



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

RECEIVED
04 AUG 2022
INCOMING ☐ OUTGOING ☐
DATE NO.

JUL 21 2022

MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : **RESOLUTION NO. 2022-044**

Respectfully forwarded herewith is the memorandum from CENR Officer Efren L. delos Reyes dated July 08, 2022 regarding the result of administrative adjudication on the apprehended one (1) unit of Ten Wheeler Truck with Plate No. UEF 410 , Color Blue and Silver, loaded with Five (5) pieces of Biaga (local name) lumber with an aggregate volume of 200.0 board feet at So. Maligaya , Barangay Caminawit , San Jose, Occidental Mindoro.

For your information and record.


ERNESTO E. TAÑADA

Purok Pag-asa, Barangay Payompon, Mamburao, Occidental Mindoro
Email Address: tsdocmin042@gmail.com



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 742-6627

Email: cenrosanjose@denr.gov.ph

JUL 08 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
Roxas, Blvd., Ermita, Manila

THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : **RESOLUTION NO. 2022-044**

Submitted herewith is the Resolution No. 2022-044 as a result of administrative adjudication on the apprehended one (1) unit Ten Wheeler Truck with Plate Number UEF 410, color blue and Silver, loaded with Five (4) pcs. of Biaga (local name) lumber with an aggregate volume of 200.00 bdft. at So. Maligaya, Brgy. Caminawit, San Jose, Occidental Mindoro last June 25, 2022.

For your information and record.


EFREN L. DELOS REYES

Cc: PENRO
CENRO-SJ Records
EMS File

RECORDS	
RECEIVED BY	8
DATE	7/13
TIME	
RELEASED BY	
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TIME	

PENRO	
RECEIVED BY	44 39-7
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Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 742-6627

Email: cenrosanjose@denr.gov.ph

RE: APPREHENSION OF ONE (1) CONVEYANCE – 10 WHEELER TRUCK, WITH PLATE NO. UEF 410, COLOR BLUE AND SILVER LOADE WITH FIVE (5) PIECES OF BIAGA LUMBERS WITH A DIMENSION OF 2"x12"x20', WITH A TOTAL VOLUME OF 200.00 BDFT. AT SITIO MALIGAYA, BRGY. CAMINAWIT, SAN JOSE, OCCIDENTAL MINDORO, ON JUNE 25, 2022 AT AROUND 5:03 IN THE AFTERNOON.
X-----X

RESOLUTION No. 2022-044

This pertains to the apprehension of One (1) Conveyance – 10 Wheeler truck, with plate no. UEF 410, color blue and silver loaded with five (5) pieces of Biaga lumbers with a total volume of 200.00 bdft. at Sitio Maligaya, Brgy. Caminawit, San Jose, Occidental Mindoro, on June 25, 2022, at around 5:03 in the afternoon by the Personnel from Enforcement and Monitoring Section (EMS) of the DENR CENRO, San Jose, Occidental Mindoro with the aid from the personnel of Philippine National Police San Jose Occidental Mindoro and PNP Maritime.

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

1. That on June 25, 2022, at an earlier time before the apprehension an information coming from a confidential asset, CENR Officer Efren L. Delos Reyes communicated from DENR CENRO San Jose Personnel that there will be a transport of lumbers that will be happening at Sitio Maligaya, Barangay Caminawit, San Jose Occidental Mindoro. With this information personnel from the Enforcement and Monitoring Section of DENR CENRO San Jose verified the report and found out that it is Positive, from there they coordinated to the PNP Maritime as well as to the Municipal Police Station of San Josee, Occidental Mindoro for assistance. And, around 5:03 in the afternoon, they were able to catch the said 10 wheeler truck, with its driver in the mode of discharging its cargoes which is the subject 5 pieces of Biaga Lumbers. This driver and person in possession of lumbers was later identified as Richard Alavata Oñana. *(Please see attached spot report and geo-tag photos)*
2. That when the personnel from the Enforcement and Monitoring Section of DENR CENRO, San Jose, Occidental Mindoro had apprehended One (1) Conveyance – 10 Wheeler truck, with plate no. UEF 410, color blue and silver loaded with five (5) pieces of Biaga lumbers with a total volume of 200.00 bdft.. These lumbers as well as the 10 wheeler truck was temporarily impounded at the DENR-CENRO Monitoring Station at Barangay Murtha, San Jose Occidental Mindoro, for safekeeping. *(Please see attached spot report and apprehension receipt.)*
3. That the corresponding Apprehension Receipt with CENRO Control No. 2022-F453 was issued by the apprehending officer headed by PEMS Romeo D. Molino Jr. from San Jose, Municipal Police Station and Forest Technician 1 Dominic L. Vidal *(please see attached apprehension receipt)*

4. That after verifying the existence of a prima facie case against the offender, the Seizure Officer Forester III Hector S. Aragon Jr. issued the Seizure Order with CENRO Control Number 2022-F453 for the apprehension of One (1) Conveyance – 10 Wheeler truck, with plate no. UEF 410, color blue and silver loaded with five (5) pieces of Biaga lumbers with a total volume of 200.00 bdft. (*please see attached seizure order*)
5. That a recapitulation and assessed value report regarding the five (5) pieces of Gmelina lumbers with a total volume of 200.00 bdft. Was issued by Deputy Chief EMS Forester 1 Jomar B. Serquina. (*please see attached recapitulation and assessed value*)
6. That, a criminal case was filed against Mr. Richard Alavata Oñana FOR VIOLATION OF SECTION 77 OF PD 705 AS AMENDED, at the Prosecutors Office on June 27, 2022 with NPS Docket No. IV-06-INQ-22F-00365. (*please see attached investigation data form sheet*)
7. That a notice of Administrative Hearing was received by Mr. Richard Alavata Oñana and it was scheduled on June 29, 2022 at 10:00 in the morning. (*please see attached Notice of Administrative Hearing*)
8. That, since, Mr. Richard A. 2022-F453, was not able to produce bail, the Administrative Hearing was conducted at the Municipal Police Station of San Jose, same date and time as stated above.
9. That when the hearing officer talk to Richard A. Alavata, he narrated that the lumbers that he transported don't have any cutting nor transport permit from the office of the DENR, he also states that he was just asked to transport the said lumbers for a fee and drop it at Barangay Caminawit, San Jose, Occidental Mindoro without knowing who its owner/s was. That base on his narration, he told the hearing officer that he is just a driver of the 10 wheeler truck, and that the real owner was named as Rosalinda Palomar Raydanas, a resident of Barangay Lagnas, Sablayan, Occidental Mindoro, who have nothing to do and has no knowledge that he (Richard Oñana) will be transporting the said undocumented lumbers as the truck was used for the purpose of transporting salt from Occidental Mindoro to Iloilo as Richard Oñana has stated. (*Please see transcript of stenographic notes of the administrative hearing*)
10. That, when the hearing officer talk to Rosalinda Palomar Raydanas, the owner of the 10 wheeler truck with plate no. UEF 410, color blue and silver, she also states that she has no knowledge of the fact, nor will give her consent that her son, the driver (Richard Oñana) will be transporting those undocumented Biaga lumbers. That Rosalinda Palomar Raydanas was able to show pieces of evidence which will prove her ownership over the said 10 wheeler truck,

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

1. **Whether or not the APPREHENDED FIVE (5) PIECES OF BIAGA LUMBERS WITH A DIMENSION OF 2"x 12"x20', WITH A TOTAL VOLUME OF 200.00 BDFT. Will be confiscated in favor of the government.**
2. **Whether or not the APPREHENDED ONE (1) CONVEYANCE – 10 WHEELER TRUCK, WITH PLATE NO. UEF 410, COLOR BLUE AND SILVER, be confiscated in favor of the government.**

For the resolution of the above stated case, the provisions of the Presidential Decree No. 705, as amended by the executive no. 277 and Republic Act 7161 and the Department Administrative Order (DAO) No. 97-32, the Rules for the Administrative apprehension,

seizure, confiscation and disposition of illegally possessed, cut, gathered, removed or transported forest products, the machinery, equipment, tools and implements used in the connection therewith, and of the conveyances used to move or otherwise transport the same shall be observed.

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

Under the following Provision's to wit.

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

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

xxx

SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation. – In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

xxx

Department Administrative Order No. 97-32

Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

- a. ***ILLEGAL FOREST PRODUCTS*** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.
- b. ***CONVEYANCE*** – any mode or type or class of vehicle or craft or any other means used for transportation either on land, water, air, or any combination thereof, whether motorized or not, ***used for in the taking and/or maintaining temporary or permanent possession or control, gathering, collecting,***

processing, disposing of, or otherwise transporting, moving or transferring illegal forest products.

xxx

The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended **FIVE (5) PIECES OF BIAGA LUMBERS WITH A DIMENSION OF 2"x12"x20', WITH A TOTAL VOLUME OF 200.00 BDFT.** Shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation. Moreover, DENR Administrative Order 97-32, Sec 2, Par C. Provides that conveyance used in transporting an illegal forest products is/are subject to confiscation and seizure.

However, regarding the case of the liability of One (1) unit of 10 wheeler truck, with plate number UEF 410, color silver and blue owned by Rosalinda Palomar Raydanas, the procedure for summary administrative confiscation provided in section 7.3 of DAO 97-32, series of 1997 shall be taken into consideration, which states that;

xxx

DISPUTABLE PRESUMPTIONS – *In administrative proceedings conducted pursuant hereto, the following shall be considered presumptions of fact and/or law and taken as part of the evidence unless specifically controverted and successfully overcome by a preponderance of evidence.*

- a. All those apprehended on-site for direct or indirect participation in the commission of the offense (s) cited had full knowledge of and willingly participated therein.*
- b. The registered owner and/or operator/driver of a conveyance used in the commission of the offense had full knowledge and willingly participated therein by providing the conveyances for the illegal purpose to which said conveyance is a partnership or corporation, the partners and/or officers thereof had full knowledge of and granted authorization or issued instructions for the use or application of the conveyance in the commission of the offense.*
- c. Any forest products included within Section 2 (a) hereof were obtained from illegal source.*

The foregoing statements and evidence show that the conveyance was used to transport illegal forest products five (5) pieces of Biaga (local name) lumbers without any legal document from the office of the DENR.

That the driver Mr. Richard Alavata Oñana admitted that the owner of the conveyance is innocent in the transport of the said undocumented forest product nor benefited or received any compensation for the said transport.

That the fact that the owner of the conveyance is not aware of the following acts of the driver that the conveyance was being used in transporting five (5) pieces of undocumented Biaga lumbers, She can apply for temporary release of the conveyance. Provided, that the registered owner of the conveyance shall comply with all the requirements stated in Section 9 of DAO No. 97-32.

