



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

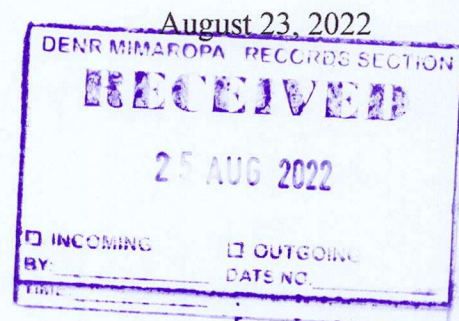
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MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

FROM : The In-Charge, Office of the PENRO
Oriental Mindoro

SUBJECT : **SUBMISSION OF RESULT OF THE ADMINISTRATIVE
ADJUDICATION HEARING OF FIFTY-ONE (51) PIECES
LAUAN LUMBERS WITH AN AGGREGATE VOLUME OF 341
BOARD FEET APPREHENDED AT BRGY. LOYAL, VICTORIA,
ORIENTAL MINDORO**



Forwarded is a Memorandum from CENRO Socorro with enclosed pertinent documents relative to the above subject, such as:

1. Summary of Administrative Proceedings;
2. Minutes of the Administrative Hearing;
3. Attendance Sheets;
4. Notices of Administrative Hearing;
5. Spot Report;
6. Geo-tagged Photos;
7. Apprehension Receipt;
8. Seizure Order;
9. Seizure Receipt;
10. Pertinent documents from PNP Victoria relative to the aforesaid case; and,
11. Other pertinent documents.

Please be informed that a complaint was filed by the PNP Victoria with Docket No. IV-07-INV-22-D-00088 against the identified offender for violation of Section 77 of P.D. 705 as amended.

Further, this Office concurs with the recommendations of CENRO Socorro that the apprehended fifty-one (51) Lauan lumbers with a total volume of 341 board feet shall be confiscated in favor of the government and shall be disposed of in accordance with existing forestry laws, rules, and regulations.

For further instructions.


ALMA E. GIBE

PENRO Tracking No.: 2204000126
FN: TSD/MES/Rick



DENRPENRO2208000043



August 11, 2022

MEMORANDUM

FOR : The PENR Officer

FROM : The CENR Officer

SUBJECT : SUBMISSION OF RESULT OF THE ADMINISTRATIVE ADJUDICATION HEARING OF FIFTY-ONE (51) PCS OF LAUAN LUMBER WITH AN AGGREGATE VOLUME OF THREE HUNDRED FORTY ONE (341) BOARD FEET APPREHENDED AT BARANGAY LOYAL, VICTORIA, ORIENTAL MINDORO

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	AUG 15 2022
TIME:	

Respectfully submitting the following documents necessary in the evaluation of the abovementioned instant case.

Summary of Administrative proceedings

Attachments:

- Annex 1
- Notices of hearing
 - Attendance sheet
 - Minutes of Administrative Adjudication Proceeding for the Apprehending Officer
 - Spot report
 - Geo-tagged photos
 - Scale/Tally sheet
- Annex 2
- Pagpapatunay issued by Punong Barangay Mark Anthony M. Ganio
- Annex 3
- Letter to the Honorable Provincial Prosecutor
 - Spot report on Violation of PD 705
 - Investigation data form with NPS Docket No. IV-07-INV-22-D-00088
 - Pinagsamang sinumpaang salaysay of apprehending officers
 - Sinumpaang Salaysay of Mark Anthony Ganio
 - Pagpapatunay issued by Punong Barangay Mark Anthony M. Ganio
 - Letter of PMAJ Freddie F Seno to the undersigned
 - Apprehension receipt
 - Acknowledgement receipt
 - Seizure Order
 - Seizure receipt



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

Citing the results of the conducted Administrative Adjudication hearing, this office respectfully recommends to confiscate the **Fifty-One (51) pieces of Lauan lumber with an aggregate volume of Three Hundred Forty-One (341) board feet** in favor of the Government of the Philippines and such be disposed of in accordance with the existing laws and procedures.

For final evaluation of the case and further instruction, if any.


RODEL M. BOYLES



SUBJECT :

**SUMMARY OF HEARING WITH
RECOMMENDATION INVOLVING
FIFTY-ONE (51) PIECES OF LAUAN
LUMBER WITH AN AGGREGATE
VOLUME OF THREE HUNDRED
FORTY-ONE (341) BOARD FEET OR
POINT EIGHTY (0.80) CUBIC
METER APPREHENDED AT
BARANGAY LOYAL, VICTORIA,
ORIENTAL MINDORO**

AAP No.: 2022-06

X-----X

In compliance with the provisions of DENR Administrative Order No. 97-32 (DAO 97-32), an **Administrative Adjudication Proceeding** relative to the above-cited subject was conducted by the undersigned hearing officer on **10 June 2022** at DENR-CENRO Socorro, Barangay Pasi II, Socorro, Oriental Mindoro.

Antecedents

On 22 April 2022 at around 4:30 in the afternoon, PMSg Lesther S. Lusterio and PSSg Eingelbert E. Gonzales of Victoria Municipal Police Station, hereinafter referred to as "apprehending officers," received an information alleging that members of NPA are seen in Sitio Pamuwisan, Barangay Loyal, Victoria. They immediately informed their chief, PMAJ Freddie F. Seña, who tasked them to confirm the said information.

On 23 April 2022 at around 8:00 o'clock in the morning, the apprehending officers went to Barangay Loyal to coordinate with Barangay Captain Mark Anthony Ganio who then accompanied them to Sitio Pamuwisan.

