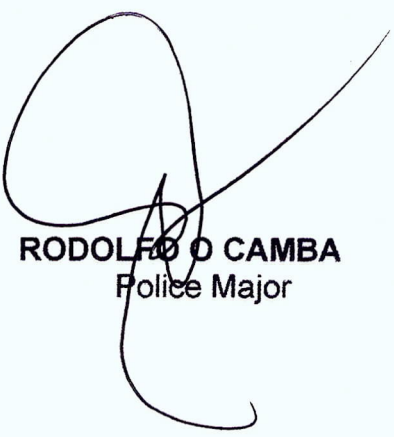
DATE : March 23, 2022

-
1. **WHAT:** Violation of PD 705
 2. **WHERE:** So. Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro
 3. **WHEN:** At about 11:00 AM, March 23, 2022
 4. **WHO:** Suspects was identified as Horace Obligacion Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, mamburao, Occidental Mindoro.

5. **WHY/HOW:**

At about 10:30 AM of March 23, 2022, phone call received by Mamburao MPS from concerned citizen informing that illegal logging activity was transpired at Sitio Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report that resulted to the apprehension Horace Obligacion Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, mamburao, Occidental Mindoro and seized from their possession and control are Seven (7) 2x3x10 gemilina lumber and and one (1) STILHL chainsaw with serial no. GLP 51911295 (with certification No. 2020-52). Arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while confiscated lumber and chainsaw was turned over to DENR. Same personnel returned to this office at about 12:00 PM this date. Investigator On-Case, PSSg Von Erick Macabenta with CP no. 09367151617.

6. For information.


RODOLFO O CAMBA
Police Major



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Brgy.8, Mamburao, Occidental Mindoro



March 23, 2022

Turn-Over of Confiscated/Seized Evidence

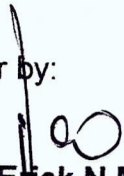
I, PSSg Von Erick Macbenta, Seizing Officer properly turnover to DENR-CENRO SABLAYAN the following confiscated/seized pieces of evidence seized for Violation of P.D. 705, to wit.

Description of Evidence/s:

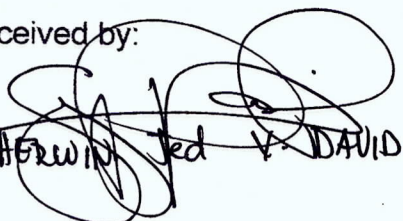
1. Seven (7) pcs of 2x3x10 geminina lumber; and
2. One (1) unit of STILHL chainsaw with serial no. GLP51911295

Request Acknowledge receipt.

Turned over by:


PSSg Von Erick N Macabenta
Seizing Officer

Received by:


Sheriff Ed V. DAVID



DENR SABLAYAN; Monitoring and Enforcement Section (MES)
Supervision

ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

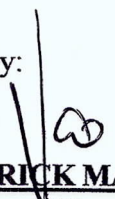
THIS IS TO ACKNOWLEDGE THE RECEIPT from **Municipal Police Station of Mamburao, Occidental Mindoro**, to wit;

No. of Pieces	Dimension	Species	Volume
7	2x3x10	Gmelina	35
XXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
No. of Pieces	Article / Brand	Serial No.	Remarks
1	STHIL	GLP51911295	In good condition
XXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX

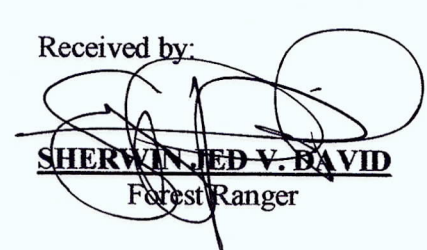
Note: *The above mentioned will be transported from Mamburao MPS, Occidental Mindoro to DENR-CENRO Sablayan Coordinating Office at Mamburao, Occidental Mindoro for safekeeping.*

Received this 23rd day of March, 2022 at Mamburao, Occidental Mindoro.