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

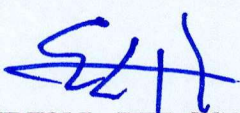

1. The APPREHENDED FIVE (5) PIECES OF BIAGA LUMBERS WITH A DIMENSION OF 2"x12"x20', WITH A TOTAL VOLUME OF 200.00 BDFT. Are hereby recommended confiscation in favor of the government for transporting without legal permits.
2. As to the apprehended conveyance 10 Wheeler Truck with plate number UEF 410, color silver and blue, which is used in the transport of the subject forest products, the facts and evidence that the Registered Owner willingly provided and consented regarding the illegal transport of forest products is unproven. **Thus, the owner of the conveyance shall apply for the temporary release as stated in Section 9 of DAO 97-32; however, the registered owner must sternly warned that any repetition of the questioned use of the conveyance in the same activity maybe unforgivable.**

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

Prepared By:


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

Noted By:


EFREN L. DELOS REYES
CENR Officer 

KATITIKAN NG ADMINISTRATIBONG PAGDINIG TUNGKOL SA PAGKAHULI NG LIMANG (5) PIRASO NG BIAGA (LOCAL NAME) NA KAHOY NA MAY KABUUANG DAMI NA 200.00 BDFT. NA SAKAY NG ISANG (1) UNIT NG TEN WHEELER TRUCK NA MAY PLATE NUMBER UEF410 (NA GINANAP SA SAN JOSE POLICE STATION, SAN JOSE OCCIDENTAL MINDORO NOONG IKA-29 NG HUNYO, 2022, ALAS 10:00 NG UMAGA SA PAGLABAG SA SEKSYON 68, PD 705.

Mga Dumalo:

- | | | |
|------------------------|---|------------------|
| 1. Richard Oñana | - | Katugon |
| 2. Hector S. Aragon Jr | - | Hearing Officer |
| 3. Sancho Niedo III | - | Legal Researcher |
| 4. Maryjean M. Barolo | - | Stenographer |

Hearing Officer: Itong administratibong pagdinig ay tungkol sa pagkahuli ng limang (5) piraso ng Biaga (local name) na kahoy na may kabuuang dami na 200.00 bdft. na sakay ng isang (1) unit ng Ten Wheeler Truck na may Plate Number UEF410 sa Purok Maligaya, Brgy. Caminawit, San Jose, Occidental Mindoro noong ika-25 ng Hunyo, 2022 ganap na 5:03 ng hapon ng mga tauhan ng DENR-CENRO San Jose, PNP San Jose at Philippine Maritime.

Sa katugon, ipinapaalam po namin sa inyo na kayo po ay nasa ilalim ng administratibong pagdinig ayon sa DAO No. 97-32. Pumunta at humarap kayo sa pagdinig na ito na walang kasamang abogado o tagapagsalita para sa inyo. May karapatan kayo na kumuha ng abogado at meron kayong makukuhang abogado na nagbibigay ng libreng serbisyo. May karapatan din kayo na magsawalang kibo at ang bawat salita na inyong sasabihin ay pwedeng gagamitin laban sa inyo.

Hearing Officer: G. Richard Oñana, handa ka bang sumagot sa aking mga tanong o magbigay ng iyong malayang salaysay kahit wala kang kasamang abogado na magsasalita para sa iyo.

Richard Oñana: Opo.

Hearing Officer: G. Richard Oñana, pwede po ba kayong tumayo?

Hearing Officer: G. Richard Oñana, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?

Richard Oñana: Opo.

Hearing Officer: Pwede po ba ninyong sabihin ang iyong pangalan, edad, tirahan, trabaho at iba pang pagkakakilanlan?

Richard Oñana: Ako po si Richard Oñana, may asawa, 30 taong gulang, nakatira sa Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro at isang driver.

Hearing Officer: Noong ika-25 ng Hunyo, 2022 sa ganap na 5:03 ng hapon sa Brgy. Caminawit, San Jose, Occidental Mindoro maari mo bang isalaysay ang mga pangyayari kung paano kayo nahuli ng mga kawani ng PNP San Jose at tauhan ng DENR.

Richard Oñana: Nagdidiskarga po kami ng kahoy noong nahuli po kami.

Hearing Officer: May permit po ba ang kahoy?

Richard Oñana: Hindi ko po alam dahil pinakarga lamang po ito sa akin.

Hearing Officer: Saan po ba galing ang kahoy?
Richard Oñana: Sa Brgy. Mangarin, San Jose, Occidental Mindoro po.

Hearing Officer: Ilang pirasong kahoy ang inyong dala?
Richard Oñana: Lima (5) po.

Hearing Officer: Kilala mo ba ang nanghuli sa iyo?
Richard Oñana: Hindi ko po matandaan.

Hearing Officer: Sino po ang may ari ng kahoy?
Richard Oñana: Hindi ko po alam dahil tinawagan lang po ako na ikakarga ang kahoy noong kami ay sa Magsaysay, Occidental Mindoro. Inabagan po nila ako sa kanto ng Mangarin, San Jose, Occidental Mindoro at sinamahan kami sa So. Antipolo, Brgy. Mangarain, San Jose, Occidental Mindoro upang ikarga ang kahoy. Sabi ng nagpakarga sa akin na ako ay susunod sa kanya motor at doon ibaba ang kahoy.

Hearing Officer: Sino po ang may-ari ng sasakyan?
Richard Oñana: Si Rosalinda Raydanas na taga Sablayan, Occidental Mindoro po at ako po ang kanyang driver.

Hearing Officer: Alam ba Rosalinda Raydanas na nagkarga ka ng kahoy?
Richard Oñana: Hindi po.

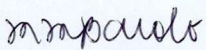
Hearing Officer: Kilala mo ba ang pagdedeliveran ng kahoy?
Richard Oñana: Hindi po.

Hearing Officer: G. Richard Oñana, meron ka pa bang gusto sasabihin o baguhin sa iyong salaysay?
Richard Oñana: Wala na po.

Hearing Officer: Maraming salamat po Mr. Richard Oñana.

Hearing Officer: Maraming salamat. Dahil wala na pong katanungan dito po nagtatapos ang ating administratibong pagdinig sa ganap ng 10:20 ng umaga ng ika-7 ng Hunyo, 2022.

Prepared by:


MARYJEAN M. BAROLO
Stenographer

Noted by:


HECTOR S. ARAGONES JR.
Hearing Officer

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

INVESTIGATION DATA FORM

To be accomplished by the Office

DATA RECEIVED:

(Stamped and initialed):

Time received:

Receiving Staff:

NPS DOCKET NO.: 10.06.112.22F-00365

Assigned to:

Date Assigned:

11:08am

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

COMPLAINANT/S: Name, Sex, Age & Address

HECTOR S. ARAGONES JR., male, 50 y/o,
Brgy. Mapaya San Jose, Occ. Mdo

RESPONDENT/S: Name, Sex, Age & Address

RICHARD A. OÑANA, Male, 30 y/o,
Purok Mindoro Camp, Brgy. Central,
San Jose, Occ. Mdo.

OFFENSE/S COMMITTED/LAW/S VIOLATED:
Section 77, PD 705 as amended

WITNESS: Name & Address

Lucelle B. Casticimo
DENR-CENRO San Jose

PEMS ROMEO D. MOLINO JR.
MPS San Jose, Occ. Mindoro

DATE & TIME of COMMISSION:
June 25, 2022 (5:03 p.m.)

PLACE of COMMISSION:

Purok Maligaya, Brgy. Caminawit, San Jose,
Occidental Mindoro

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

I.S. No.:

Handling Prosecutor:

CERTIFICATION

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

HECTOR S. ARAGONES JR.

(Signature over printed name)

LUCELLE B. CASTICIMO

(Signature over printed name)

ROMEO D. MOLINO JR.

(Signature over printed name)

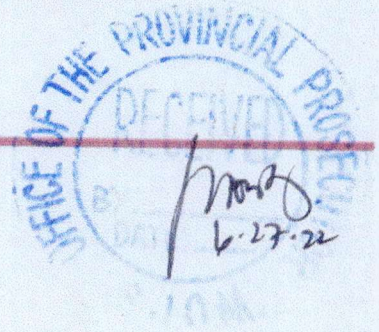
SUBSCRIBED AND SWORN TO before me this _____ day of _____, 2022 in

ROBERTO P. EVANGELISTA
Prosecutor I

Prosecutor Administering Oath



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph



1ST INDORSEMENT

June 27, 2022

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

Offense Committed : Section 77 of PD 705 as amended

Respondent Address : **RICHARD ALAVATA OÑANA**
Purok Mindoro Camp, Brgy. Central,
San Jose, Occidental Mindoro

Date and Place : June 25, 2022
Purok Maligaya Brgy. Caminawit,
San Jose, Occidental Mindoro

Facts:

That on or about 5:03 in the afternoon of June 25, 2022 that a certain **RICHARD ALAVATA OÑANA** is in possession of undocumented forest products within the jurisdiction of this Honorable Court the above named accused, did then and there, willfully, unlawfully and feloniously possessed five (5) pcs. Biaga (local name) lumber with a dimensions of 2x12x20 having an aggregate volume of 200.00 bdft. with an estimated value of Php 11,000.00 loaded in one (1) unit ten (10) wheeler truck, with Plate Number UEF 410, color Blue and Silver, with an estimated value of Php 500,000.00 without legal documents as required by existing forestry laws, rules and regulation to the damage and prejudice of the government.



Republic of the Philippines
Department of Environment and Natural Resources

MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro

Tel. Number (043) 457- 0236 / (043) 742-6627

Email: cenrosanjose@denr.gov.ph

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

Witnesses:

1. Lucelle B. Casticimo

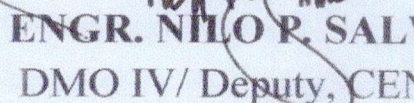
Evidences:

1. Affidavit of complainant
2. Affidavit of Apprehending Officer
3. Apprehension receipt of apprehended item
4. Seizure receipt of Apprehended item
5. Recapitulation and assessed value
6. Email for transmission
7. Certification of no records
8. Notice of Administrative Hearing
9. PNP referral to the DENR
10. PNP spot report
11. Turn-over of properties seized
12. Receipt/ inventory of properties seized
13. Mugshot
14. Pictures of evidence

Advice of the action taken will be appreciated.

Thank You.

For the CENR Officer:


ENGR. NILO R. SALVADOR
DMO IV/ Deputy, CENRO

Republika ng Pilipinas)
Lalawigan Ng Kanlurang Mindoro) S.S.
Bayan Ng San Jose)
X-----X

AFFIDAVIT OF COMPLAINANT

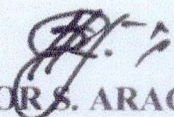
AKO, si Forester III **HECTOR S. ARAGONES JR.**, 50 taong gulang, may asawa, residente ng Brgy. Mapaya, San Jose, Occidental Mindoro at kawani ng DENR-CENRO San Jose, Occidental Mindoro na nakatalaga na Chief ng Enforcement and Monitoring Section, matapos makanumpa alinsunod sa batas ay nagsalaysay ng mga sumusunod:

1. Na, noong ika- 25 ng Hunyo 2022 ang oras ay humigit kumulang sa 1:00 ng hapon kami ay nakatanggap ng report sa aming Group Chat (GC) na ipinasa ng aming ka opisina na merong truck na nagkakarga ng kahoy sa Brgy. Mangarin at ito ay dadalhin sa Brgy. Caminawit, San Jose, Occidental Mindoro.
2. Na, sa parehong araw at oras ay aking tinawagan aking mga kasamahan sa Enforcement and Monitoring Section (EMS) ng DENR-CENRO San Jose na si Forester I Jomar Serquiña at FT II Dominic L. Vidal upang beripikahin ang nasabing sumbong.
3. Na, ang iba naming kasamahan sa CENRO San Jose ay tumulong sa paghahanap sa nasabing truck, dahil ito ay nakaalis na sa nasabing lugar na pinagkargahan sa Brgy. Mangarin, San Jose, Occidental Mindoro.
4. Na, ako ay nakatanggap ng tawag galing sa aming kasamahan sa opisina sa ganap na ika- 5:03 ng hapon na ito ay natagpuan na, at ang nasabing truck ay nasa Caminawit pier, Brgy. Caminawit, San Jose, Occidental Mindoro at ito ay nagbababa na ng mga kahoy at sila ay naghihingi ng responde upang mahuli ang nasabing truck.
5. Na, akin tinawagan si Forester Jomar Serquiña at iba pang kasamahan upang tumungo sa nasabing lugar upang berepikahin ang mga kargang kahoy sa nasabing truck.
6. Na, sina Forester Forester Jomar Serquiña ay tumawag sa San Jose MPS at PNP Maritime upang humingi ng tulong kung ito ay walang dokumento at ilegal ang pagbebeyahe ng nasabing kahoy.
7. Na, ayon sa kanilang pagsusuri ay kanilang napag - alaman na ang driver ng 10 wheeler truck na numero na plaka UEF 410 ay si Ginoong Richard Alavata Oñana na nakatira sa Brgy. Central, San Jose, Occidental Mindoro at kanyang dalang kahoy ay walang kaukulang permit mula sa opisina ng DENR.
8. Na, kasama ang mga tauhan ng San Jose MPS at PNP Maritime kanila hinuli ang 10

karapatan o Miranda Doctrine at kanilang inimbitahan sa tanggapang ng San Jose MPS, San Jose, Occidental Mindoro para sa karagdagang imbestigasyon.