While on the way, they have chanced upon two (2) male individuals carrying lumbers. They tried to approach them to inquire about the necessary permit/s relative thereto but the latter were able to escape leaving the lumbers behind. Due to the information that there are CCP/NPA in the area, the apprehending officers did not pursue them anymore as it is dangerous on their part.

Barangay Captain Ganio identified one of the individuals as Joseph Macuha Riva while the other as someone with an alias name of "Jojo". Both are legitimate residents of Sitio Pamuwisan and part of the Mangyan tribe.

On the same day, the lumbers involved were brought by the apprehending officers to Victoria Municipal Police Station and a Request Letter for Scaling was sent via email by PCpl Nelson B. Hernandez to DENR – CENRO Socorro.



On 25 April 2022 at around 9:00 o'clock in the morning, Forest Rangers Adrean A. Castillo and Elcid M. Montero of DENR – CENRO Socorro went to Victoria Municipal Police Station to scale, mark, and take photos of the apprehended lumbers, custody of which were later transferred to DENR – CENRO Socorro in Barangay Pasi.

Based on the information gathered by the apprehending officers, Joseph Macuha Rivas and “Jojo” have been trying to transport lumbers illegally outside Barangay Concepcion and Barangay Loyal for several times already.

On 27 April 2022, Victoria Municipal Police Station’s investigation records were submitted to the Office of the Provincial Prosecutor.

To determine whether or not the seized lumbers should be recommended to be confiscated in favor of the government, Notices of Administrative Confiscation Hearing scheduled on 10 June 2022 were sent to the apprehending officers and Barangay Captain Ganio.¹ On the scheduled hearing, the latter submitted a “Pagpapatunay” that Joseph Macuha Rivas is no longer living nor seen in Loyal, Victoria.²

In line with this, the antecedent facts narrated above and the corresponding recommendation of the hearing officer are based on the relevant documents and testimonies gathered from the apprehending officers only.³

¹ Copy of the Notice of Hearing and “Abiso ng Pagdinig” dated 31 May 2022, and the documents gathered during the Confiscation Hearing conducted on 10 June 2022 such as: (a) Sinumpaang Salaysay and (b) Sport Report dated 02 May 2022, is hereto collectively attached as **Annex “1”**.

² Copy of the said Pagpapatunay is hereto attached as **Annex “2”**.

³ Copy of the Records of Investigation by Victoria Municipal Station with attachments, to wit: (a) Cover Letter addressed to the Provincial Prosecutor; (b) IDF/Endorsement; (c) Joint Affidavit of PMSg Lesther S. Lusterio and PSSg Eingelbert E. Gonzales; (d) Affidavit of Barangay Captain Mark Ganio; (e) Pagpapatunay of Residency; (f) Request Letter to DENR-CENRO; (g) Apprehension Receipt; (h) Acknowledgment Receipt; (i) Scale Sheet or Tally Sheet of Apprehended Sawn Lumbers; (j) Picture during Scale of DENR – Cenro; and (k) Picture during Marking of Evidence, is hereto collectively attached as **Annex “3”**.




RECOMMENDATION

Based on the foregoing, the apprehended lumbers are not covered by any permit/s issued by DENR-CENRO Socorro. Thus, presumed to gathered or collected illegally.

WHEREFORE, it is respectfully recommended that the seized FIFTY-ONE (51) PIECES OF LAUAN LUMBER WITH AN AGGREGATE VOLUME OF THREE HUNDRED FORTY-ONE (341) BOARD FEET OR POINT EIGHTY (0.80) CUBIC METER be confiscated in favor of the Government of the Philippines and such be disposed of in accordance with the existing laws and procedures.

Respectfully submitted this 08th day of August 2022.


RODEL M. BOYLES
Hearing Officer





TO : **PMAJ FREDDIE F SEÑO**
Chief of Police
Victoria Municipal Police Station

SUBJECT : Administrative Adjudication Proceeding
on the apprehended 51 Pieces Lauan
lumpers pursuant to Department
Administrative Order (DAO) 97-32

X-----X


NOTICE OF HEARING

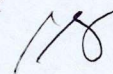
Pursuant to the existing provisions of DAO 97-32, an Administrative Adjudication Procedure/Hearing relating to the apprehended 51 pieces Lauan lumpers having equivalent volume of 341 board feet shall be conducted on June 10, 2022, 10:00 o'clock in the morning to be held at CENR Office, CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro.

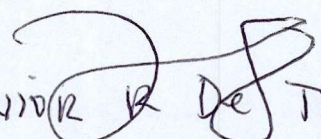
In relation, the presence of the **PMSg Lester S. Lusterio** and **PSSg Eingelbert E. Gonzales** primarily involved in the apprehension of the above mentioned case are hereby requested.

May we also ask for a photocopy of the case filed for documentary and other legal purposes it may serve.

Socorro, Oriental Mindoro. 31st day of May, 2022.


RODEL M. BOYLES
CENR Officer




PCMS DENIRO R De TORRES
June- 7. 2022
7:10 Am



PARA KAY : **GINOONG JOSEPH M. RIVAS**
Brgy. Loyal, Victoria, Oriental Mindoro

PAKSA : Paanyaya para sa Pagdinig tungkol sa nahuling
51 pirasong tabla alinsunod sa Department
Administrative Order (DAO) 97-32

X-----X

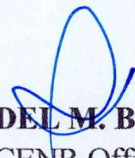
ABISO NG PAGDINIG

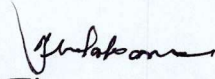
Ito ay may kinalaman sa ulat tungkol sa nahuli ng mga kawani ng Philippine National Police (PNP) Victoria na 51 pirasong tabla na may kabuuang dami na 341 bdf na noong ika-23 ng Abril taong kasalukuyan sa Brgy. Loyal, Victoria, Oriental Mindoro.