Turned-over by:


PSSg VON ERICK MACABENTA
Seizing Officer

Received by:


SHERWIN JED V. DAVID
Forest Ranger

Republic of the Philippines
 Department of Environment and Natural Resources
 CENRO Sablayan Occidental Mindoro
 Address: Mamburao, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: CSO-04-01-26-2022
E-FMS No.:

This APPREHENSION RECEIPT is issued to:

Name	Address	Civil Status	Age	Participation	Status of the Person
Horace Obligation Vales	Brgy. Tayamaan, Mamburao,	Married	36	Carpenter	Good Condition
	Occ. Mdo				

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, tools and Implements that have been apprehended, to wit:

1. Forest Product

MAJOR FOREST PRODUCTS																	
Kind	Item	Source/ Origin of the Forest Product	Species Grouping	Species	Pieces	Volume / Unit of Measurement						Estimated Value	Impounding Area	Custodian			
GOOD LUMBERS	1			Gmelina	7	2	x	3	x	10	35 bdft	₱2,100.00	DENR CENRO SABLAYAN CENTRAL MONITORING STATION	CENR Officer			
	XX																
	TOTAL																

MINOR FOREST PRODUCTS				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

CONVEYANCE INVOLVED										
Type	Make/Model/Year		Plate No.	Color/Markings		CR No.	OR No.	Engine No.	Chasis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

IF ANIMALS					
Kind		Quantity		Gender	Color
N/A	N/A		N/A	N/A	N/A

EQUIPMENT INVOLVED	
Type	Srial No.
1 STHIL Chainsaw	GLP51911295

IMPLEMENTS INVOLVED	
Type	Quantity
N/A	N/A

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

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Facual Legal Basis for Apprehension
	Province	City/ Municipality	Barangay	Sitio		
March 23, 2022 / 11:00 AM	Occ. Mdo.	Mamburao	Brgy. Tayamaa n	Dungon	PSSg Von Erick Macabenta	Violation Of Sec.77 of PD 705 / Violation of RA 9175

- Violation Of Sec.77 of PD 705
- Violation of RA 9175
-

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 23rd day of March year 2022 at Mamburao Occidental Mindoro



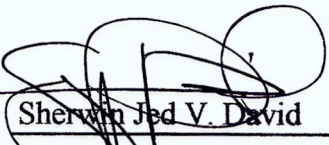
APPREHENDING OFFICERS
(Signature Over Printed Name)

1 Von Erick Macabenta
Position: PSSg
Address: Mamburao MPS

OWNER / CLAIMANT / REPRESENTATIVE / DRIVER
(Signature Over Printed Name)

1 Horace Obligation Vales
Position: Carpenter
Address: Brgy. Tayamaan, Mamburao,
Occidental Mindoro

WITNESSES
(Signature Over Printed Name)



1 Sherwin Jed V. David
Position: Fores Ranger
Address: Mamburao, Occ. Mdo.



UNANG PABATID

July 11, 2022

G. HORACE OBLIGACION

Barangay Tayamaan
Mamburao, Occidental Mindoro

Ginoo,

Ito po ay may kaugnayan sa chainsaw at mga kahoy na natagpuan sa inyong pagmamay-ari na may daming 35 bd ft. noong ika-23 ng Marso, 2022 sa Barangay Tayamaan, Mamburao, Occidental Mindoro na pawang walang pahintulot mula sa aming opisina.

Dahil po dito, kayo ay aming isasailalim sa isang pandinig (Administrative Hearing) tungkol sa "Violation of Section 77 of PD 705". Ang pagdinig ay gaganapin sa ika-10 ng umaga, July 14, 2022 sa tanggapan ng DENR-CENRO Sablayan Coordinating Office, Mamburao, Occidental Mindoro.

Inaasahan po namin ang inyong pakikiisa.

Gumagalang,


FOR. ANASTACIO A. SANTOS, MPA
CENR Officer

7-13-22
HORACE V ALES
HORACE JEFF V ALES

Republic of the Philippines
Department of Justice
NATIONAL PROSECUTION SERVICE
OFFICE OF THE PROVINCIAL PROSECUTOR
MAMBURAO OFFICE
MAMBURAO, OCCIDENTAL MINDORO

To be accomplished by the Office:

Republic of the Philippines
Department of Justice
OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

INVESTIGATION DATA FORM

DATE RECEIVED

NPS DOCKET NO: IV-06a-1NB-22C-00095

(Stamped and initialed):

Time Received

Receiving Staff

RECEIVED
By: [Signature] Date: 24 MAR 2022 Time: 9:15 AM

Assigned to: _____

Date Assigned: _____

(To be accomplished by complainant/counsel/law enforcer)

(Use back portion if space is not sufficient)

COMPLAINANT/S: Name, Sex, Age, & Address

PSSg Von Erick Macabenta

MAMBURAO MPS

CP # 09367151617

macabentavonerick7@gmail.com

RESPONDENT/S: Name, Sex, Age, & Address

Horace Obligation Vales,

Brgy. Tayamaan, Mamburao Occ Mindoro

LAW/S VIOLATED:

P.D. 705

WITNESS/ES: Name & Address:

PSSg Von Erick Macabenta

PSSg Ricky E Munar

MAMBURAO MPS

DATE & TIME of COMMISSION:

March 23, 2022 at about 11:00 AM

PLACE of COMMISSION:

So. Dungon, Brgy. Payompon, Mamburao,
Occidental Mindoro

1. Has a similar complaint been filed before any other office?
2. Is this complaint in the nature of a counter-affidavit?
3. Is this complaint related to another case before this office?