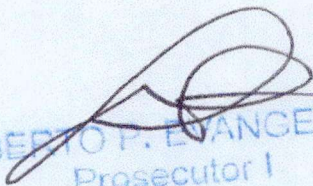
9. Na, pagdating sa San Jose MPS kanilang sinukat (inventory) ang mga kahoy na nakakarga sa 10 wheeler truck na numero na plaka UEF 410 at ito ay may dami na limang (5) piraso na 2x12x20 na tabla ng Biaga at may kabuang dami na 200 bdf na nagkakahalaga ng 11,000.00 pesos. Amin din minarkahan ng RM-1-6-25-22 hanggang RM-5-6-25-22 para sa pagkakilanlan ng mga tabling Biaga.
10. Na, si Ginoong Richard Alavata Oñana ay lumabag sa batas, partikular sa sec. 77 ng PD 705 na inamindahan o Reformed Forestry Code, sa kadahilanang sya ay nag beyahe ng mga tabla ng Biaga na walang kaukulang dokumento mula sa aming opisina (DENR) at ito ay nakuha sa kanyang pangangalaga.
11. Na, ginawa ko ang salaysay kong ito na walang tumakot, pumilit o nangakong kapalit bagkus ay sarili kong kaisipan at kapasyahan.

Bilang patotoo sa lahat ng nakasaad sa itaas ako ay lalagda ngayong ika-
_____ ng Hunyo, 2022 dito sa San Jose, Occidental Mindoro


HECTOR S. ARAGONES JR
Forester III/Chief EMS

OATH AND CERTIFICATION

SUBSCRIBE AND SWORN TO before me this JUN 27 2022 day
of June, 2022 in San Jose, Occidental Mindoro. I further certify that I have personally
examined and I am fully satisfied that he voluntarily executed and understood his
statement.


ROBERTO P. EVANGELISTA
Prosecutor I

Republikang Pilipinas)
Lalawigan ng Kanlurang Mindoro) S.S.
Bayan ng San Jose)

SINUMPAANG - SALAYSAY

Ako si **Lucelle Bayron Casticimo**, 34 taong gulang, may-asawa, miyembro ng DENR CENRO nanakatalaga sa San Jose Occidental Mindoro at kasalukuyang nakatira sa Purok Ducalan Brgy. Labangan, San Jose Occidental Mindoro, na matapos kong malaman at makapanumpang ayon sa batas ay nagsasaad tulad ng mga sumusunod;

Pangunang Salita

Ang nagtatanong sa akin sa Affidavit kong ito ay si **PEMS Ronie V Nunez** na isang pulis at nakatalaga sa Investigation Section ng San Jose Municipal Police Station, San Jose, Occ. Mindoro, Ginanapang pagtatanongniyasa akin sa Station tulad ng mga sumusunod:

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

(Ang nagsasalaysay ay pinahiwatigan o pinaalalahanan ng lahat ng kanyang karapatan mga alinsunod sa itinatadhanang ating Bagong Saligang Batas).

MGA TANONG AT SAGOT

- 01.T - **Lucelle Bayron Casticimo**, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?
- S - Oo.
- 02.T - Ano naman ang dahilan at ikaw ay naririto sa aming tanggapan at nagbibigay ng iyong malaya at kusang loob na salaysay?
- S - Dahil nais ko pong magbigay ng salaysay hinggil sa aming nasaksihan at naaktuhan na paglalabas ng kahoy ng walang kaukulang dokumento at pagkakaaresto kay **Richard Alavata Oñana**, 30 taong gulang, may asawa at nakatira sa of Purok Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro.
- 04.T - Kailan at saan naman ninyo nasaksihan at naaktuhan na paglalabas ng kahoy ng walang kaukulang dokumento at pagkakaaresto kay **Richard Alavata Oñana** o paglabag sa **Violation of Section 77 of PD 705**?
- S - Noong **June 25, 2022**, humigit-kumulang sa alas 05:03 ng hapon sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro..

PAHINA 2.....Karugtong ng Sinumpaang Salaysay **Richard Alavata Oñana**

- 05.T - Para sa ikakaliwanag ng iyong salaysay maaari mo bang ikwento o sabihin ang buong pangyayari hinggil sa nasaksihan at naaktuhan na

S. Nunez

kay **Richard Alavata Oñana** o paglabag sa **Violation of Section 77 of PD 705**.

- S - Oo, noong June 25, 2022, humigit-kumulang sa alas 3:30 ng umaga, nakatanggap kami ng ulat mula sa sa aming CENRO Officer ng San Jose Occidental Mindoro na si **MR. EFREN L DELOS REYES** na may naglalabas ng kahoy gamit ang isang sasakyan na ten wheeler truck ng walang kaukulang dokumento o paglabag sa **Violation of section 77 of PD 705** sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro. Kaya dahil dito kami ng aking kasamahan mula sa DENR-CENRO na sina Jackielou P Dumlao at Alexis Joy D Belarmino ay agad na nagtungo sa nasabing lugar upang magverify kung totoo nga ang nasabing report. Na bago kami nagtungo sa nasabing lugar ay dumaan muna kami sa himpilan ng PNP Maritime upang makipag coordinate at pagkatapos ay ay nagtungo sa nasabing lugar at nakita namin ang isang ten wheeler truck at nilapitan namin ito. Humigit kumulang alas 5:03 ng hapon ng araw ding iyon ay naaktuhan namin na nagdidiskarga na ng kahoy mula sa ten wheeler truck si **Richard Alavata Oñana** ng walang kaukulang dokumento o paglabag sa violation of section 77 of PD 705. Agad din naman na dumating ang mga Pulis na mula sa San Jose Municipal Police Station na si **PEMS Romeo D Molino** at **PMSg Napoleon D Dalalo** at iba pa naming kasamahan sa DENR CENRO at Metembro ng Police Maritime. Agad kaming nagpakilalang mga alagad ng batas at mga miyembro ng CENRO at DENR pagkatapos ay inaresto si **Richard Oñana** ni **PEMS Romeo D Molino** at sinabihan ng Constitutional Rights (Miranda Doctrine) na naka video gamit ang Alternative Recording Device (ARD) dahil sa ginawang paglabag sa **Violation of Section 77 of PD 705** ni **Richard Alavata Oñana**.
- 06.T - Ano pa ang mga sumunod na pangyayari?
- S - Narekober mula sa posisyon ni **Richard A Oñana** ang limang (5) piraso na kahoy na may sukat ta 2"x 12" x 20' kahoy na "Biaga" na may kabuuang sukat na 200 bd, ft, at may halaga na labing isang libong piso at isang (1) ten wheeler truck na may Plate Nr UEF 410 na gamit nya sa paglalabas ng kahoy .
- 07.T - Ano pa ang sumunod na pangyayari kung mayron man?
- S Pagkatapos ay agad dinala sa himpilan ng Pulisya ng San Jose si **Richard A Oñana** para sumailalim sa physical at medical examination at upang masampahan ng kaukulang kaso, samantala ang lahat mga narekober na ebidensiya ay nai turn-over ni **PEMS Romeo D Molino** kay **MR. Hector S Aragon Jr** (Forester III / Seizure Officer).
- 08.T - Sino o sino-sino naman ang taong kasama mo na naroroon ng maaristo itong si **Richard A Oñana**?
- S - Ang mga kasama ko mula sa DENR CENRO ng San Jose na sina Jackielou P Dumlao, Alexis Joy D Belarmino, Dominic Vidal, Jomar Serqiña, Louie James Antonio at Ednor Legaspi, meyembro San Jose Municipal police Statio na sina **PEMS Romeo D Molino** at **PMSg Napoleon S Dalalo** at ilang meyembro mula sa Maritime Police.
- 09.T - Pansamantala ay wala na akong itatanong , may nais ka pa bang idagdag o ibawas sa salaysay mong ito?

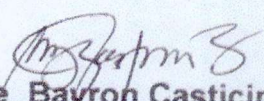
Richard Alavata Oñana

S - Wala na.

10.T - Handa mo bang lagdaan ang salaysay mong ito, na naglalaman ng Tatlong (3) pahina?

S Oo, nakahanda akong lumagda.

WAKAS NG SALASAY. June 26, 2022.....


Lucelle Bayron Casticimo
Nagsalaysay

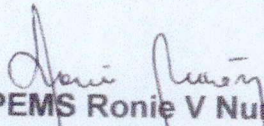
OATH

SUBSCRIBED AND SWORN TO before me this ____ of _____ 2022 at San Jose, Occidental Mindoro.


ROBERTO P. EVANGELISTA
Prosecutor I

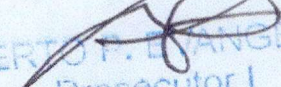
ATTESTATION

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


PEMS Ronie V Nunez
Investigator

OATH AND CERIFICATION

SUBSCRIBED AND SWORN TO before me this ____ of June 2022 at San Jose, Occidental Mindoro and I hereby certify that I have personally examined the affiant under oath and that I am fully satisfied and he voluntary executed and understood his statement.


ROBERTO P. EVANGELISTA
Prosecutor I

SINUMPAANG - SALAYSAY

Ako si **PEMS Romeo Deborde Molino Jr**, nasa hustong gulang, may-asawa, miyembrong Pambansang Pulisya ng Pilipinas, nakatalagas a San Jose MPS bilang Intelligence Operative at kasalukuyang nakatira sa Brgy. Bagong Sikat, San Jose Occidental Mindoro, namatapos kong malaman at makapanumpa ngayon sa batas ay nagsasaad tulad ng mga sumusunod;

Pangunang Salita

Ang nagtatanong sa akin sa Affidavit kong ito ay si **PEMS Ronie V Nunez** na isang pulis at nakatalagasa Investigation Section ng San Jose Municipal Police Station, San Jose, Occ. Mindoro, Ginanap ang pagtatanong niya sa akin sa Station tulad ng mga sumusunod:

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

(Ang nagsasalaysay ay pinahiwatigan o panaalalahanan ng lahat ng kanyang karapatan mga alinsunod sa itinatadha nang ating Bagong Saligang Batas).

