



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	
<input checked="" type="checkbox"/> INCOMING	<input type="checkbox"/> 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. 2022-041**

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 chainsaw STIHL , without serial number at Sitio Quintal, Barangay Murtha, 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. 2022-041**

Submitted herewith is the Resolution No. 2022-041 as a result of administrative adjudication on the apprehended one (1) unit of chainsaw STIHL, with no Serial Number with Oregon Guide Bar at Sitio Quintal, Barangay Murtha, San Jose, Occidental Mindoro last March 8, 2022.

For your information and record.

EFREN L. DELOS REYES

Cc:  
PENRO  
CENRO SJ Records  
EMS File

<b>RECORDS</b>	
RECEIVED BY: <i>8</i>	
DATE: 7/13	TIME:
RELEASED BY:	
DATE:	TIME:

<b>PENRO</b>	
RECEIVED BY: <i>439-9</i>	
DATE: 7/14/22	TIME:
RELEASED BY:	
DATE:	TIME:





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) UNIT OF CHAINSAW STIHL, WITH NO SERIAL NUMER WITH OREGON GUIDE BAR AT SITIO QUINTAL, BARANGAY MURTHA, SAN JOSE, OCCIDENTAL MINDORO, ON MARCH 8, 2022 AT AROUND 1:07 IN THE AFTERNOON.**

X-----X

**RESOLUTION No. 2022-041**

This pertains to the apprehension of abandoned One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar at So. Quintal, Brgy. Murtha, San Jose, Occidental Mindoro, on March 8, 2022, at around 01:07 in the afternoon by the Personnel from Enforcement and Monitoring Section (EMS) by the DENR CENRO, San Jose, Occidental Mindoro

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

1. That on March 8, 2022, while conducting LAWIN Patrolling within the vicinities of Sitio Quintal, Brgy. Murtha, San Jose, Occidental Mindoro, the EMS team encountered an illegal cutting activity where the perpetrator was able to escape and left/abandoned One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar. The said chainsaw unit was considered as abandoned. *(Please see attached)*
2. That the apprehended One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar, was temporarily impounded at the custody of the DENR CENRO office, San Jose Occidental Mindoro, for safekeeping. *(please see attached apprehension receipt)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2022-F437 was issued and signed by the apprehending officer Forest Range Carl Emmanuel Urieta *(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. Aragoness, Jr. issued the Seizure Order with CENRO Control Number 2022-F437 for the One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar *(please see attached seizure order)*
5. That a PABATID SA PUBLIKO (Notice to the Public) was posted in conspicuous places such as So. Quintal, Brgy. Murtha and at the Brgy. Hall of Barangay Murtha, San Jose, Occidental Mindoro. *(please see attached pabatid sa publiko)*
6. That no Notice of the Administrative Hearing was made because the One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar was Abandoned.

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

1. Whether or not, the apprehended One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar. **Shall be confiscated in favor of the government.**



The grounds for apprehension and seizure of the Unregistered Chainsaw is valid, as the apprehended Chainsaw Unit is unregistered and it has no record that it is issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 9175, **November 7, 2002, AN ACT REGULATING THE OWNERSHIP, POSSESSION, SALE, IMPORTATION AND USE OF CHAINSAWS, PENALIZING VIOLATIONS THEREOF AND FOR OTHER PURPOSES**, states that;

**SECTION 7. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License.** – *Selling, Purchasing, Re-selling, Transferring, Distributing or Possessing a Chain Saw Without a Proper Permit.* - Any person who sells, purchases, transfer the ownership, distributes or otherwise disposes or possesses a chain saw without first securing the necessary permit from the Department shall be punished with imprisonment of four (4) years, two (2) months and one (1) day to six (6) years or a fine of not less than Fifteen thousand pesos (P15,000.00) but not more Thirty thousand pesos (30,000.00) or both at the discretion of the court, and the chain saw/s confiscated in favor of the government.

xxx

**SECTION 14. DAO 2003-04. – CONFISCATION OF CHAINSAWS.** – *Chainsaws used in the cutting, gathering, collecting, removing and/or processing timber or forest products without legal documents shall be subject to Judicial and/or administrative confiscation under Section 68 and 68A of PD 705 as amended, and as implemented by DAO 97-32 and other subsequent forestry regulations that may be promulgated.*

xxx

Department Administrative Order No. 2003-04

**Sec. 12. Items subject to apprehension, seizure, confiscation and forfeiture.**

**12.1 SELLING, PURCHASING, RE-SELLING, TRANSFERRING, DISTRIBUTING, OR POSSESSING, A CHAINSAW WITHOUT A PROPER PERMIT-** *Any person who sells, purchases, transfers the ownership, distributes, or otherwise disposes or possess a chainsaw without first securing the necessary permit from the Department shall be punished with imprisonment of four (4) years, two (2) months and one (1) day to six (6) years or a fine of not less that Fifteen Thousand (15,000) pesos but not more than Thirty Thousand Pesos (P30,000.00) or both at the discretion of the court and the chainsaw confiscated in favor of the government*