Alinsunod sa DAO 97-32, ikaw ay inaanyayahan sa isang pagdinig sa ika-10 ng Hunyo, taong kasalukuyan, alas dyes ng umaga sa tanggapan ng CENR Office, CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro. Mangyaring magdala ng mga papeles na nagpapatunay na legal ang mga nahuling kahoy.

Inaasahan namin ang iyong pagdalo.

Socorro, Oriental Mindoro. May 31, 2022.


RODEL M. BOYLES
CENR Officer


Kagawad: Florencio Malabanan



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

ATTENDANCE

ADMINISTRATIVE ADJUDICATION HEARING

Date: June 10, 2022

Time: 10:00 AM

CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro

No.	NAME	OFFICE/ADDRESS	SIGNATURE
1	PSSG GONZALES EE	VICTORIA MPS/BG 4. BABANGDANAN, VIC. OR. MIND.	
2	PMSG LUSTERO LS	VICTORIA MPS/BG 4. BABANGDANAN, VIC. OR. MIND.	
3	Vanila A. Mindoro	CENRO-Socorro	
4	Rodel M. Bayles		
5			
6			
7			
8			
9			
10			

NO. MR
RIVAL

ADMINISTRATIVE ADJUDICATION PROCEEDINGS RE: APPREHENDED

51 piece Lauan lumbers with equivalent volume 341 board feet
Barangay Loyal, Victoria, Oriental Mindoro.

CENR OFFICE
Brgy. Pasi II, Socorro
Oriental Mindoro
June 10, 2022
10:00 am

ATTENDANCE:

RODEL M. BOYLES	- Hearing Officer
LEONIDA MINDAROS	- Encoder
PMSg LESTHER S. LUSTERIO	- Apprehending Officer
PSSg EINGELBERT E. GONZALES	- Apprehending Officer
MR. JOSEPH M. RIVAS	- Respondent

PAALALA: Kayo ay pinaalalahan ko ng inyong karapatan ayon sa ating saligang batas na ikaw ay pwedeng manahimik o hindi sagutin ang mga katanungan na itatanung sa iyo. Kayo ay may karapatan na kumuha ng inyong sariling Abogado sapagkat lahat ng sasabihin nyo ay maaring magamit laban sa inyo.

Tanong: Ano ang inyong tunay na pangalan at iba pang pagkakakilanlan?

Sagot: PMSg Lesther S. Lusterio and PSSg Eingelbert E. Gonzales pawang nakatalaga sa Victoria MRS

Tanong: Ano ang dahilan bakit kayo narito sa tanggapan ng DENR-CENRO-Socorro?

Sagot: Dahil po sa pataway na Admin hearing

Tanong: Dinidinig natin ngayon ang tungkol sa nahuling 51 pirasong Lauan lumber na may kabuuang sukat na 341 board feet na nahuli sa Brgy. Loyal, Victoria, Oriental Mindoro. Kayo po ay handang magbigay ng salaysay?

Sagot: Opo

Tanong: Kayo po ay bibigyan namin ng karapatan na magbigay ng inyong salaysay sa pamamagitan ng tanong sagot o kayay magbibigay na lng kayo ng inyong Written Sworn Statement, Ano po ang inyong pipiliin?

Sagot: magbigay na lng po Written Sworn Statement

Tanong: Sa PMSg LESTHER S. LUSTERIO at PSSg EINGELBERT E. GONZALES salaysay na ito ay nakasulat sa ibaba ang pangalan na PMSg LESTHER S. LUSTERIO at PSSg EINGELBERT E. GONZALES na pinatunayan ni COP

PMSg Freddie F. Sero na may lagda sa itaas nito, ito po ba ay inyong mga tunay na lagda?


Sagot: Opo

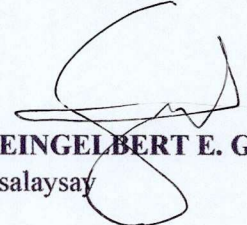
Tanong: Wala na ba kayong gustong idagdag o gustong bawasin sa salaysay niyo na ito?

Sagot: Wala na po

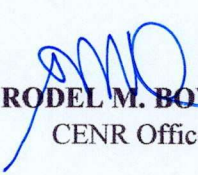
Tanong: Kayo ba ay handang lumagda sa dokumentong ito bilang patunay na ang lahat ng nakasaad sa pinagsama samang sinumpaang salaysay na inyong isinumete ay pawang katotohanan lamang na hindi kayo pinilit o tinakot o pinangakuan ng ano mang pabuya?

Sagot: Opo


PMSg LESTHER S. LUSTERIO
Nagsasalaysay


PSSg EINGELBERT E. GONZALES
Nagsasalaysay

I do hereby certify that the foregoing is true and correct to my best of my knowledge and belief. Signed this
June 10, 2022 at CENRO Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro.