MGA TANONG AT SAGOT

01.T - **PEMS Romeo Deborde Molino Jr**, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?

S - Oo.

02.T - Ano naman ang dahilan at ikaw ay naririto sa aming tanggapan at nagbibigay ng iyong malaya at kusang loob na salaysay?

S - Dahil sa pagkakaaresto namin kay **Richard Alavata Oñana**, 30 taong gulang, may asawa at nakatira sa of Purok Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro.

03.T - Ano naman ang dahilan, bakit ninyo inaresto si **Richard Alavata Oñana**?

S - Dahil sila ay ay aking inaresto dahil naaktuhan namin siya ay naglalabas ng kahoy ng walang kaukulang dokumento paglabag sa **Violation of section 77 ng PD 705**.

04.T - Kailan at saan naman ninyo naaresto at naaktuhan na siya ay naglalabas ng kahoy gamit ang kanyang sinasakyang ten wheeler truck ng walang kaukulang dokumento paglabag sa **Violation ng section 77 ng PD 705 si Richard Alavata Oñana**?

S - Noong June 25, 2022, humigit-kumulang sa alas 05:03 ng hapon sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro.

PAHINA 2.....KarugtongngSinumpaangSalaysay ni PEMS Romeo Deborde Molino Jr

- 05.T - Para sa ikakaliwanag ng iyong salaysay maaari mo bang ikwento o sabihin ang buong pangyayari hinggil sa pagkaka-aresto ninyo kay **Richard Alavata Oñana** na naaktuhan namin siya ay naglalabas ng kahoy ang kanyang sinasakyang ten wheeler truck ng walang kaukulang dokumentoo paglabag sa **Violation ng section 77 of PD 705**.
- S - Oo, noong June 25, 2022, humigit-kumulang sa alas 4:31 ng hapon, nakatanggap ng ulat mula ng DENR CENRO San Jose na naglalabas ng kahoy ang sinasakyang ten wheeler truck ng walang kaukulang dokumento o paglabag sa **Violation of section 77 of PD 705** sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro. Kaya sa pangunguna ng aming Intelligence Officer na si **PLT ARNEL D TUPAS** at sa pamumuno ng aming hepe ng San Jose MPS na si **PLTCOL ANDRES C TEJERERO, DENR CENRO** San Jose at PNP Maritime ay nagsagawa kami ng forestry anti-illegal activity operation at noon din ay nag pa dispatch sa duty desk officer. Pagdating namin sa lugar ganap na alas 5:03 ng hapon ng araw din na iyo ay nandoon na ang mga personnel DENR CENRO ng San Jose na kung saan ay nakababa na ang kahoy mula sa ten wheeler truck na minamaneho ni **Richard Alavata Oñana**. Nagpakilala kaming alagad ng batas at hinanapan ko ng kaukulang documento ang kahoy na ikinarga ni **Richard Alavata Oñana** sa kanyang minamaniho na ten wheeler truck ngunit wala syang maipakita kaya dahil doto ay agad na inaresto ko si **Richard Alavata Oñana** sa ginawa niyang paglabag sa **Violation ng section 77 ng PD 705** at sinabihan ko ng Constitutional Rights (Miranda Doctrine). Na habang isinasagawa namin ang nasabing operasyon sa pagkaka aresto kay **Richard Alavata Oñana** ay naka video gamit ang Alternative Recording Device (ARD) ng aking kasamahan na si PMSg Napoleon S Dalalo dahil sa ginawa niyang paglabag sa **Violation ng section 77 ng PD 705**.
- 06.T - Ano pa ang mga sumunod na pangyayari?
- S - Narekober namin mula sa posisyon ni **Richard Alavata Oñana** ang limang (5) piraso na kahoy na may sukat ta 2"x 12" x 20' kahoy na "Biaga" na may kabuuang sukat na 200 bd, ft, at may halaga na labing isang libong piso at isang (1) ten wheeler truck na may Plate Nr UEF 410 na gamit nya sa paglalabas ng kahoy.
- 07.T - Ano pa ang sumunod na pangyayari kung mayron man?
- S Pagkatapos ay agad naming dinala sa himpilan ng Pulisya ng San Jose si **Richard Alavata Oñana** para sumailalim sa physical at medical examination at upang masampahan ng kaukulantg kaso, samantala ang lahat mga narekober namin na ebidensiya ay nai turn-over ko sa kay **MR. Hector S Aragones Jr** (Forester III / Seizure Officer).
- 08.T - Sino o sino-sino naman ang taong kasama mo na nag arestokina **Alex Pacaul Domingo**?
- S - Ang mga kasamahan ko mula San Jose Municipal police Statio na si PMSg Napoleon S Dalalo, mga meyembro mula sa DENR CENRO ng San Jose na sina Lucelle Batron Casticimo, Jackielou P Dumlao, Alexis Joy D Belarmino, Dominick Vidal, Jomar Serqiña, Louie James Antonio at

PAHINA 2.....KarugtongngSinumpaangSalaysay ni PEMS Romeo Deborde Molino Jr

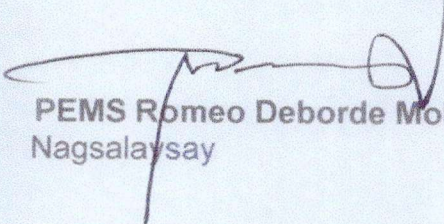
09.T - Pansamantala ay wala na akong itatanong , may nais ka pa bang idagdag o ibawas sa salaysay mong ito?

S - Wala na.

10.T - Handa mo bang lagdaan ang salaysay mong ito, na naglalaman ng Tatlong (3) pahina?

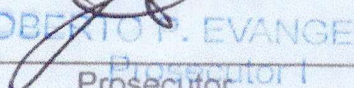
S Oo, nakahanda akong lumagda.

WAKAS NG SALASAY ni PEMS Romeo Deborde Molino Jr


PEMS Romeo Deborde Molino Jr
Nagsalaysay

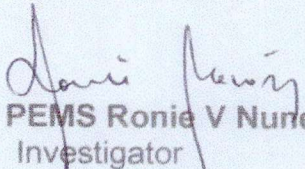
OATH

SUBSCRIBED AND SWORN TO before me this JUN 27 2022 of June 2022 at San Jose, Occidental Mindoro.


ROBERTO P. EVANGELISTA
Prosecutor I

ATTESTATION

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


PEMS Ronie V Nunez
Investigator

OATH AND CERIFICATION

SUBSCRIBED AND SWORN TO before me this JUN 27 2022 of June 2022 at San Jose, Occidental Mindoro and I hereby certify that I have personally examined the affiant under oath and that I am fully satisfied and he voluntary executed and understood his statement.


ROBERTO P. EVANGELISTA
Prosecutor I

SINUMPAANG - SALAYSAY

Ako si **FT1 Dominic L Vidal**, nasa hustong gulang, may-asawa, miyembro ng CENRO DENR San Jose at kasalukuyang nakatira sa Brgy. San Roque, San Jose Occidental Mindoro, namatapos kong malaman at makapanumpa ngayon sa batas ay nagsasaad tulad ng mga sumusunod;

Pangunang Salita

Ang nagtatanong sa akin sa Affidavit kong ito ay si **PEMS Ronie V Nunez** na isang pulis at nakatalaga sa Investigation Section ng San Jose Municipal Police Station, San Jose, Occ. Mindoro, Ginanap ang pagtatanong niya sa akin sa Station tulad ng mga sumusunod:

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

(Ang nagsasalaysay ay pinahiwatigan o panaalalahanan ng lahat ng kanyang karapatan mga alinsunod sa itinatadha nang ating Bagong Saligang Batas).

MGA TANONG AT SAGOT

01.T - **FT1 Dominic L Vidal**, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?

S - Oo.

02.T - Ano naman ang dahilan at ikaw ay naririto sa aming tanggapan at nagbibigay ng iyong malaya at kusang loob na salaysay?

S - Dahil sa pagkakaaresto namin kay **Richard Alavata Oñana**, 30 taong gulang, may asawa at nakatira sa of Purok Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro.

03.T - Ano naman ang dahilan, bakit ninyo inaresto si **Richard Alavata Oñana**?

S - Dahil sila ay ay aking inaresto dahil naaktuhan namin siya ay naglalabas ng kahoy ng walang kaukulang dokumento paglabag sa **Violation of section 77 ng PD 705**.

04.T - Kailan at saan naman ninyo naaresto at naaktuhan na siya ay naglalabas ng kahoy gamit ang kanyang sinasakyang ten wheeler truck ng walang kaukulang dokumento paglabag sa **Violation ng section 77 ng PD 705 si Richard Alavata Oñana**?

S - Noong June 25, 2022, humigit-kumulang sa alas 05:03 ng hapon sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro.

Para sa ikakaliwanag ng iyong salaysay maaari mo bang ikwento o sabihin ang buong panawavari hinggil sa pagkaka-aresto ninyo kay

PAHINA 2.....Karugtong ngSinumpaangSalaysay ni FT1 Dominic L Vidal

05.T - **Richard Alavata Oñana** na naaktuhan namin siya ay naglalabas ng kahoy ang kanyang sinasakyang ten wheeler truck ng walang kaukulang dokumento paglabag sa **Violation ng section 77 of PD 705**.

S - Oo, noong June 25, 2022, humigit-kumulang sa alas 3:30 ng hapon, nakatanggap ng ulat mula sa mga kasamahan ko sa DENR CENRO San Jose na naglalabas ng kahoy ang sinasakyang ten wheeler truck ng walang kaukulang dokumento o paglabag sa **Violation of section 77 of PD 705** sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro. Pagdating namin sa lugar ganap na alas 5:03 ng hapon ng araw din na iyo ay nandoon na ang mga personnel DENR CENRO ng San Jose na kung saan ay nakababa na ang kahoy mula sa ten wheeler truck na minamaneho ni **Richard Alavata Oñana**. Nagpakilala kami na personnel ng DENR CENRO San Jose hinanapan ko ng kaukulang dokumento ang kahoy na ikinarga ni **Richard Alavata Oñana** sa kanyang minamaneho na ten wheeler truck ngunit wala syang maipakita kaya dahil dito ay agad na inaresto namin si **Richard Alavata Oñana** sa ginawa niyang paglabag sa **Violation ng section 77 ng PD 705** at sinabihan ng aming kasamang pulis na si PEMS Romeo D Molino ng Constitutional Rights (Miranda Doctrine). Na habang isinasagawa namin ang nasabing operasyon sa pagkaka aresto kay **Richard Alavata Oñana** ay naka video gamit ang Alternative Recording Device (ARD) ng aking kasamahang pulis si PMSg Napoleon S Dalalo dahil sa ginawa niyang paglabag sa **Violation ng section 77 ng PD 705**.

06.T - Ano pa ang mga sumunod na pangyayari?

S - Narekober namin mula sa posisyon ni **Richard Alavata Oñana** ang limang (5) piraso na kahoy na may sukat ta 2"x 12" x 20' kahoy na "Biaga" na may kabuuang sukat na 200 bd, ft, at may halaga na labing isang libong piso at isang (1) ten wheeler truck na may Plate Nr UEF 410 na gamit nya sa paglalabas ng kahoy.