YES _____ NO _____

YES _____ NO _____ If yes, indicate details below.

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 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.

PSSg Von Erick Macabenta

(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this 24 MAR 2022 day of March 2022 in Mamburao, Occidental Mindoro.

STEPHEN A. LAMANILAO
Associate Provincial Prosecutor
Administering Prosecutor/ Officer



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
MAMBURAO MUNICIPAL POLICE STATION



Mamburao, Occidental Mindoro
E-mail Add: Mamburaomps_11@yahoo.com
Station Hotline: 09391460626

OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

March 24, 2022

The Honorable Deputy Provincial Prosecutor
Mamburao, Occidental Mindoro

Madam/Sir,

RECEIVED
By: *[Signature]* Date: 24 MAR 2022 Time: 9:15 AM

May I have the honor to refer to your good office for appropriate action the herein attached criminal charges Horace Obligation Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, Mamburao, Occidental Mindoro for Violation of P.D. 705

FACTS OF THE CASE:

At about 10:30 AM of March 23, 2022, phone call received by Mamburao MPS from concerned citizen informing that illegal logging activity was transpired at Sitio Dungan, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report that resulted to the apprehension Horace Obligation Vales, 36 years old, married, carpenter and resident of Barangay Tayamaan, mamburao, Occidental Mindoro and seized from their possession and control are Seven (7) 2x3x10 gemilina lumber and and one (1) STILHL chainsaw with serial no. GLP 51911295 (with certification No. 2020-52). Arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while confiscated lumber and chainsaw was turned over to DENR.

Prepared by:

[Signature]
PSSg Von Erick Macabenta
Investigator-On-Case

NOTED FOR FILING;

[Signature]
RODOLFO CAMBA
Police Major
OIC

ATTACHMENTS;

~~JA of PSSg Von Erick Macabenta~~
~~JA of PSSg Ricky Munar~~
~~Inventory/receipt~~

~~certificate of registration~~
~~Accused's receipt~~
~~Apprehension Pictures~~
~~Receipt~~
~~Turnover order~~

Republika ng Pilipinas)
Lalawigan ng Occidental Mindoro : S.S)
Bayan ng Mamburao)
X-----X

JUDICIAL AFFIDAVIT

AKO, si **PSSg Ricky Empuerto Munar**, nasa hustong gulang, may-asawa, kawani ng Pambansang Pulisya ng Pilipinas na kasalukuyang nakatalaga bilang Intel operative dito sa Mamburao Municipal Police Station, kasalukuyang naninirahan sa Sta Cruz, Occidental Mindoro, matapos makapanumpa ng naaayon sa ating saligang batas ay kusang loob na nagsasalaysay ng mga sumusunod:

PANGUNANG SALITA

Ang nagtatanong sa akin sa Judicial Affidavit kong ito ay si PSSg Von erick N Macabenta, isang pulis na nakatalaga sa Investigation and Detective Management Section ng Mamburao Municipal Police Station, Mamburao, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa Himpilan ding ito sa harap nina PSSg Von Erick Macabenta, kasapi ng Mamburao Municipal Police Station ngayong March 23, 2022.

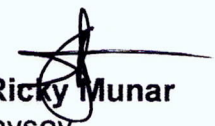
Sinagot ko ang mga tanong sa akin sa ilalim ng aking sinumpaang salaysay na magsasabi ng katotohanan lamang at batid ko na maaari akong managot kung sakaling ako ay magsinungaling.