RODEL M. BOYLES
CENR Officer



May 4, 2022

MEMORANDUM

FOR : The CENR Officer

THRU : The DMO IV
The Chief, MES

FROM : Monitoring and Enforcement Personnel

SUBJECT : **SPOT REPORT OF APPREHENDED FIFTY ONE (51) PIECES OF LAUAN LUMBER WITH A VOLUME OF 341 BOARD FEET OR 0.80 CU.M. AT SITIO PAMUWISAN BRGY. LOYAL VICTORIA, ORIENTAL MINDORO**

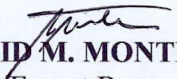
BASIC INFORMATION GATHERED:


1. Time of Apprehension: Date of Apprehension: Place of Apprehension:	- 08:30 AM - April 23, 2022 - So. Pamuwisan, Brgy. Loyal, Victoria, Oriental Mindoro
2. Full Name of Alleged Offender/ Claimant/Owner	- Joseph Macuha Rivas AKA 'Jojo'
3. Name of Person/s Accompanying Or providing on-site assistance to the apprehending officers.	- none
4. Circumstances that lead to the apprehension.	-Victoria MPS while conducting intel monitoring at aforementioned place that they encounter unidentified person carrying an illegally sawn lumber at Sitio Pamuwisan, Brgy. Loyal, Victoria, Oriental Mindoro
5. Name of Local Government Officials present and/or witnessing the apprehension.	-None
6. Preliminary description of items	- Fifty one (51) pieces of Lauan lumber with a volume of 341 board feet or 0.80 cu.m.



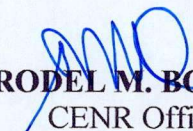
Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

being apprehended.	
7. Origin	- So. Pamuwisan, Brgy. Loyal, Victoria, Oriental Mindoro
8. Consignor and Consignee.	-None
9. Other data or information, comment and recommendation : The apprehended 51 pieces of Lauan lumber/ flitches with aggregate volume of 341 bd. ft. or 0.80 cu.m. are now under the custody of CENRO Socorro Office while the case is in progress. Attached herewith are the apprehension receipt and other documents.	


ELCID M. MONTERO
Forest Ranger


ADREAN V. CASTILLO
Forest Ranger

SUBSCRIBE AND SWORN TO before me this 4th day of May, 2022 at Socorro, Oriental Mindoro, Philippines.


RODEL M. BOYLES
CENR Officer

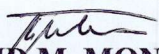



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

**PHOTOS OF APPREHENDED 51 PIECES ILLEGALLY SAWN LAUAN LUMBER
WITH A VOLUME OF 341 BD. FT AT SO. PAMUWISAN, BRGY. LOYAL,
VICTORIA, ORIENTAL MINDORO.**




This is to certify that these are the true geo-tagged pictures of apprehended fifty one (51) pieces of Lauan with a volume of 341 bd.ft. at So. Pamuwisan, Brgy. Loyal, Victoria, Oriental Mindoro.


ELCID M. MONTERO
Forest Ranger


ADREAN V. CASTILLO
Forest Ranger

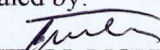
SUBSCRIBE AND SWORN TO before me this 4th day of May, 2022 at Socorro, Oriental Mindoro.



RODELL M. BOYLES
CENR Officer

**SCALE/TALLY SHEET OF APPREHENDED ILLEGALLY SAWN LAUAN LUMBER
AT SO. PAMUWISAN, BRGY. LOYAL, VICTORIA, ORIENTAL MINDORO.**

Species	Dimensions	Pieces	Volume (bd. Ft.)
LAUAN	2x3x10	37 pcs.	185
	2x4x12	1 pc.	8
	2x5x12	2 pcs.	20
	2x6x10	8 pcs.	80
	2x8x12	3 pcs.	48
TOTAL.....		51 PCS.	341 BD.FT OR 0.80 CU.M.

Prepared and Scaled by:


ELCIB M. MONTERO
Forest Ranger


ADREAN V. CASTILLO
Forest Ranger



Republika ng Pilipinas
Lalawigan ng Silangang Mindoro
Bayan ng Victoria
Barangay LOYAL

TANGGAPAN NG PUNONG BARANGAY

PAGPAPATUNAY

SA KINAUUKULAN:

Ito'y **pagpapatunay** na sina JOSEPH MACUHA RIVAS , nasa hustong gulang, may asawa ,dating naninirahan sa **Sityo Silangan Loyal, Victoria Silangang Mindoro** ay matagal ng hindi nakikita ng sinoman sa barangay na ito .

Nilagdaan at ipinagkaloob ang pagpapatunay na ito ngayong **ika-30** , ng HUNYO taong 2022.

Nagpapatunay:


MARK ANTHONY M. GANIO

Punong Barangay



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
VICTORIA MUNICIPAL POLICE STATION
Victoria Oriental Mindoro

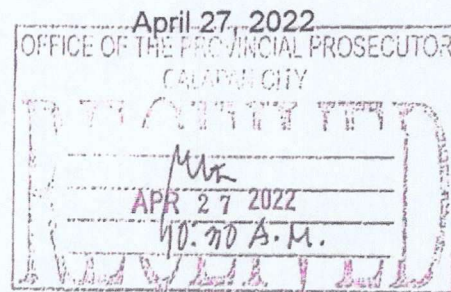


Annex "3"

VMPS

THE HONORABLE PROVINCIAL PROSECUTOR

Office of the Provincial Prosecutor
Provincial Capitol Complex
Camilmil, Calapan City



Greetings

Respectfully referred to your Office, the records of investigation relative to the Violation of PD 705 committed on April 23, 2022 about 08:30 AM at Sitio Pamuwisan, Barangay Loyal, Victoria, Oriental Mindoro.

COMPLAINANT/ PNP Victoria MPS # 0906-3526-303

Witness:

- Mark Anthony Ganio legal age, male married, Barangay Captain and a resident of Brgy Loyal, Victoria, Oriental Mindoro

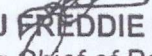
SUSPECT/s: Joseph Macuha Rivas 50 years old, male, married, and aka "JOJO" both resident of Brgy. Loyal, Victoria Oriental (Both At Large)

Please refer to your good Office the herein attached affidavit of the complainant and witnesses since the facts and circumstances surrounding to the said Violation of PD 705 and the corresponding evidences are clearly presented/ stated therein.