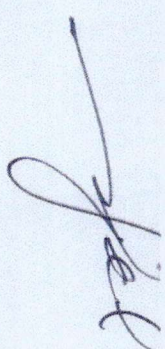
07.T - Ano pa ang sumunod na pangyayari kung mayron man?

S Pagkatapos ay agad naming dinala sa himpilan ng Pulisya ng San Jose si **Richard Alavata Oñana** para sumailalim sa physical at medical examination at upang masampahan ng kaukulang kaso, samantala ang lahat mga narekober namin na ebidensiya ay nai turn-over ni PEMS Romeo D Molino sa kay **MR. Hector S Aragon Jr** (Forester III / Seizure Officer).

08.T - Sino o sino-sino naman ang taong kasama mo na nag aresto kay **Richard Alavata Oñana**?

S - Ang mga kasamahan ko, mga meyembro mula sa DENR CENRO ng San Jose na sina Lucelle Bayron Casticimo, Jackielou P Dumlao, Alexis Joy D Belarmino, Jomar Serquiña, Louie James Antonio at Ednor Legaspi, mula San Jose Municipal police Station na sina PMSg Napoleon S Dalalo at PEMS Romeo D Molino at ilang meyembro mula sa Maritime Police

09.T - Pansamantala ay wala na akong itatanong , may nais ka pa bang idagdag o ibawas sa salaysay mong ito?




PAHINA 2.....Karugtong ng Sinumpaang Salaysay ni FT1 Dominic L Vidal

S - Wala na.

10.T - Handa mo bang lagdaan ang salaysay mong ito, na naglalaman ng Tatlong (3) pahina?

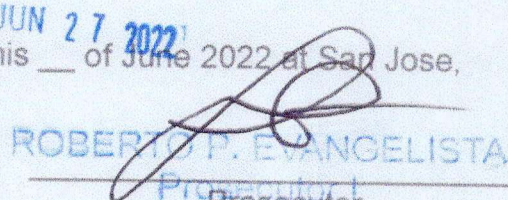
S Oo, nakahanda akong lumagda.

WAKAS NG SALASAY ni Dominic L Vidal


FT1 Dominic L Vidal
Nagsalaysay

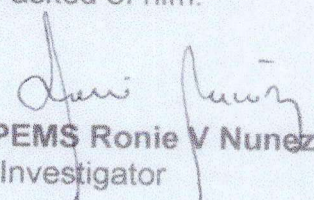
OATH

SUBSCRIBED AND SWORN TO before me this 27 of June 2022 at San Jose, Occidental Mindoro.


ROBERTO P. EVANGELISTA
Prosecutor

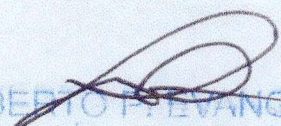
ATTESTATION

I attest to the fact that I personally did the taking of testimony of the complainant/arresting officer, **FT1 Dominic L Vidal**, the result was reduced in the Judicial Affidavit. And, I further attest that the questions asked of the arresting officer and his answer to the same were faithfully recorded and that no one assisted or coached the arresting officer when he answered the question asked of him.


PEMS Ronie V Nunez
Investigator

OATH AND CERIFICATION

SUBSCRIBED AND SWORN TO before me this 27 of June 2022 at San Jose, Occidental Mindoro and I hereby certify that I have personally examined the affiant under oath and that I am fully satisfied and he voluntary executed and understood his statement.


ROBERTO P. EVANGELISTA
Prosecutor

SINUMPAANG - SALAYSAY

Akosi **PMSg Napoleon Salgado Dalalo**, nasa hustong gulang, may asawa, kasapi ng Philippine National Police nanakatalagasa San Jose Municipal Police Station bilang isang miyembrong Intelligence Operative at kasalukuyang nakatira sa Barangay San Roque, San Jose, Occidental Mindoro, namatapos kong malaman at makapanumpa ng ayon sa batas ay nagsasagad tulad ng mga sumusunod;

Pangunang Salita

Ang nagtatanong sa akin sa Affidavit kong ito ay si **PEMS Ronie V Nunez** na isang pulis at nakatalagasa Investigation Section ng San Jose Municipal Police Station, San Jose, Occ. Mindoro, Ginanap ang pagtatanong niya sa akin sa Station tulad ng mga sumusunod:

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

(Ang nagsasalaysay ay pinahiwatigan o pinaalalahanan ng lahat ng kanyang karapatan mga alinsunod sa itinatadhang ating Bagong Saligang Batas).

MGA TANONG AT SAGOT

01.T - **PMSg Napoleon Salgado Dalalo**, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?

S - Oo.

02.T - Ikaw ba ay handang magbibigay ng iyong malaya at kusang loob na salaysay?

S - Oo

03.T - Ano naman ang dahilan at ikaw ay naririto sa aming tanggapan at nagbibigay ng iyong malaya at kusang loob na salaysay?

S - Nais kong magbigay ng salaysay hinggil sa aming nahuli at naaktuhan na naglalabas ng kahoy ng walang kaukulang dokumento o paglabag sa **Violation ng section 77 ng PD 705** at ang ginampanan kong tungkulin ay pagkuha ng video gamit ang Alternative Recording Device (ARD).

04.T - Sino naaktuhan na naglalabas ng kahoy ng walang kaukulang dokumento o paglabag sa **Violation ng section 77 ng PD 705**?

S - **Si Richard Alavata Oñana**, 30 taong gulang, may asawa at nakatira sa of Purok Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro.

5. T - Ano naman ang dahilan bakit mo kinuhanan ng video ang naaktuhan na naglalabas ng uling ng walang kaukulang dokumento gamit ang Alternative Recording Device (ARD)?

S Alinsunod sa A.M. No. 21-06-08-SC (Rules on the use of Body-Worn Cameras in the execution of warrants.)

PAHINA 2.....KarugtongngSinumpaangSalaysay ni PMSg Napoleon Salgado Dalalo

- 06.T - Kailan at saan naman ninyo naaktuhan na naglalabas ng uling ng walang kaukulang dokumentoo paglabag sa **Violation ng section 77 ng PD 705** si **Richard Alavata Oñana**?
- S - Noong June 25 , 2022, humigit-kumulang sa alas 05:03 ng hapon sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro.
- 07.T - Para sa ikakaliwanag ng iyong salaysay maaari mo bang ikwento o sabihin ang buong pangyayari hinggil sasinasabi mo na iyong naaktuhan na naglalabas ng uling ng walang kaukulang dokumentoo paglabag sa **Violation ng section 77 ng PD 705** si **Richard Alavata Oñana**?
- S - Oo, noong June 25, 2022,humigit-kumulang sa alas 4:31 ng hapon, nakatanggap ng ulat mula sa isang DENR CENRO San Jose na naglalabas ng kahoy ang sinasakyang ten wheeler truck ng walang kaukulang dokumento o paglabag sa **Violation of section 77 of PD 705** sa Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro. Kaya sa pangunguna ng aming Intelligence Officer na si **PLT ARNEL D TUPAS**atsa pamumuno ng aming hepe ng San Jose MPS na si **PLTCOL ANDRES C TEJERERO**, **DENR CENRO** San Jose at PNP Maritime ay nagsagawa kami ng forestry anti-illegal activity operation at noon din ay nag pa dispatch sa duty desk officer. Pagdating namin sa nasabing lugar ganap na alas 5:03 ng hapon ng araw din na iyo ay nandoon na ang mga personnel DENR CENRO ng San Jose na kung saan ay nakababa na ang kahoy mula sa ten wheeler truck na minamaneho ni **Richard Alavata Oñana**. Nagpakilala kaming alagad ng batas at hinanapan namin ng kaukulang documento ang kahoy na ikinarga ni **Richard Alavata Oñana** sa kanyang minamaniho na ten wheeler truck ngunit wala syang maipakita kaya dahil dito ay agad na inaresto ng aking kasamahan na si PEMS Romeo D Molino si **Richard Alavata Oñana** sa ginawa niyang paglabag sa **Violation ng section 77 ng PD 705** at sinabihan ko ng Constitutional Rights (Miranda Doctrine) Habang inaaresto at sinasabihan ng Constitutional Rights (Miranda Doctrine) si **Richard Alavata Oñana** ay kinukunan ko ng video gamit ang Alternative Recording Device (ARD).
- 08.T - Ano pa ang mga sumunod na pangyayari?
- S - Makikita sa video gamit ang Alternative Recording Device (ARD) ng marekober mula sa posisyon ni **Richard Alavata Oñana** ang limang (5) piraso na kahoy na may sukat ta 2"x 12" x 20' kahoy na "Biaga" na may kabuuang sukat na 200 bd, ft, at may halaga na labing isang libong piso at isang (1) ten wheeler truck na may Plate Nr UEF 410 na gamit nya sa paglalabas ng kahoy.
- 09.T - Ano pa ang sumunod na pangyayari kung mayron man?
- S Pagkatapos ay agad naming dinala si **Richard Alavata Oñana** sa himpilan ng Pulisya ng San Jose para sumailalim sa physical at medical examination at inindorso sa duty Investigator para sa pagsasampa ng kaukulang kaso, samantala ang lahat mga narekober namin na ebidensiya ay nai turn-over ni PEMS Romeo D Molino kay **MR. Hector S Aragoness Jr** (Forester III / Seizure Officer)
- 10.T - Ano pa ang sumunod na pangyayari kung mayron man?
- S - Sa aking isinagawang pagvivideo ipinaalam ko sa mga taong naaresto na si **Richard Alavata Oñana** na nakarecord ang pagvivideo ko gamit ang

PAHINA 2. Karugtong ng Sinumpaang Salaysay ni PMSg Napoleon Salgado Dalalo

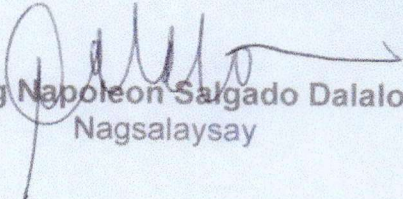
11.T - Pansamantala ay wala na akong itatanong, may nais ka pa bang idagdag o ibawas sa salaysay mong ito?

S - Wala na.

12.T - Handa mo bang lagdaan ang salaysay mong ito, na naglalaman ng Tatlong (3) pahina?

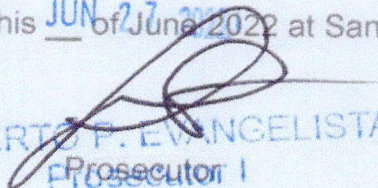
S - Oo, nakahanda akong lumagda.

WAKAS NG SALASAY.


PMSg Napoleon Salgado Dalalo
Nagsalaysay

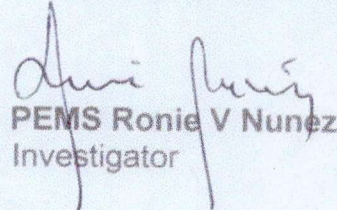
OATH

SUBSCRIBED AND SWORN TO before me this JUN 27 2022 at San Jose, Occidental Mindoro.


ROBERT P. EVANGELISTA
Prosecutor I

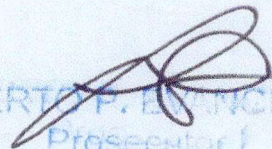
ATTESTATION

I attest to the fact that I personally did the taking of testimony of the witness, **PMSg Napoleon Salgado Dalalo** the result was reduced in the Judicial Affidavit. And, I further attest that the questions asked of the arresting officer and his answer to the same were faithfully recorded and that no one assisted or coached the witness when he answered the question asked of him.