MGA TANONG AT SAGOT:

- | | | | |
|-----|--------|---|---|
| 01. | TANONG | - | PSSg Ricky Empuerto Munar ,
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. |
| 04. | TANONG | - | Ano naman ang dahilan at ikaw ay naririto sa
aming tanggapan at nagbibigay ng iyong malaya at
kusang- loob na salaysay? |
| | SAGOT | - | Upang magbigay ng salaysay at ihabla sapaglabag
sa P.D. 705 si Horace Obligation Vales |
| 05. | TANONG | - | Bakit nais mong kasuhan ng P.D. 705 ang taong
nabangit mo? |
| | SAGOT | - | Dahil sa nahuli po namin siya ako na illegal na
namumutol ng puno |
| 06. | TANONG | - | Kailan at saan mo naman naaktuhang namumutol ng
puno taong iyong nabangit? |
| | SAGOT | - | Humigit kumulang 11:00 ng umaga, March 23, 2022,
sa So. Dungon, Barangay Tayamaan, Mamburao,
Occidental Mindoro |

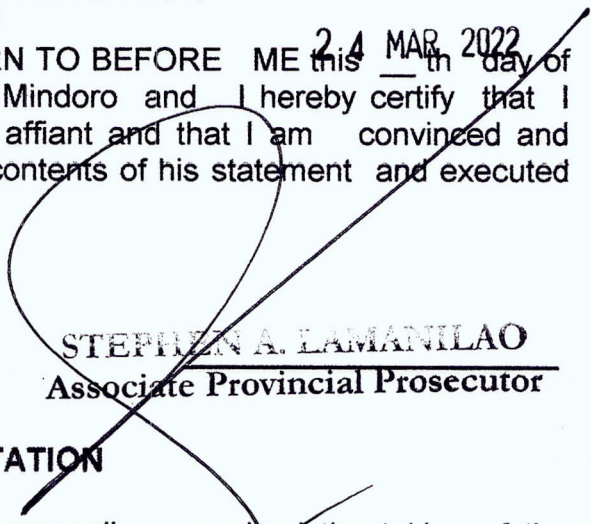
07. TANONG - Sa paanong paraan mo naman siya nahuli?
SAGOT - Ganito po iyon, nakatangap ng tawag ang aming himpilan galing sa isang concern citizen at ipinagbigay alam niya na mayroong nagaganap na illegal na pamumutol ng punosa So. Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro
08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?
SAGOT - Agad po kaming nagtungo sa lugar kung saan nangyayari ang illegal na pamumutol ng puno
09. TANONG - Ano naman sumunod na nangyari, kung meron man?
SAGOT - Naaktuhan namin ang isang tao na nagpuputol ng puno at ginagawang tabla gamit ang isang chainsaw.
10. TANONG - Nakilala mo ba yung taong naaktuhan mong nagpuputol ng puno?
SAGOT - Opo, si Horace Vales
11. TANONG - Ano naman ang mga ebedenbsyang nakuha mo at nakumpiska sa kanya?
SAGOT - Pitong pirasong 2x3x10 na gemilina na walang permit to cut o anumang patunay na may permit ang kanyang mga nilagareng kahoy at isang STILT chainsaw na may SN GLP51911295 na siyang ginamit para putulin at tablahin ang puno ng gemilina.
12. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man?
SAGOT - Ipinaalam ko po kay Horace Vales na siya ay mahaharap sa kasong paglabag sa P.D. 705 at ipinaalam ko sa kanila ang kanilang mga karapatan na naayon sa batas.
13. T : Meron ba kayong gamit na Body Worn Camera o Alternative Recording Device na inuubliga ng batas ngayon?
S : Wala po kaming Body Worn Camera pero may Alternative Recording Device naman po kaming gamit na pasok at naaayon sa batas gamit ni PSSg Von Erick Macabentaang isang Samsung A22 5g.
14. T : Sa anong kadahilanan at wala kayong gamit na body camera?
S : Wala po kaming issue na body camera at ang pagkakadakip po kay Horace Vales ay resulta ng police response at hindi planadong operasyon, may gamit rin po kaming alternative recording device na pasok sa itinatadhana ng batas.
15. T : Wala na akong itatanong sa iyo, mayroon ka pa bang nais idagdag o bawasin sa salaysay mo?

- S : Meron po, ang mga ebedensya po ay aking inilipat sa pangangalaga ng aming imbistigador na si PSSg Von Erick Macabenta na agad rin naman naiturn over sa DENR.
16. T : Ikaw ba ay pinilit, tinakot, binigyan o pinangakuan ng anumang pabuya para gawin ang salaysay mong ito?
S : Hindi po.
17. T : Handa mo bang lagdaan ang salaysay mong ito?
S : Opo.