Requests acknowledge receipt and please furnish this station a copy of the resolution of the case for our reference.

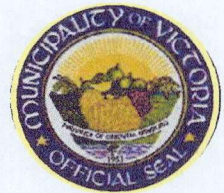
Incls:

- A. ✓ IDF/ Endorsement
- B. ✓ Joint Affidavit of PMSg Lester S Lusterio and PSSg Eingelbert E Gonzales
- C. ✓ Affidavit of Brgy Captain Mark Anthony Ganio
- D. ✓ Pagpapatunay of Residency from Brgy Loyal, Victoria
- E. ✓ Request Letter to DENR-CENRO
- F. ✓ Apprehension Receipt
- G. ✓ Acknowledgement Receipt
- H. ✓ Scale Sheet/ Tally Sheet of Apprehended Sawn Lumbers
- I. ✓ Picture Evidences
- J. ✓ Picture during Scale of DENR-CENRO
- K. ✓ Picture during Marking of Evidences
- L. (51) Fifty-One (51) pcs of different sizes of illegally sawn lumbers (lauan) under the custody of DENR-CENRO with markings JJ1 to JJ51
- M. () Others Reserved

PMAJ  FREDDIE F SEÑO
Acting Chief of Police



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
VICTORIA MUNICIPAL POLICE STATION
Brgy Babangonan, Victoria, Oriental Mindoro
Email Address: morppovictoriamps@gmail.com
Contact Nos. 09063526303



MEMORANDUM


FOR : Acting Provincial Director
(Attn: PIDMU, POMU, PIU)

FROM : Acting Chief of Police

SUBJECT : Spot Report on Violation of PD 705 (Illegal Logging)

DATE : April 23, 2022

1. What : Violation of PD 705 (Illegal Logging)
2. Where : Sitio Pamuwisan, Brgy. Loyal, Victoria, Oriental Mindoro
3. When : April 23, 2022 at about 8:30 AM
4. Who : Joseph Macuha Rivas 50 years old, male, married, and aka "JOJO" both resident of Brgy. Loyal, Victoria Oriental (Both At Large)
5. How: That on about 8:00 AM of the same date, operatives of this station led by PMSg Lester S Lusterio, Intel PNCO while conducting intel monitoring at Brgy Loyal, Victoria, Oriental Mindoro, upon reaching Sitio Pamuwisan of said barangay they chance to encounter an unidentified persons carrying illegally sawn lumbers and they tried to arrest the suspects but they immediately dropped the carried lumbers and run to the forested area of the said barangay toward to unknown directions. Afterward, personnel of this station seized and recovered illegally sawn lumbers (White and Red Lawaan) with estimated more or less Four Hundred (400) board feet with estimated market value amounting to more or less Php 15,000.00. That upon verification of the suspects to Brgy. Captain Mark Anthony M Ganio, he prove that the said suspects was a legitimate resident of Barangay Loyal of this municipality and identified as Joseph Macuha Rivas and aka "JOJO" (mangyan) (both at-large). A hot pursuit operation conducted by this Office for the possible apprehension of the said suspects.
6. Moreover, the recovered/confiscated illegally sawn lumbers will be turned over to DENR-CENRO for scaling and proper disposition and a case of Violation of PD 705 will be prepared to file against the suspects at Oriental Mindoro Provincial Prosecutors Office, Calapan, City Oriental Mindoro. IOC- PSSg Joseph J Villarba with cellphone number 0916-7062-066.
7. For information and reference.


FREDDIE F SEÑO
Police Major

NPS Investigation Form No. 01 s 2008
Republic of the Philippines
DEPARTMENT OF JUSTICE
National Prosecution Service
ORIENTAL MINDORO PROVINCIAL PROSECUTION OFFICE
Calapan City Station

INVESTIGATION DATA FORM

OFFICE OF THE PROVINCIAL PROSECUTOR
CALAPAN CITY

DATE RECEIVED: APR 27 2022
(Stamped and Initialed): WAC
Time Received: 10:30 A.M.
Receiving Staff: MARIA ELENA A. DELA SANTA
Administrative Officer III

To be accomplished by the Office:

NPS DOCKET NO. IV-07-INV/INQ- 22D-00088

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
Victoria MPS

RESPONDENT/s Name, Sex, Age & Address
Joseph Macuha Rivas and aka JOJO both
res of Brgy Loyal, Victoria, Or Mdo

OFFENSE/s COMMITTED/LAW/s VIOLATED
Violation of PD 705

WITNESS/es: Name & Address
Mark Anthony Ganio res of Brgy Loyal, Victoria,
Or Mindoro

DATE & TIME of COMMISSION:
April 23, 2022 about 08:30 AM

PLACE of COMMISSION:
Sitio Pamuwisan, Barangay Loyal, Victoria,
Oriental Mindoro

1. Has a similar complaint been filed before any office?
2. Is this complaint in the nature of a counter - charge?
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. / NPS Docket 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 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.

PCSG JOSEPH J. VILLARBA
(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this 27 day of April 2022, in Brgy Babangonan,
Victoria, Oriental Mindoro.