PEMS Ronie V Nunez
Investigator

OATH AND CERIFICATION

SUBSCRIBED AND SWORN TO before me this JUN 27 2022 of June 2022 at San Jose, Occidental Mindoro and I hereby certify that I have personally examined the affiant under oath and that I am fully satisfied and he voluntarily executed and understood his statement.


ROBERT P. EVANGELISTA
Prosecutor I

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: 2022-F453
E-FMS No: 2022-175110-F453

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
Richard Alavata Oñana	Purok Mindoro Camp, Brgy. Central, San Jose, Occ. Mindoro	married	30	driver	

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

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
lumber			LUS	Biaga	5	2x12x20=200.00	11,000.00		
Total:					5	200.00 bdft.	11,000.00		

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.	Chassis No.	Accessories
10 wheeler truck		UEF 410	Blue and Silver					
			Estimated Value: 500,000.00					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

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	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
June 25, 2022 5:03 pm	OCC. MINDORO	SAN JOSE	CAMINAWIT	MALIGAYA	PNP SAN JOSE/ DENR PERSONNEL <i>PNP MARITIME</i>	SECTION 77, PD 705 as amended

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

- _____
- _____
- _____

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

Done this 25th day of June , year 2022 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. ROMEO D. MOLINO JR.

Position: PEMS

Address: MPS San Jose

2. DOMINIC L. VIDAR

Position: FT I

Address: DENR - CENRO SJ

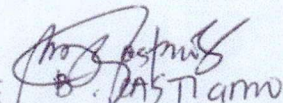
3. _____

Position: _____

Address: _____

WITNESSES:

LUCILLE


D. PASTOR

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

1. RICHARD A. OÑANA

Position: _____

Address: Brgy. Caminawit,
San Jose, Occ. Mindoro

3. _____

Position: _____

Address: _____

2. _____

Position: _____

Address: _____

4. _____

Position: _____

Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2022-F453
E-FMS No: 2022-175110-F453

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 Measurement	Estimated Value	Impounding Area	Custodian
lumber			LUS	Biaga (local name)	5	2x12x20=200.00	11,000.00	DENR- CENRO San Jose Office Compound	Forester III Hector S. Aragones Jr.
Total					5	200.00 bdft.	11,000.00		

Minor forest products					
Kind	Unit of Measurement	No. of Units		Estimated Value	Custodian
N/A	N/A	N/A		N/A	N/A

*Numbers were marked as RM-1-6-25-22 to RM-5-6-25-22

Conveyance Involved					
Type	Make/ Model/ Year	Plate No.	Color/ Markings	CR No.	OR No.
10 wheeler truck		UEF 410	Blue and Silver		

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
		N/A	500,000.00	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	Estimated Value	Custodian
N/A	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
Richard Alavata Oñana	Purok Mindoro Camp, Brgy. Central, San Jose, Occ. Mindoro	married	30		

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		
June 27, 2022 10:00 am	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragones Jr.	SECTION 77, PD 705 as amended

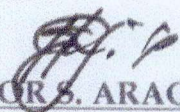
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated June 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 27th day of June, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.


HECTOR S. ARAGONES JR.
Seizure Officer



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
SAN JOSE MUNICIPAL POLICE STATION
San Jose, Occidental Mindoro



MEMORANDUM

FOR : Provincial Director, Occidental Mindoro PPO
(Attn: OIC, PIDMU)

FROM : Acting Chief of Police

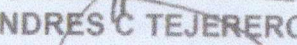
SUBJECT : **Spot Report on Violation of Section 77 of PD 705 (Illegal Transport of Undocumented Forest Products)**

DATE : June 25, 2022

1. **What : Violation of Section 77 of PD 705**
2. **Where:** ,Purok Maligaya. Barangay Caminawit, San Jose, Occidental Mindoro.
3. **When:** June 25, 2022 at about 5:03 PM
4. **Who :** Suspect- **Richard Alavata Oñana** , 30-year-old, male, married, resident of Purok Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro and driver of one (1) **10-wheeler truck** bearing Plate Nr **UEF 410**.
5. **How/ Why:** About 5:03 P.M. of June 25, 2022 in Purok Maligaya, Brgy. Caminawit, San Jose, Occidental Mindoro, Joint elements from San Jose MPS led by **PLT ARNEL D TUPAS** under the direct supervision of **PLTCOL ANDRES C TEJERERO**, Acting COP ; personnel of **DENR CENRO San Jose** and PNP Maritime led by **PLT RYAN JOSEPH L GUIWA** conducted operation against illegal logging activity that resulted to the apprehension of the suspect who was caught thru the use of Alternative Recording Device (ARD), **transporting undocumented forest products**. Recovered from the possessions and control of the suspect were:
 - a. five (5) pcs of 2"x 12" x 20' lumber of "Biaga" species estimated at 200 bd. ft and with market value of 11,000 pesos
 - b. one (1) ten wheeler truck bearing Plate Nr UEF 410 .

6. The arrested person was informed of his Constitutional Rights (Miranda Doctrine) and Anti- Torture Law by **PEMS Romeo D Molino** and was brought to this station for documentation and proper disposition, The recovered evidences shall be turned-over to DENR San Jose. Investigator on case (PEMS Ronie V Nunez - 09285545066)

7. Progress report to follow. .


ANDRES C TEJERERO
Police Lieutenant Colonel



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
SAN JOSE MUNICIPAL POLICE STATION
San Jose, Occidental Mindoro



MEMORANDUM

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

FROM : Investigation Officer

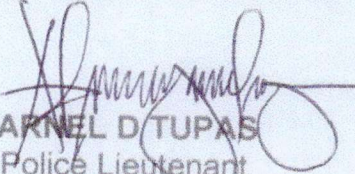
SUBJECT : Referral and Turn-over of Seized in Violation of Section 77 of
PD 705 (Illegal Transport of Undocumented Forest
Products)

DATE : June 27, 2022

DENR - CENRO SAN JOSE
MIMAROPA REGION
RECEIVED BY: #2022-10915
DATE: 06-27-2022

Respectfully referred before the Office of the CENRO officer, DENR-CENRO, San Jose, Occidental Mindoro the following: five (5) pcs of 2"x 12" x 20' lumber of "Biaga" species estimated at 200 bd. ft., one (1) ten wheeler truck bearing Plate Nr UEF 410 from the arrested suspect **Richard Alavata Oñana**, 30-year-old, male, married, resident of Purok Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro in connection with Violation of Section 77 of PD 705 (Illegal Transport of Undocumented Forest Products) committed on June 25, 2022 at about 05.03 P.M at Purok Maligaya, Barangay Caminawit, San Jose, Occidental Mindoro .

Hoping for consideration and appropriate action in this matter


ARNEL D TUPAS
Police Lieutenant

EVIDENCE/ ENCLOSURE:

1. Spot Report of Violation of Section 77 of PD 705 (Illegal Transport of Undocumented Forest Products)
2. Receipt of property seized
3. S.S. of Complainant/Arresting Officer - **PEMS Romeo Deborde Molino**
4. S.S. of ARD **PMSg Napoleon S Dalalo**
5. S.S of witness **Lucelle B Casticimo**
6. Mugshot of **Richard Alavata Oñana (suspect)**
7. Other allied Document



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
SAN JOSE MUNICIPAL POLICE STATION
San Jose, Occidental Mindoro



June 27, 2022

Turn-over of Properties Siezed

Nature of Case : **Violation of PD705**

Name of Suspect: **Richard AlavataOñana** ,30-year-old, male, married, resident of Purok Mindoro Camp, Brgy. Central, San Jose, Occidental Mindoro


Time, Date and Place of Occurrence: June 25, 2022, at around 5:03 P.M. at PurokMaligaya, Barangay Caminawit, San Jose, Occidental Mindoro.

Arresting Officers/Operating Unit:PEMS Romeo D Molino, legal age, married, PNP member, and a resident of Barangay BagongSikat, San Jose, Occidental Mindoro while PMSg Napoleon S Dalalo took the video/ARD.

Description of evidence:

Item # 1: five (5) pcs of 2"x 12" x 20' lumber of "Biaga" species marked as RM1 6-25-22, RM2 6-25-22, RM3 6-25-22, RM4 6-25-22 and RM5 6-25-22

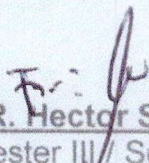
Item #2: one (1) ten wheeler truck bearing Plate Nr UEF 410.

TURNED OVER BY: PEMS Romeo Deborde Molino 
(Intel Operative)

Agency/Address: San Jose Municipal Police Station

Time and Date: 08:00 AM/June 27, 2022

Remarks: Item1 and Item2

RECEIVED BY: MR. Hector S Aragoness Jr 
(Forester III/ Seizure Officer)