#### **DEPARTMENT ADMINISTRATIVE ORDER 97-32**

##### **Sec. 8. Abandoned Illegal Forest Products.**

*The following procedures apply in cases where illegal forest products and other items listed in Section 2 hereof are abandoned, or when the owner, claimant, custodian or other interested Party(ies) is unknown, cannot be determined, or cannot otherwise be found.*

**Par.3. Summary Seizure/Confiscation Proceedings** *shall be conducted by the hearing officer designated in these rules. In such cases the Notice of Hearing shall be posted at least three (3) times, once a every week for three (3) consecutive weeks, in at least three (3) public places, including but not limited to: (a) the Barangay Hall of the apprehension*



site; (b) the Bulletin Board of the DENR Offices where the Proceedings will be conducted, and (c) at the Municipal Hall of the apprehension site.

Should the owner, claimant or other interested Party fail to appear at the Proceedings, such failure shall be deemed a waiver of the right to appear and of any/all rights to the items apprehended in favor of the Government.

xxx

**Sec.13 THE FOLLOWING CHAINSAW ARE SUBJECT TO CONFISCATION**

13.1. Chainsaws sold, purchased, resold, transferred, distributed, leased, rented, lent or **possessed** without proper permit or authority from the Department.

2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar. **Shall be confiscated in favour of the government since the chainsaw subject to illegal used in cutting forest products is unregistered at the office of the DENR CENRO San Jose Occidental Mindoro.**


Based in the case at bar, the **Mere fact that a Chainsaw is without proper registration and documentation** issued by the Office of the DENR CENRO San Jose Occidental Mindoro, if proven is a violation of Section 7 of PD 705 and the DENR DAO 2003-04 section 12.1 and 13.1, thus subject to confiscation. Moreover, in occasion where the said illegal forest products was said to be abandoned it shall also be confiscated in favor of the Government, under Section 8 Par. 3 of Department Administrative Order (DAO) 97-32.

**WHEREFORE**, pursuant to Section 7 of PD 705 and the DENR DAO 2003-04 section 12.1 and 13.1, thus subject to confiscation the following are hereby recommended:

3. That the APPREHENDED One (1) Unit of Chainsaw STIHL, with no serial number with Oregon guide bar, **shall be confiscated in favour of the government, since the chainsaw in the possession of the accused is not registered and no records of it was found in the Office of the DENR CENRO, San Jose Occidental Mindoro.**

Issued this \_\_\_\_\_ day of JUL 07 2022 at DENR-CENRO San Jose, Occidental Mindoro.

Prepared by:

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

Noted by:

  
**EFREN L. DELOS REYES**  
CENR Office





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: [denrcenro\\_sanjose@yahoo.com](mailto:denrcenro_sanjose@yahoo.com)

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EMAIL FOR TRANSMISSION

MARCH 8, 2022

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

THRU: PENR OFFICER  
MAMBURAO, OCCIDENTAL MINDORO

FROM: CENR OFFICER

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PLEASE BE INFORMED THAT THE DENR PERSONNEL FROM ENFORCEMENT AND MONITORING SECTION APPREHENDED 1 UNIT OF CHAINSAW WITH OREGON GUIDE BAR AND NO SERIAL NUMBER AT SITIO QUINTAL CMA BRGY MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO ON MARCH 8, 2022 AT AROUND 1:07 IN THE AFTERNOON PD

THE UNIDENTIFIED PERPETRATOR MANAGED TO ESCAPED ABANDONING THE SAID CHAINSAW THAT WAS NOW UNDER CUSTODY OF THE DENR CENRO SAN JOSE FOR TEMPORARY SAFEKEEPING PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTIONS PD

FOR. DELOS REYES

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SENDER:

  
**EFREN L. DELOS REYES**

 CENR Officer

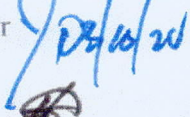





Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
Brgy. Labangan, San Jose, Occidental Mindoro  
Tel. Number (043) 457- 0236 / (043) 742-6627  
Email: [cenrosanjose@denr.gov.ph](mailto:cenrosanjose@denr.gov.ph)