PMAJ FREDDIE F SEÑO
(Administering Officer)

PINAGSAMANG SINUMPAANG SALAYSAY

KAMI sina PMSg Lesther S Lusterio at PSSg Eingelbert E Gonzales, kapwa kawani ng Pambansang Kapulisan at Nakatalaga sa Victoria Municipal Police Station bilang mga INTEL PNCO, na matapos mabatid ang aming mga karapatan alinsunod sa ating Bagong Saligang Batas ay Malaya at kusang loob kaming nagsasalaysay ng mga sumusunod;

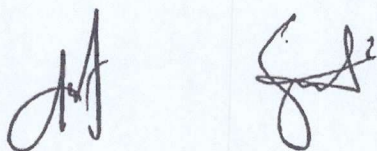
1. Na, noong April 22, 2022 na ang oras ay humigit kumulang 04:30 ng hapon ay nakatanggap kami ng impormasyon mula sa concerned citizen na may mga nakitang NPA sa Sitio Pamuwisan, Brgy Loyal, Victoria, Oriental Mindoro na nanghihinge ng mga pagkain sa kanilang lugar, na agad namin itong pinaalam sa aming hepe na si PMAJ FREDDIE F SEÑO, ACOP at kami ay inatasang alamin ang katotohanan ng nasabing impormasyon sa Brgy Loyal, Victoria.

2. Na, noong April 23, 2022 ang oras ay humigit kumulang 08:00 ng umaga ay nagtungo kami sa Brgy Loyal at kami ay nakipagcoordinate kay Brgy Captain Mark Anthony Ganio at aming ipinaalam ang nasabing impormasyon na aming nakalap at kami ay kanyang sinamahan sa Sitio Pamuwisan, Brgy Loyal para magtanong sa mga nakatira doon kung may katotohanan ba ang nasabing impormasyon.

3. Na, noong araw din iyon habang kami ay naglalakad sa masukal na lugar at sa hindi sinasadyang pagkakataon ay aming nabungaran/ nakita ang dalawang lalaki na may mga pasang kahoy at noon din ay tinangka namin silang ihold at para tanungin kung may mga dokumento ba ang kanilang dalang mga kahoy, ngunit habang kami ay papalapit at nagpakilalang mga pulis ng Victoria ay agaran nilang itinaon ang mga kahoy at ang mga ito ay tumakbo ng mabilis sa masukal na lugar at amin silang hinabol ngunit dahil sa delikado ang lugar hinggil sa impormasyong may nakikitang CPP/NPA sa nasabing lugar ay hindi na namin pinilit na habulin ang mga ito.

4. Na, noon din ay aming nakita ang mga tinapon nilang mga kahoy at amin itong kinumpiska at amin din itinawag sa aming Himpilan ang pangyayari, na noon din ay nabanggit samin ni Brgy Captain Mark Anthony Ganio na kilala niya ang dalawang lalaki na tumakbo at kanya itong sinabi samin na ang mga ito ay sila **Joseph Macuha Riva** at alias "**JOJO**" na mangyan na ang mga ito ay lihitimong resedente ng kanilang lugar at dahil sa malayo ang lugar at at delikado ay nagpasya kaming hakutin at dalahin na sa Victoria Municipal Police Station ang mga nasabing illegal na kahoy. At noong April 23, 2022 ay nagpadala ng Request Letter for Scalling si PCpl Nelson B Hernandez sa DENR-CENRO sa pamamagitan ng gmail account


5. Na noong April 25, 2022 ang oras ay 09:00 ng umaga ay pinuntahan nila Adrean A Castillo at Elcid M Montero mga Forest Ranger ng DENR-CENRO para mag-scale, markahan at picturan ang mga nasabing illegal na kahoy na aming nakumpiska at ng matapos madokumentuhan ay dinala na ang mga ito sa DENR-CENRO, Brgy Pasi, Socorro, Oriental Mindoro.




KARUGTONG NG PIN-IISAMANG SALYSAY NILA PMSG LESTHER S LUSTERIO AT
PSSG EINGELBERT E GONZALES-----X


6. Na, ayon sa aming nakalap na impormasyon at validation ay amin napagalaman na itong sila **Joseph Macuha Riva** at alias "**JOJO**" ay ilang beses nadin nagtangkang maglabas ng mga iliigal na kahoy sa Brgy Concepcion at Brgy Loyal ng bayang ito at kaya kami ay nagbigay ng salaysay na ito ay upang magsampa ng kasong **PD 705 (Illegal Logging)** laban kina **Joseph Macuha Riva** at alias "**JOJO**" na sila ay lihitimong nakatira sa Barangay Loyal, Victoria, Oriental Mindoro.

7. Na, kami ay wala ng masasabi pa at kung mayroon man kaming nakalimutan ay sa Hukuman nalamang namin sasabihin kung kinakailangan. Kami ay lumagda sa ibabaw ng aming salaysay na ito bilang patotoo sa mga sinabi at isinalaysay.



PMSg Lester S Lusterio
(Nagsasalaysay)


PSSg Engelbert E Gonzales
(Nagsasalaysay)

SUBSCRIBED AND SWORN to me this 24th day of April 2022 at Brgy Babangonan, Victoria, Oriental Mindoro.


PMAJ FREDDIE F SEÑO
Administering Officer

I hereby certify that I have carefully examined the affiant that I am satisfied, that they voluntarily executed and understood their affidavit.