Agency/Address DENR-CENRO, San Jose Occidental Mindoro

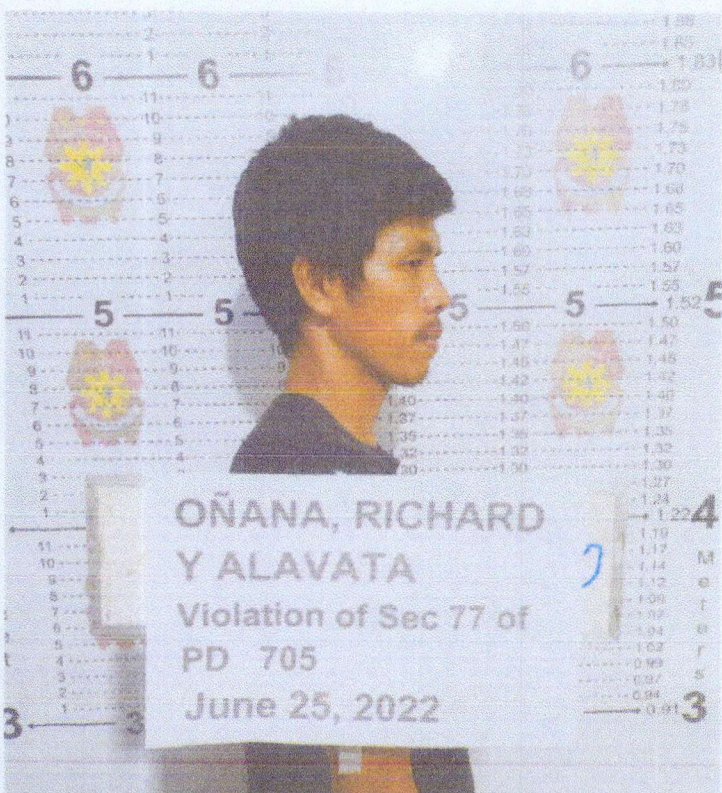
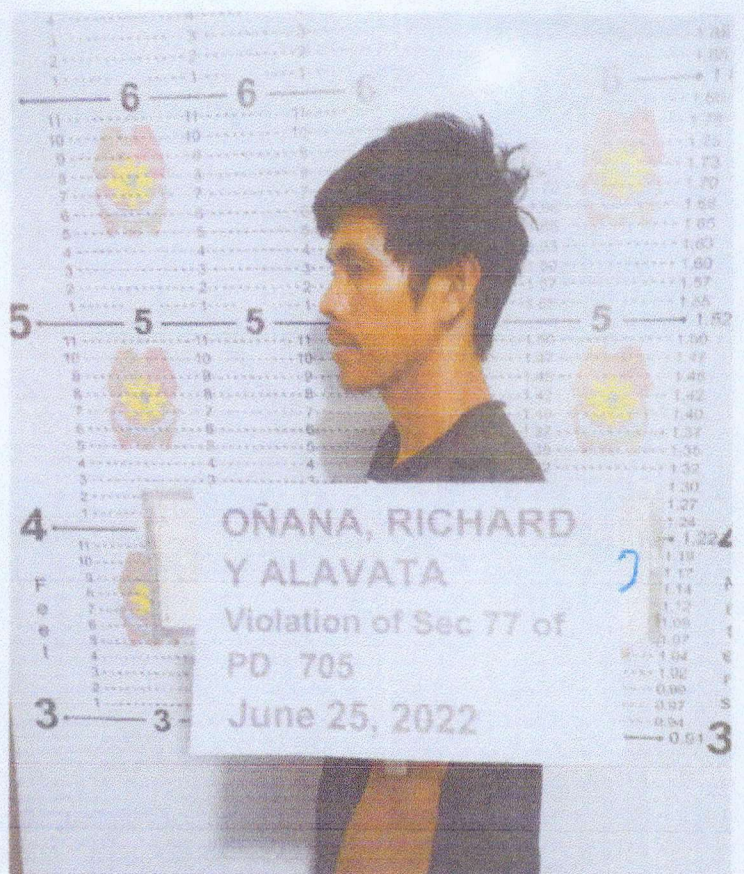
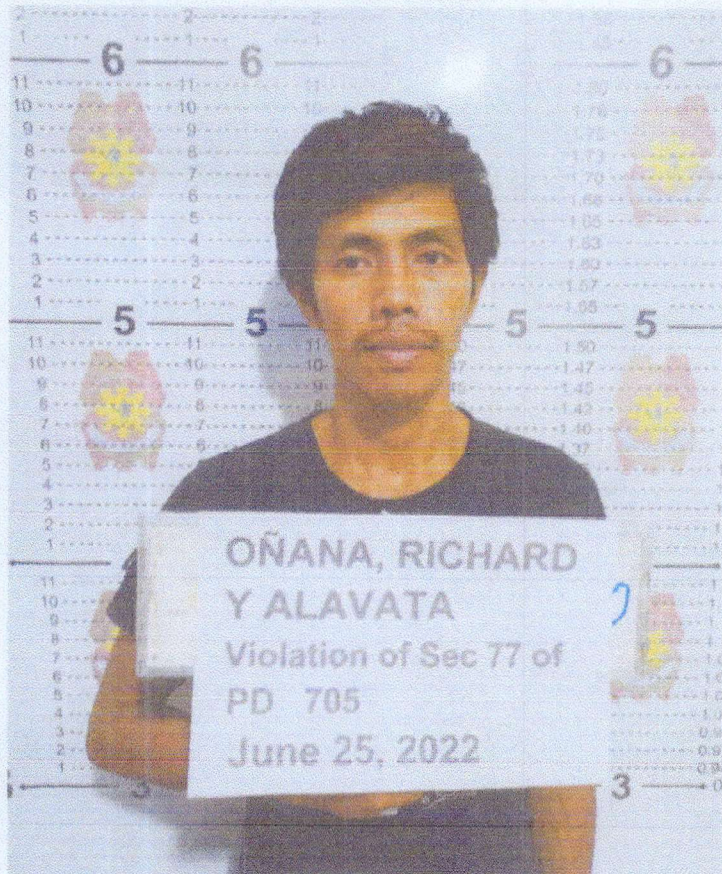
Time and Date: 08:00 AM/June 27, 2022

Remarks: Item1 and Item2

BOOKING MUGSHOT

NAME OF SUSPECT : OÑANA RICHARD ALAVATA
(Family) (First) (Middle)

Blotter Entry Nr: 3354





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

Community Environment and Natural Resources Office

Brgy. Labangan, San Jose, Occidental Mindoro

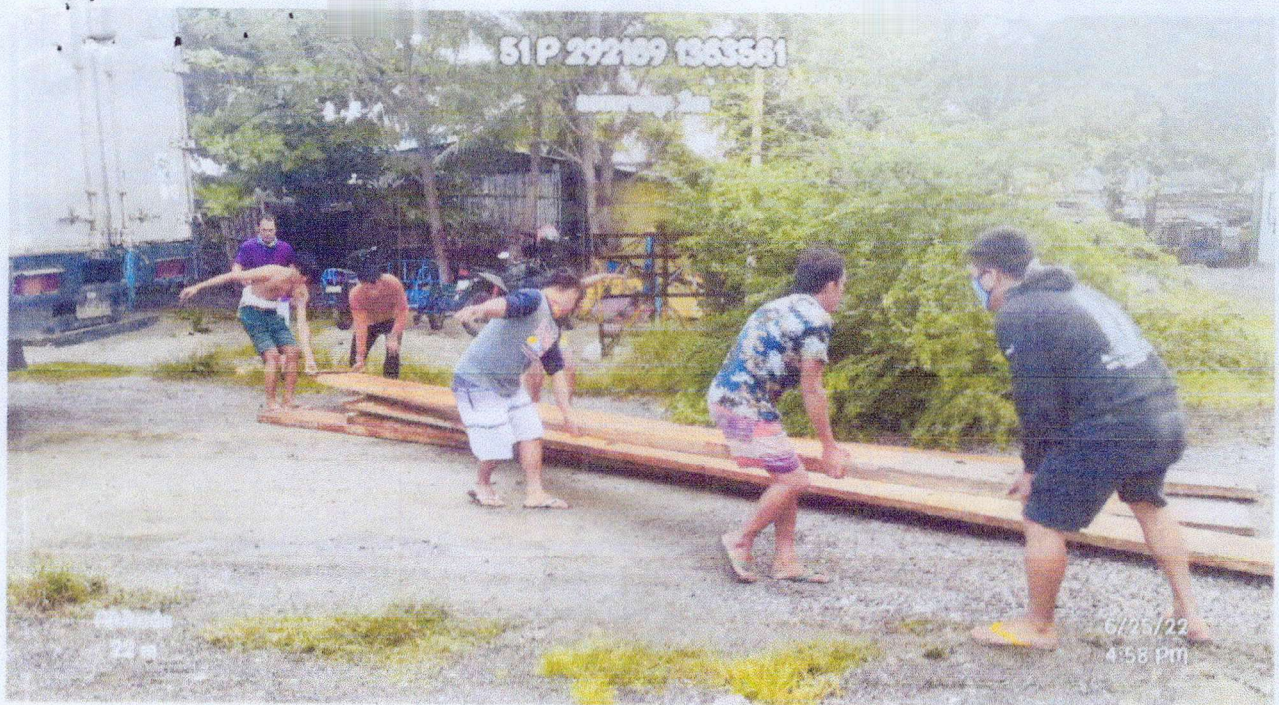
Tel. Number (043) 457- 0236 / (043) 742-6627

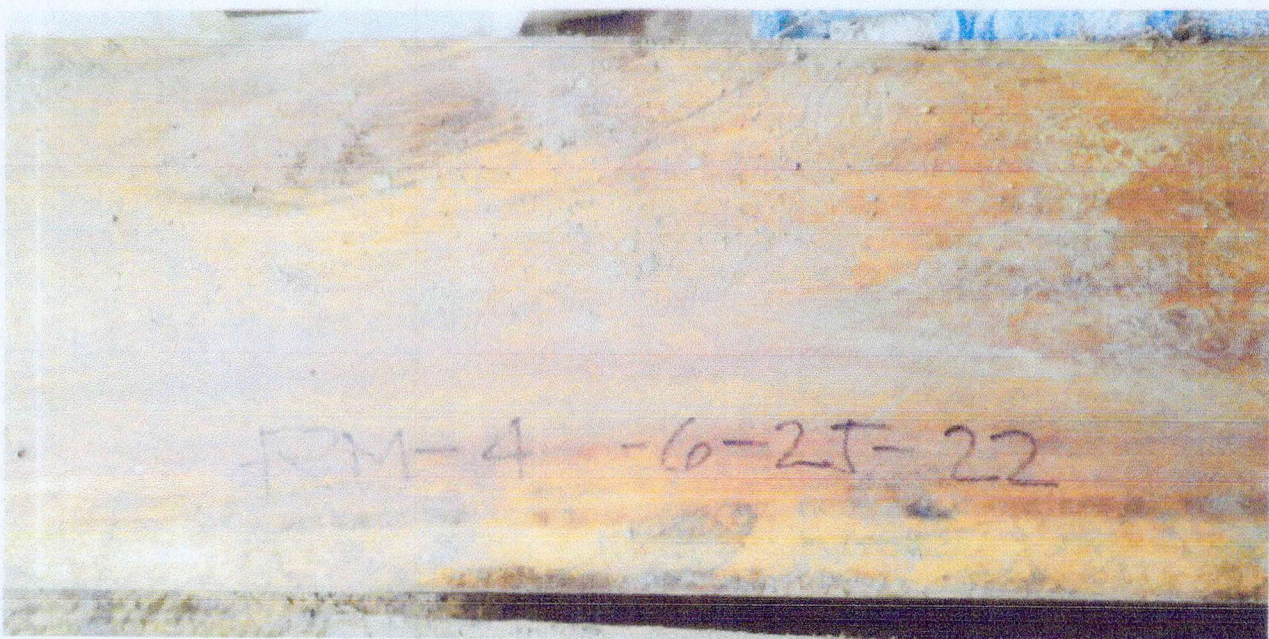
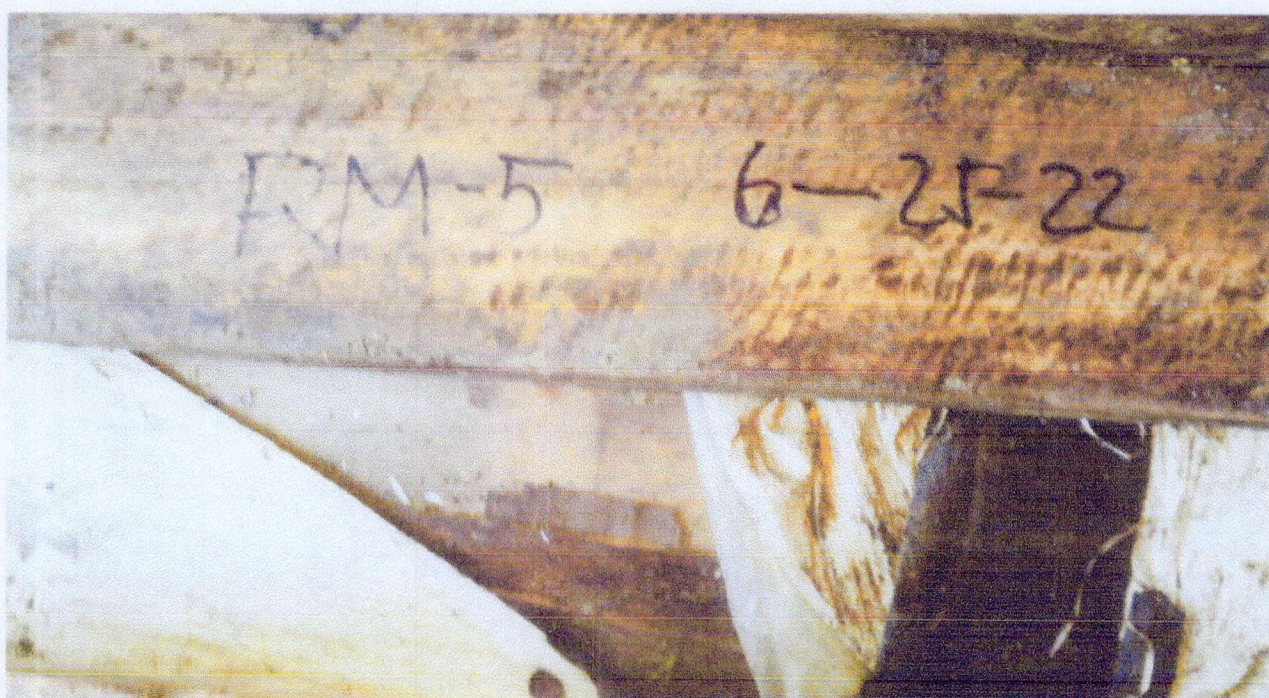
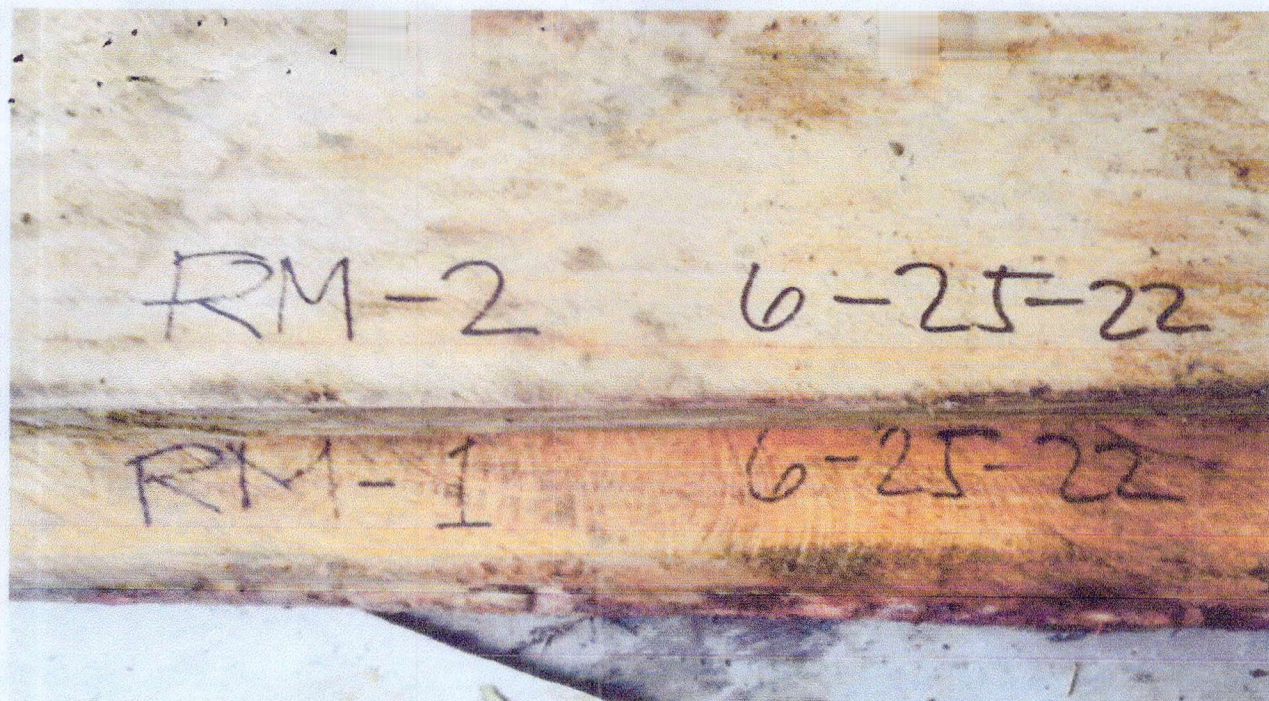
Email: cenrosanjose@denr.gov.ph