March 8, 2022

**MEMORANDUM**

**FOR** : The CENR Officer   
**THRU** : The Chief, EMS   
**FROM** : The Forest Ranger (Apprehending Officer)  
**SUBJECT** : **SPOT REPORT ON THE APPREHENDED ONE (1) UNIT OF CHAINSAW WITH OREGON GUIDE BAR AND NO SERIAL NUMBER AT SITIO QUINTAL, BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO ON MARCH 8, 2022**

Please be informed that the personnel of Enforcement and Monitoring Section led by Forest Ranger Carl Emmanuel A. Urieta together with Forest Ranger Tristan V. Rendorio, Forest Ranger Ronald Fresnillo, FPO Louie D. James Antonio, FPO Leizle S. Andrade, FPO Ednor C. Legaspi, Jr. and FPO Elmer Salongsongan had conducted LAWIN Patrolling within the vicinities of So. Quintal, Brgy. Murtha, San Jose, Occidental Mindoro.

On the same date, around 1:07 in the afternoon during the patrol, the undersigned has encountered illegal activity in resulting to apprehension of one (1) unit of chainsaw. As per verification, the said equipment has not been registered at DENR CENRO San Jose, Occidental Mindoro and has no serial number therefore, considered as illegal operated and clearly violation of Section 7 paragraph 4 of Republic Act 9175 known as "Chainsaw Act of 2002".

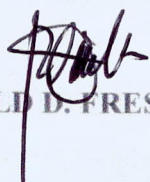
That upon apprehension, FR Rendorio called and coordinate with Chief EMS, Forester III Hector S. Aragon, Jr. Immediately thereafter, For. III Aragon asked for assistance to San Jose MPS in order to arrest the culprit. But before the PNP personnel and EMS Staff arrived the perpetrator does not want to disclose his identity and a commotion succeeded were the culprit and FPO Salongsongan are forcing each other to fight for the possession of the said chainsaw and the said culprit about to draw his bolo. During the commotion the culprit realized that his actions may be useless and decided to ran away. Hence, for the safety, the team decided to carry the said equipment and proceed to BLGU of Murtha, San Jose, Occidental Mindoro to file blotter report of the incident and to identify the perpetrator, but still the Brgy. Officials cannot recognized the culprit on the photo presented by the undersigned.

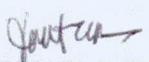
Be further informed that the said chainsaw were brought to the DENR CENR Office for safe keeping and proper documentation.

Attached herewith are the geotagged photos.

For information and further instruction.