PMAJ FREDDIE F SEÑO
Administering Officer

SINUMPAANG SALAYSAY

1. AKO, Mark Anthony Ganio, nasa hustong gulang, lalaki at kasal, Barangay Captain, at kasalukuyang nakatira sa Brgy Loyal, Victoria, Silangang Mindoro. Alinsunod sa itinatadhana ng Bagong Saligang Batas ako ay nanunumpa at nagsalaysay ng mga sumusunod:

2. Na, noong Abril 23, 2022 ang oras ay humigit kumulang ika 08:00 ng umaga habang ginagampanan ko ang aking tungkuling bilang Kapitan ng aking nasasakupang barangay ay dumating sa aming barangay ang mga kapulisan ng Victoria sa pamumuno ni PMSg Lesther S Lusterio, C, INTEL ng Victoria MPS at ipinaalam sakín na sila ay magvavalidate ng impormasyong hinggil sa nakitang miyembro ng CPP/NPA sa Sitio Pamuwisan dito sa aming barangay. Na, noon din ay nakipagcoordinate sila at akin silang sinamahan sa nasabing lugar para alamin ang nasabing impormasyon.

3. Na noong araw din iyon, habang kami ay naglalakad sa masukal sa lugar sa Sitio Pamuwisan at sa hindi inaasahang pagkakataon ay may nakita kaming dalawang lalaki na may pasan pasang mga kahoy.


4. Na, noon din ay nagpakilalang mga pulis sila PMSg Lesther S Lusterio at ang iba pa nitong mga kasamahan sa dalawang lalaki na may pasan pasang mga kahoy, ngunit papalapit palang sila PMSg Lesther S Lusterio ay biglang itinaon ng dalawang lalaki ang kanilang pasan pasang mga kahoy at tumakbo papalayo sa masukal na lugar at ang mga ito ay hindi na makita.

5. Na, aking nakilala ang dalawang lalaki na may pasang mga kahoy at ito ay sinabi ko sa mga pulis na ang mga ito ay sila "JOSEPH MACUHA RIVAS at si alias "JOJO" na isang katutubo at sila ay lihitimong nakatira sa aming barangay at noon ay nakita at nakuha o nakumpiska ang mga illegal na kahoy (lauan) at ang mga ito ay dinala sa Himpilan ng Pulisya ng Victoria para sa mga dokumento at paghahabla ng kaukulang kaso kina JOSEPH MACUHA RIVAS at si alias "JOJO".

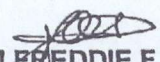
6. Na, akin ding napag-alaman na ang mga nakumpiskang mga kahoy ay pina-scale nila sa DENR-CENRO at dinala na ang mga ito sa DENR-CENRO sa Brgy Pasi, Socorro, Oriental Mindoro.

6. Na, aking pinapatotohanan ang nasabing operasyon ng Kapulisan ng Victoria MPS sa pamumuno ni PMSg Lesther S Lusterio sa aming lugar ay lihitimo at legal na ako mismo ang nagpapatunay na dito nakuha/ nakumpiska ang mga nasabing illigal na mga kahoy (lauan).

7. Na SA KATUNAYAN NG LAHAT NG ITO ay inilagda ko ang aking pangalan bilang patunay na ang lahat ay pawang katotohanan at kusang-loob lamang.


Mark Anthony Ganio
Nagsalaysay

SINUMPAAN AT NILAGDAAN sa harap ko ngayong ika 24 ng Abril taong 2022 dito sa Brgy Babangonan, Victoria, Silangang Mindoro.


PMAJ FREDDIE F SEÑO
ACOP, Victoria MPS
Administering Officer



Republika ng Pilipinas
Lalawigan ng Silangang Mindoro
Bayan ng Victoria
Barangay LOYAL

TANGGAPAN NG PUNONG BARANGAY

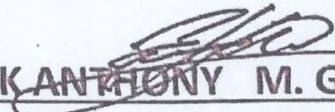
PAGPAPATUNAY

SA KINAUUKULAN:

Ito'y pagpapatunay na sina JOSEPH MACUHA RIVAS , nasa hustong gulang, may asawa ,Pilipino ay naninirahan sa **Sityo Silangan Loyal, Victoria Silangang Mindoro** at alyas JOJO ng sityo Kasulang Pamuwisan , barangay Loyal ay mga residente /mamamayan ng barangay LOYAL.

Nilagdaan at ipinagkaloob ang pagpapatunay na ito ngayong ika-25 , ng ABRIL taong 2022.

Nagpapatunay:


MARK ANTHONY M. GANIO
Punong Barangay



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
VICTORIA MUNICIPAL POLICE STATION
Brgy Babangonan, Victoria, Oriental Mindoro
Email Address: morppovictoriamps@gmail.com
Contact Nos. 09063526303



April 23, 2022

The Director
DENR-CENRO
Brgy Pasi I, Socorro
Oriental Mindoro

Good day Sir/ Mam;

May we request a personnel from your good Office to conduct scaling to seized/ recovered Illegally Sawn Lumbers that apprehended by this Office on April 23, 2022 about 8:30 AM at Sitio Pamuwisan, Brgy Loyal, Victoria, Oriental Mindoro wherein the suspects are identified as Joseph Macuha Rivas 50 years old, male, married, and aka "JOJO" both resident of Brgy. Loyal, Victoria Oriental (both At-large).

That the said Illegally Sawn Lumbers was under the custody of Victoria Municipal Police Station, Brgy Babangonan, Victoria, Oriental Mindoro and will properly turn-over to your Good Office after the said scaling

Thank you for your continuing support to the Philippine National Police.