GEOTAGGED PHOTOGRAPHS

June 25, 2022









Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

EMAIL FOR TRANSMISSION
JUNE 27, 2022

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

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF DENR-CENRO SAN JOSE CMA PHILIPPINE NATIONAL POLICE OF SAN JOSE AND PNP MARITIME HAD APPREHENDED FIVE (5) PCS. OF BIAGA LUMBER (LOCAL NAME) WITH A DIMENSIONS OF 2X12X20 HAVING AN AGGREGATE VOLUME OF 200.00 BDFT LOADED IN ONE (1) UNIT TEN (10) WHEELER TRUCK CMA COLOR BLUE AND SILVER CMA WITH PLATE NUMBER UEF 410 AT PUROK MALIGAYA CMA BRGY. CAMINAWIT CMA SAN JOSE CMA OCCIDENTAL MINDORO ON JUNE 25, 2022 AROUND 5:03 IN THE AFTERNOON PD

BE FURTHER INFORMED THAT THE SAID MAJOR FOREST PRODUCTS WERE IN POSSESSION OF A CERTAIN RICHARD ALAVATA OÑANA A RESIDENT OF PUROK MINDORO CAMP CMA CENTRAL CMA SAN JOSE CMA OCCIDENTAL CMA MINDORO PD

SAID UNDOCUMENTED MAJOR FOREST PRODUCTS AND CONVEYANCE WERE BROUGHT TO DENR-CENRO SAN JOSE OFFICE COMPOUND AT BRGY. LABANGAN CMA SAN JOSE OCCIDENTAL MINDORO FOR TEMPORARY SAFEKEPPING PD



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

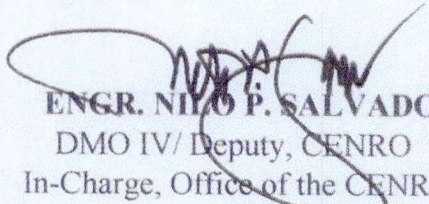
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

BE INFORMED FURTHER THAT CRIMINAL CHARGES IS BEING PREPARED
TO BE FILED AT THE PROVINCIAL PROSECUTORS OFFICE SAN JOSE PD
FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

ENGR. SALVADOR

SENDER:


ENGR. NILO P. SALVADOR
DMO IV/ Deputy, CENRO
In-Charge, Office of the CENRO





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Email: denrcenro_sanjose@yahoo.com

C E R T I F I C A T I O N

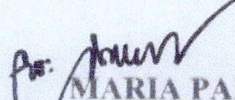
TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that as per verification on records file there was no document found regarding the Issuance of Transport Permit of Biaga (local name) Lumber as of June 27, 2022 issued to Mr. Richard A. Oñana, 30 years old, who is a resident of Brgy. Central, San Jose, Occidental Mindoro.

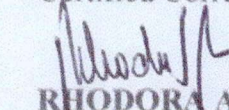
This Certification is issued upon request of Forester III Hector S. Aragon, Jr. Chief Environment and Monitoring Section, for attachment on the filing of Criminal Complaint at the Provincial Prosecutors Office purposes.

Done this 27th of June, 2022 at DENR-CENRO Labangan, San Jose, Occidental Mindoro.

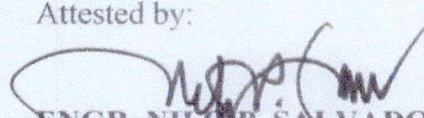
Prepared and Verified by:


MARIA PAZ C. CAPITAN
Records Officer

Certified Correct:


RHODORA A. GARCIA
LMO III /Chief, RPS

Attested by:


ENGR. NILOP P. SALVADOR
DMO IV/Deputy CENRO
In-Charge, Office of the CENRO



Republic of the Philippines
Department of Environment and Natural Resources
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RECAPITULATION AND ASSESSED VALUE

A. Major Forest Products:

PCS.	SPECIES	DIMENSION	VOLUME(bdft)	ESTIMATED VALUE
5	Biaga	2x12x20	200.00	11,000.00
5			200.00	11,000.00

B. Conveyance:

Type	Item	Value
10 wheeler truck Color blue and Silver, Plate # UEF 410	1	500,000.00
TOTAL:		Php 511,000.00

Prepared by:

JOMAR B. SERQUINA
Forester I



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

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Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

June 25, 2022

NOTICE OF ADMINISTRATIVE HEARING

MR. RICHARD A. OÑANA

Purok Mindoro Camp, Brgy. Central,
San Jose, Occidental Mindoro

Ginoong Oñana,

Isang maka-KALIKASANG pagbati!

Ito po ay may kaugnayan sa pagkahuli ng isang (1) Ten Wheeler Truck, kulay Asul at Silver, may Plate Number UEF 410, na may kargang limang (5) pirasong Biaga na kahoy na may sukat na 2x12x20 at may kabuuang dami na 200.00 bdft. na walang kaukulang dokumento na nahuli ng mga tauhan ng DENR-CENRO San Jose at PNP San Jose, Occidental Mindoro noong ika-25 ng Hunyo, 2022 humigit - kumulang alas 5:03 ng hapon.

Ang nasabing kahoy at sasakyan ay pansamantalang nasa pangangalaga ng DENR CENRO San Jose sa Brgy. Labangan, San Jose, Occ. Mindoro.

Dahil dito, kayo po ay aming inaanyayahan sa aming tanggapan sa **ika- 29 ng Hunyo, 2022, araw ng Martes sa ganap na ika 10:00 ng umaga** para sa administratibong pagdinig at maipaliwanag ang iyong panig.


Maraming salamat po at inaasahan namin ang iyong pagdalo.

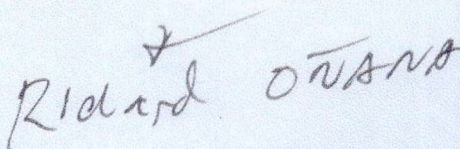
Lubos na gumagalang,


HECTOR S. ARAGONES JR.
Forester III/ Chief, EMS
Hearing Officer/ Seizure Officer

Noted By:

For the CENR Officer:


ENGR. NILO P. SALVADOR
DMO IV/ Deputy, CENRO
In-Charge, Office of the CENRO


Richard Oñana
June 27, 2022



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
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ATTENDANCE
JUNE 29, 2022

ADMINISTRATIVE HEARING FOR THE APPREHENSION OF FIVE (5) PCS. BIAGA LUMBER WITH AN AGGREGATE VOLUME OF 200.00 BDFT LOADED IN ONE (1) UNIT TEN WHEELER TRUCK, COLOR BLUE AND SILVER AND PLATE NUMBER UEF 410 APPREHENDED BY DENR-CENRO SAN JOSE PERSONNEL, PNP SAN JOSE AND PHILIPPINE MARITIME AT PUROK MALIGAYA, BRGY. CAMINAWIT, SAN JOSE, OCC. MINDORO.

NAME	ADDRESS	GEN DER	A G E	PARTICIPATION	SIGNATURE
RICHARD ONANA	CENRAL, STAM	M	30	RESPONDENT	
HECTOR S. ARAGON JR.	DENR- CENRO	M	57	HEARING OFFICER	
SANCHO NIEBO III	DENR- CENRO	M		LEGAL RESEARCHER	
DOMINIC VIDAL	DENR- CENRO	M		WITNESS	
MARILEAN BAROW	DENR- CENRO	F	43	STENOGRAPHER	