PSSg Ricky Munar
Nagsalaysay

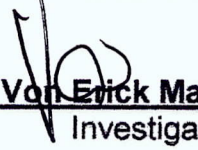
OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022 of March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

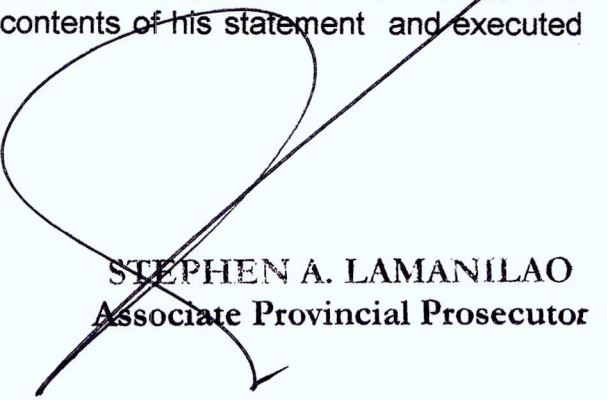
ATTESTATION

I attest to the fact that I personally supervised the taking of the testimony of the witness **PSSg Ricky Munar**, the result was reduced in this Judicial Affidavit and I, further attest that the questions asked of the complainant and his answer to the same were faithfully record and that no one assisted or coached the complainant when he answered the question asked him.


PSSg Von Erick Macabenta
Investigator

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022 of March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

Republika ng Pilipinas)
Lalawigan ng Occidental Mindoro : S.S)
Bayan ng Mamburao)
X-----X

JUDICIAL AFFIDAVIT

AKO, si **PSSg Ricky Empuerto Munar**, nasa hustong gulang, may-asawa, kawani ng Pambansang Pulisya ng Pilipinas na kasalukuyang nakatalaga bilang Intel operative dito sa Mamburao Municipal Police Station, kasalukuyang naninirahan sa Sta Cruz, Occidental Mindoro, matapos makapanumpa ng naaayon sa ating saligang batas ay kusang loob na nagsasalaysay ng mga sumusunod:

PANGUNANG SALITA

Ang nagtatanong sa akin sa Judicial Affidavit kong ito ay si PSSg Von erick N Macabenta, isang pulis na nakatalaga sa Investigation and Detective Management Section ng Mamburao Municipal Police Station, Mamburao, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa Himpilan ding ito sa harap nina PSSg Von Erick Macabenta, kasapi ng Mamburao Municipal Police Station ngayong March 23, 2022.

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

MGA TANONG AT SAGOT:

- | | | | |
|-----|--------|---|---|
| 01. | TANONG | - | PSSg Ricky Empuerto Munar ,
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. |
| 04. | TANONG | - | Ano naman ang dahilan at ikaw ay naririto sa
aming tanggapan at nagbibigay ng iyong malaya at
kusang- loob na salaysay? |
| | SAGOT | - | Upang magbigay ng salaysay at ihabla sapaglabag
sa P.D. 705 si Horace Obligation Vales |
| 05. | TANONG | - | Bakit nais mong kasuhan ng P.D. 705 ang taong
nabangit mo? |
| | SAGOT | - | Dahil sa nahuli po namin siya ako na illegal na
namumutol ng puno |
| 06. | TANONG | - | Kailan at saan mo naman naaktuhang namumutol ng
puno taong iyong nabangit? |
| | SAGOT | - | Humigit kumulang 11:00 ng umaga, March 23, 2022,
sa So. Dungon, Barangay Tayamaan, Mamburao,
Occidental Mindoro |