PMAJ FREDDIE F SEÑO
Acting Chief of Police



APPREHENSION RECEIPT

CENRO Control No.:
E-FMS No:

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Date of Birth/Age	Participation	Status of the Person
Joseph Macanba Rivas AKA "Jo Jo"	Brgy. Loyal Victoria OR - Mdo.	Married	50 yrs old	HELPER HELPER	A+ - Large A+ - Large

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following Forest Products, Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/ Unit of Measurement	Estimated Value	Impounding Area	Custodian
LUMBER		Brgy. Loyal Victoria OR - Mdo.		LAVAN	51 pcs	341 5dft or - 0.80	17,000	Victoria MPS	Victoria MPS

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.
N/A	N/A	N/A	N/A	N/A	N/A

Done this 25th day of April, year 2022 at
Victoria MPS



Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian
N/A	N/A	N/A	N/A

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	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	Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
APRIL 23, 2020 8:30 AM	ORIENTAL MINDORO	Victoria	Loyal	Panawisan	PMcy LESTHER S. LOSTERIO PSSg EINGBERT E. GONZALEZ	Violation of PD-705 section 77 as amended

Apprehension was done under the following circumstances:

- No legal document
- Violation of P.D. 705 section 77 as amended
-

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.



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

APPREHENDING OFFICER
(Signature over Printed Name)

1. Name: LESTER S. LUSTERO
Position: PMSG
Address: Victoria MPS

2. Name: EINGELBERT D. GONZALES
Position: PSSg
Address: Victoria MPS

3. Name: _____
Position: _____
Address: _____

4. Name: _____
Position: _____
Address: _____

ATTESTED:

1. Name: ADREN V. CASTILLO
Position: Forest Ranger
Address: DENR - CENRO SOCORRO

2. Name: ELCID M. MONTERO
Position: Forest Ranger
Address: DENR - CENRO SOCORRO

3. Name: _____
Position: _____
Address: _____

4. Name: _____
Position: _____
Address: _____

Copy Received by:

PMSG Lester Lustero
Signature over Printed Name

Date/Time

Remarks:



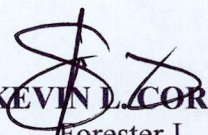
ACKNOWLEDGEMENT RECEIPT

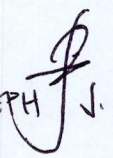
TO WHOM IT MAY CONCERN:

This is to acknowledge the confiscated **fifty one (51) pieces of illegally sawn Lauan lumber with an aggregate volume of 341 board feet**. Said lumber was/were confiscated by the composite team of Victoria Municipal Police Station on April 23, 2022 at Brgy. Loyal, Victoria, Oriental Mindoro.

This acknowledgement of evidence is made this 26th day of April 2022.

Received by:


KEVIN L. CORPUZ
Forester I

Received from:  **PSG JOSEPH J. VILLARBA**

Date: **04-26-2022**

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SOCORRO
Brgy. Pasi II, Socorro, Oriental, Mindoro

SEIZURE ORDER

CENRO Control No.:
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

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/ Unit of Measurem ent	Estimated Value	Impoundin g Area	Custodian
Lumber		Brgy. Loyal	Dipterocarp	Lauan	51	341bdft	P 17,050.00	DENR-CENRO- Socorro	
		Victoria							
		Or. Min.							

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.
N/A	N/A	N/A	N/A	N/A	N/A

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

*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

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

Name	Address	Civil Status	Age	Participation	Status of the Person
Joseph M. Rivas	Brgy. Loyal,	Married	50	Helper	At large
a.k.a. Jojo	Victoria				
	Or. Min.				

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

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Sitio		
April 26, 2022	Oriental Mindoro	Victoria	PNP Station, Babangonan	n/a	CENR Officer	Violation of Section 77 of PD 705 as amended

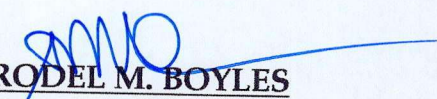
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
N/A	N/A	N/A	N/A

After thorough evaluation of the Apprehension Report dated April 25, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

Hence, the foregoing forest products/conveyance/equipment/implement are hereby ordered seized and now under government custody (except government-owned vehicles).

So ordered this 26th day of April, 2022 at Brgy. Pasi II, Socorro, Oriental Mindoro.


RODEL M. BOYLES
Seizure Officer

Copy furnished:



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Community Environment and Natural Resources Office
Socorro, Oriental Mindoro

SEIZURE RECEIPT

No. 3022-10

The following apprehended items with Apprehension Receipt No. _____ are administrative seizure pursuant to Section of DAO 97-32

A. FORESTS PRODUCTS

Species	No. of Pieces	Dimension	Volume (Bdft)	Estimated Value
Lauan	37	2x3x10	185	9,250.00
Lauan	1	2x4x12	8	400.00
Lauan	2	2x5x12	20	1,000.00
Lauan	8	2x6x10	80	4,000.00
	3	2x8x12	48	2,400.00
TOTAL	51		341	17,050.00

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

NAME	ADDRESS	NATURE OF PARTICIPATION
1. Joseph M. Rivas	Brgy. Loyal, Victoria, Oriental Mindoro	Helper
2. _____	_____	_____
3. _____	_____	_____

B. CONVEYANCE

N/A


C. EQUIPMENT/ TOOL AND OTHER IMPLEMENTS

N/A

The 51 pieces of lumbers with equivalent volume of 341 boardfeet were apprehended by PNP Victoria at Brgy. Loyal, Victoria, Oriental Mindoro on April 23, 2022. Said lumbers are declared with claimant, as these case maybe.

The same items are under custody of CENR Office at Brgy. Pasu II, Socorro, Oriental Mindoro. That the undersigned hereby acknowledge that the above listed item(s) are now in ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the custodial legis, pending of conduct of administrative confiscation proceedings for their disposition.

Therefore issue this Seizure Receipt No. 3022-10 this April 26, 2022 at DENR- CENRO Socorro, Oriental Mindoro.


RODEL M. BOYLES
Seizure Officer