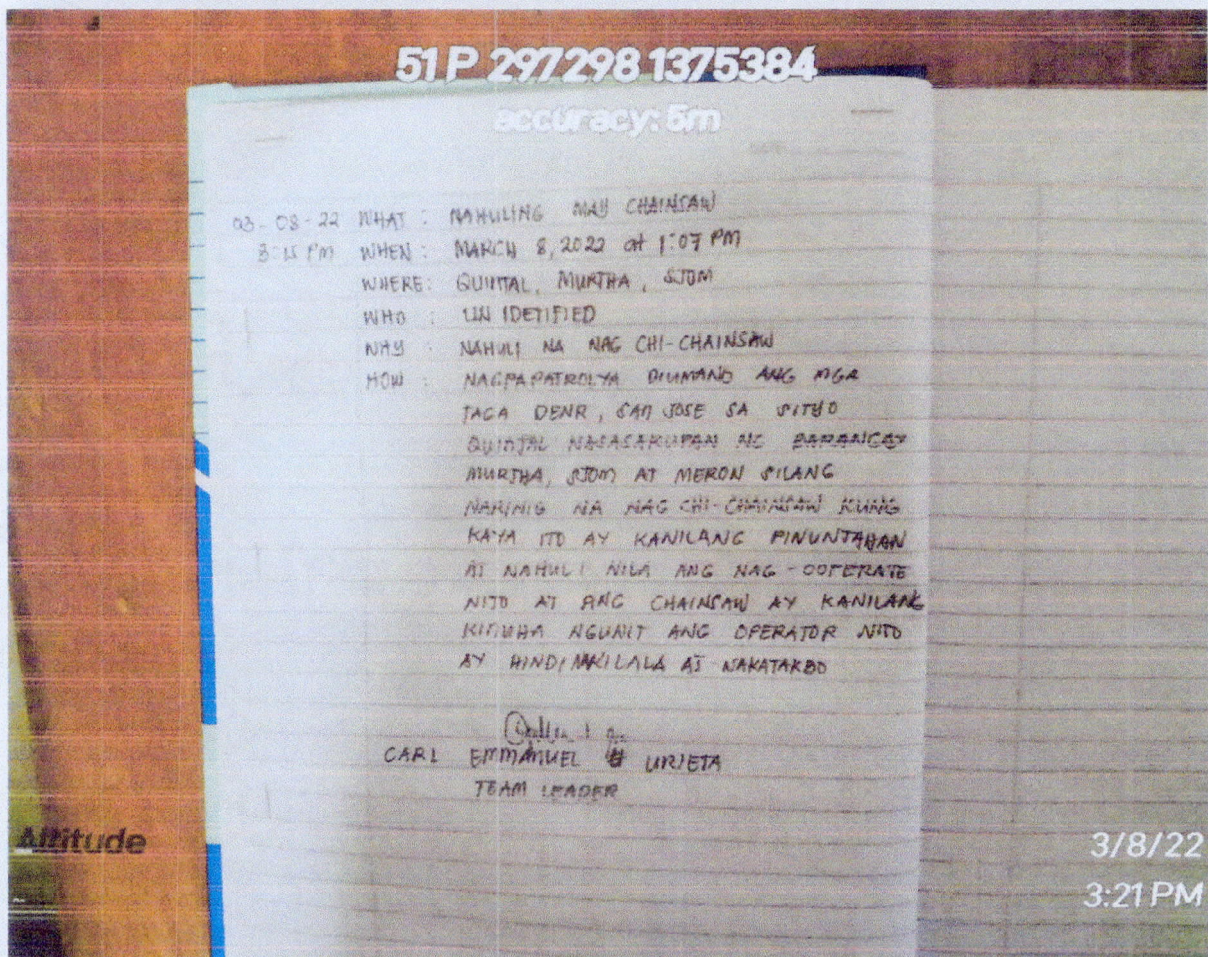
  
CARL EMMANUEL A. URIETA

  
RONALD D. FRESNILLO

  
TRISTAN V. RENDORIO



GEOTAGGED PHOTO DURING THE FILING OF BLOTTER REPORT AT BLGU  
MURTHA, SAN JOSE, OCCIDENTAL MINDORO





GEOTAGGED PHOTOS OF THE CULPRIT AND APPREHENDED ITEM AT SITIO  
QUINTAL, BRGY. MURTHA, SAN JOSE, OCCIDENTAL





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-F437
E-FMS No: 2022-175110-F437

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

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 Product s	Species Groupi ng	Species	Pieces	Volume/U nit of Measure ment	Estimated Value	Impound ing Area	Custo dian
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total:									

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



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

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

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
chainsaw	1	with guidebar OREGON, and No Serial	DENR-CENRO San Jose Office Compound	N/A	Php 20,000.00

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		
March 8, 2022 1:07 pm	OCC. MINDORO	SAN JOSE	MURTHA	QUINTAL	DENR PERSONNEL	RA 9175

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

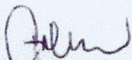
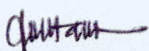
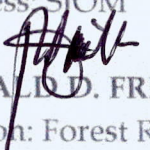
- \_\_\_\_\_
- \_\_\_\_\_



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 8<sup>th</sup> day of March , year 2022 at San Jose, Occ. Mindoro.

**APPREHENDING OFFICER**  
**(Signature over Printed Name)**

-   
1. **CARL EMMANUEL URIETA**  
Position: Forest Ranger  
Address: SJOM
-   
2. **TRISTAN V. RENDORIO**  
Position: Forest Ranger  
Address: SJOM
-   
3. **RONALD D. FRESNILLO**  
Position: Forest Ranger  
Address: SJOM

**WITNESSES:**

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

1. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

3. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_
2. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

4. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

Copy Received by:

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Signature over Printed Name

\_\_\_\_\_

Date/Time

Remarks:

\_\_\_\_\_

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\_\_\_\_\_



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-F437
E-FMS No: 2022-175110-F437

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/U nit of Measurem ent	Estimat ed Value	Impound ing Area	Custodi an
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Minor forest products				
Kind	Unit of Measure ment	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	Estimated Market Value	Custodian*
N/A	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	Estimated Value	Custodian
chainsaw	1	with guidebar OREGON, and without Serial #	Php 20,000.00	Forester III Hector S. Aragoness Jr.
		marked by Quintel 03/08/22		

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
N/A	N/A	N/A	N/A	N/A	N/A

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	Siti o		
March 8, 2022 4:00 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragoness Jr.	RA 9175



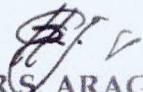
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated March 8, 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 8<sup>th</sup> day of March, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.

  
HECTOR S. ARAGONES JR.  
Seizure Officer/Hearing Officer