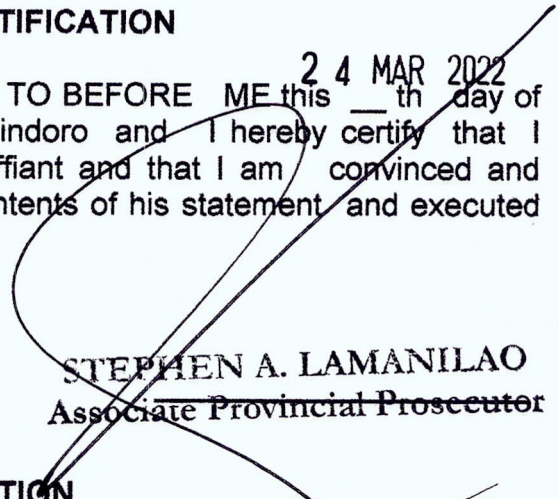
07. TANONG - Sa paanong paraan mo naman siya nahuli?
SAGOT - Ganito po iyon, nakatangap ng tawag ang aming himpilan galing sa isang concern citizen at ipinagbigay alam niya na mayroong nagaganap na illegal na pamumutol ng punosa So. Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro
08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?
SAGOT - Agad po kaming nagtungo sa lugar kung saan nangyayari ang illegal na pamumutol ng puno
09. TANONG - Ano naman sumunod na nangyari, kung meron man?
SAGOT - Naaktuhan namin ang isang tao na nagpuputol ng puno at ginagawang tabla gamit ang isang chainsaw.
10. TANONG - Nakilala mo ba yung taong naaktuhan mong nagpuputol ng puno?
SAGOT - Opo, si Horace Vales
11. TANONG - Ano naman ang mga ebedenbsyang nakuha mo at nakumpiska sa kanya?
SAGOT - Pitong pirasong 2x3x10 na gemilina na walang permit to cut o anumang patunay na may permit ang kanyang mga nilagareng kahoy at isang STILT chainsaw na may SN GLP51911295 na siyang ginamit para putulin at tablahin ang puno ng gemilina.
12. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man?
SAGOT - Hinanapan ko siya ng permit para sa pagputol ng puno galing DENR pero ala siyang maipakita sa akin
13. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man matapos wala siyang maipakitang permit?
SAGOT - Ipinaalam ko po kay Horace Vales na siya ay mahaharap sa kasong paglabag sa P.D. 705 at ipinaalam ko sa kanila ang kanilang mga karapatan na naayon sa batas.
14. T : Meron ba kayong gamit na Body Worn Camera o Alternative Recording Device na inuubliga ng batas ngayon?
S : Wala po kaming Body Worn Camera pero may Alternative Recording Device naman po kaming gamit na pasok at naaayon sa batas gamit ni PSSg Von Erick Macabentaang isang Samsung A22 5g.
15. T : Sa anong kadahilanan at wala kayong gamit na body camera?
S : Wala po kaming issue na body camera at ang pagkakadakip po kay Horace Vales ay resulta ng police response at hindi planadong operasyon, may gamit rin po kaming alternative recording device na pasok sa itinatadhana ng batas.
16. T : Wala na akong itatanong sa iyo, mayroon ka pa bang nais idagdag o bawasin sa salaysay mo?
S : Meron po, ang mga ebedensya po ay aking inilipat sa pangangalaga ng aming imbistigador na si PSSg Von Erick Macabenta na agad rin naman naiturn over sa DENR.

- S : Meron po, ang mga ebedensya po ay aking inilipat sa pangangalaga ng aming imbistigador na si PSSg Von Erick Macabenta na agad rin naman naiturn over sa DENR.
16. T : Ikaw ba ay pinilit, tinakot, binigyan o pinangakuan ng anumang pabuya para gawin ang salaysay mong ito?
S : Hindi po.
17. T : Handa mo bang lagdaan ang salaysay mong ito?
S : Opo.


PSSg Ricky Munar
Nagsalaysay

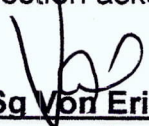
OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022
March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

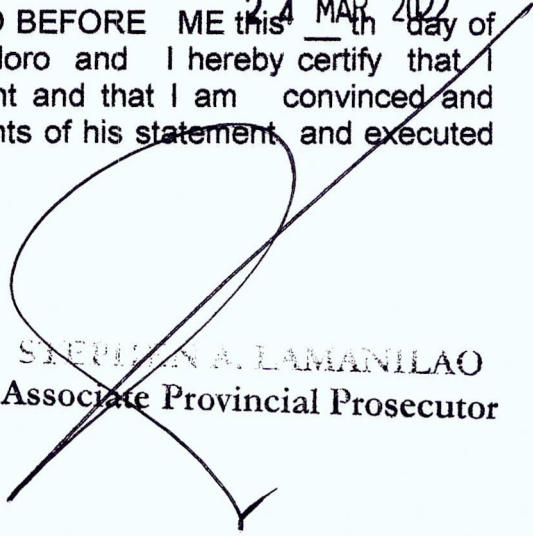
ATTESTATION

I attest to the fact that I personally supervised the taking of the testimony of the witness **PSSg Ricky Munar**, the result was reduced in this Judicial Affidavit and I, further attest that the questions asked of the complainant and his answer to the same were faithfully record and that no one assisted or coached the complainant when he answered the question asked him.


PSSg Von Erick Macabenta
Investigator

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022
March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

Republika ng Pilipinas)
Lalawigan ng Occidental Mindoro : S.S)
Bayan ng Mamburao)
X-----X

JUDICIAL AFFIDAVIT

AKO, si **PSSg Von Erick Macabenta**, nasa hustong gulang, kawani ng Pambansang Pulisya ng Pilipinas na kasalukuyang nakatalaga bilang Chief Investigator dito sa Mamburao Municipal Police Station, kasalukuyang naninirahan sa Baranagay 8, Mamburao, Occidental Mindoro, matapos makapanumpa ng naaayon sa ating saligang batas ay kusang loob na nagsasalaysay ng mga sumusunod:

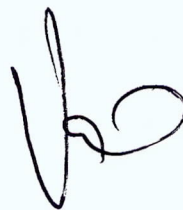
PANGUNANG SALITA

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

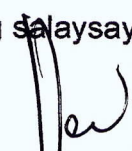
MGA TANONG AT SAGOT:

- | | | | |
|-----|--------|---|---|
| 01. | TANONG | - | PSSg Von Erick Macabenta,
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. |
| 04. | TANONG | - | Ano naman ang dahilan at ikaw ay naririto sa
aming tanggapan at nagbibigay ng iyong malaya at
kusang- loob na salaysay? |
| | SAGOT | - | Upang magbigay ng salaysay at ihabla sapaglabag
sa P.D. 705 si Horace Obligation Vales |
| 05. | TANONG | - | Bakit nais mong kasuhan ng P.D. 705 ang taong
nabangit mo? |
| | SAGOT | - | Dahil sa nahuli po namin siya ako na illegal na
namumutol ng puno |
| 06. | TANONG | - | Kailan at saan ninyo naman naaktuhang namumutol
ng puno taong iyong nabangit? |
| | SAGOT | - | Humigit kumulang 11:00 ng umaga, March 23, 2022,
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Occidental Mindoro |



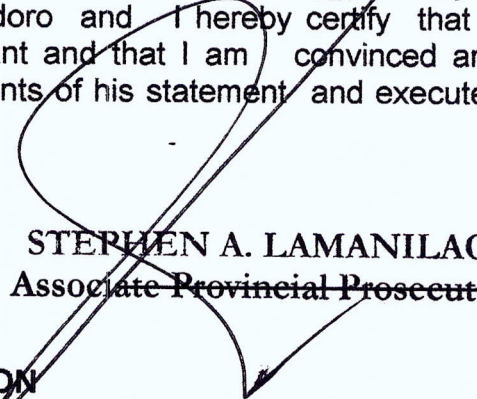
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SAGOT - Ganito po iyon, nakatangap ng tawag ang aming himpilan galing sa isang concern citizen at ipinagbigay alam niya na mayroong nagaganap na illegal na pamumutol ng punosa So. Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro
08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?
SAGOT - Agad po kaming nagtungo sa lugar kasama ko si PSSg Ricky Munar kung saan nangyayari ang illegal na pamumutol ng puno
09. TANONG - Ano naman sumunod na nangyari, kung meron man?
SAGOT - Naaktuhan namin ang isang tao na nagpuputol ng puno at ginagawang tabla gamit ang isang chainsaw.
10. TANONG - Nakilala ba ninyo yung taong naaktuhan mong nagpuputol ng puno?
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SAGOT - Ipinaalam namin kay Horace Vales na siya ay mahaharap sa kasong paglabag sa P.D. 705 at ipinaalam ko sa kanila ang kanilang mga karapatan na naayon sa batas.
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S : Wala po kaming Body Worn Camera pero may Alternative Recording Device naman po kaming gamit na pasok at naaayon sa batas ang isang Samsung A22 5g.
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S : Wala po kaming issue na body camera at ang pagkakadakip po kay Horace Vales ay resulta ng police response at hindi planadong operasyon, may gamit rin po kaming alternative recording device na pasok sa itinatadhana ng batas.
16. T : Wala na akong itatanong sa iyo, mayroon ka pa bang nais idagdag o bawasin sa salaysay mo?

- S : Meron po, ang mga ebedensya po ay aking inilipat sa pangangalaga ng aming imbistigador na si PSSg Von Erick Macabenta na agad rin naman naiturn over sa DENR. Ako rin po ang humawak ng ARD at ang nakuhang video mula sa ARD ay aking isinalin sa aming desktop computer at inilipat kung muli sa rewritable CD na siyang minarkahan ko ng VEN-1 3/23/2022 na may pirma
16. T : Ikaw ba ay pinilit, tinakot, binigyan o pinangakuan ng anumang pabuya para gawin ang salaysay mong ito?
S : Hindi po.
17. T : Handa mo bang lagdaan ang salaysay mong ito?
S : Opo.


PSSg Von Erick Macabenta
Nagsalaysay

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022 day of March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
~~Associate Provincial Prosecutor~~

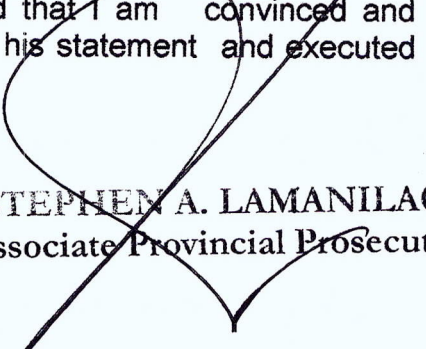
ATTESTATION

I attest to the fact that I personally supervised the taking of the testimony of the witness **PSSg Von Erick Macabenta**, the result was reduced in this Judicial Affidavit and I, further attest that the questions asked of the complainant and his answer to the same were faithfully record and that no one assisted or coached the complainant when he answered the question asked him.


PSSg Bernard Cris Gonzales
Investigator

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this 24 MAR 2022 day of March 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
~~Associate Provincial Prosecutor~~

Republic of the Philippines
Department of Justice
OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

MPS-MAMBURAO, OCC. MINDORO
REP. BY:
PSSg VON ERICK MACABENTA
Complainant,

NPS DOCKET NO. IV-
06a-INQ-22C-00095

-versus-

-for-

HORACE VALES y OBLIGASION,
Respondent.,

VIOLATION OF PD 705

X ----- X

RESOLUTION

For inquest before this office is the referral complaint filed by local PNP-Mamburao, Occidental Mindoro charging the above-named respondent for Violation of PD 705.

In support of the complaint are the following evidence, to wit: **(a)** SS of PSSg Von Erick Macabenta; **(b)** SS of PSSg Ricky Munar; **(c)** Certificate of Registration; **(d)** Acknowledgment Receipt; **(e)** Photographs; **(f)** Apprehension Receipt; **(g)** Turn-over Receipt; and **(h)** CD.

That on March 23, 2022 at on or about 10:30 o'clock in the morning Mamburao Municipal Police Station, Mamburao, Occidental Mindoro received a phone call from concerned citizen reported that illegal logging activities transpired at Sitio Dungon, Barangay Tayamaan, Mamburao, Occidental Mindoro. Acting to the report, intel personnel of MPS-Mamburao led by PSSg Ricky Munar, conducted Anti-Illegal Logging Operation at the said place, that resulted to the apprehension of the respondent Horace Obligation Vales. The respondent failed to present necessary documents. Confiscated from his possession and control were seven (7) pieces of 2x3x10 of gemilina lumber with the total of more or less Thirty-Five (35) board feet and with an estimated value amounting to Two Thousand One Hundred Pesos (Php2,100.00) and one (1) unit of STHIL chainsaw with serial no. GLP 51911295 with Registration No. 2020-52. Hence, this complaint.

Upon perusal of the records and examination of the witnesses, the undersigned inquest prosecutor finds the complaint as proper for inquest, the warrantless arrest of the respondent ***Horace Vales y Obligation*** as being lawful and there exist a probable cause that the crime of VIOLATION OF PD 705 has been committed and that the respondent is probably guilty thereof and should be held for trial.

The arrested respondent did not opt to avail of preliminary investigation nor signed any waiver of Art. 125 of the Revised Penal Code.

WHEREFORE, premises considered, let information charging **HORACE VALES y OBLIGACION** for Violation of Sec. 68, PD. 705 as amended by E.O. No. 277 series of 1987 BE FILED before the proper court of competent jurisdiction.

This Resolution is being issued with prior written authority from the Provincial Prosecutor Hon. Dante V. Ramirez in conducting inquest cases.

Mamburao, Occidental Mindoro, March 24, 2022.

STEPHEN A. LAMANILAO
Associate Provincial Prosecutor
Roll No. 57985
MCLE Compliance No. VII-0012014

h
PSS Macabente
03/24/2022

HORACE VALES
~~HORACE VALES~~
03/24/2022