

JUL 2 1 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. 2022-026** 

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 tricycle (RUSI 125, Color Red with Engine Number RW162FMS/JA007906) loaded with eight (8) sacks of undocumented charcoal at Barangay Paclolo, Magsaysay, Occidental Mindoro.

For your information and record.

ERNESTO E. TAÑADA

Purok Pag-asa, Barangay Payompon, Mamburao, Occidental Mindoro Email Address: tsdoccmin042@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. 2022-026** 

Submitted herewith is the Resolution No. 2022-026 as a result of administrative adjudication on the apprehended one (1) unit tricycle RUSI 125, color Red, with Skeletal side car, Engine Number RW162FMS/JA007906 and Chassis Number RWCLPK20XFE007906 loaded with Eight(8) sacks of undocumented charcoal at Brgy. Paclolo, Magsaysay, Occidental last April 24, 2019.

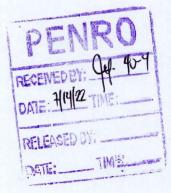
For your information and record.

EFREN L. DELOS REYES

Cc:
PENRO
CENRO SJ Records
EMS File









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 OFCONVEYANCE - ONE (1) UNIT TRICYCLE, RUSI 150, COLOR RED, WITH SKELETAL SIDE CAR, ENGINE NUMBER RW162FMS/JA007906 WITH CHASSIS NUMBER RWCLPK20XFE007906 LOADED WITH EIGHT (8) SACKS OF UNDOCUMENTED CHARCOALS AT BRGY. PACLOLO, MAGSAYSAY, OCCIDENTAL MINDORO ON APRIL 24, 2019 AT AROUND 7:00 IN THE EVENING.

### RESOLUTION No. 2022-026

This pertains to the apprehension of One (1) Conveyance – tricycle, RUSI 150, color red, with skeletal side car, engine number RW162FMS/JA007906 with chassis number RWCLPK20XFE007906 loaded with Eight (8) sacks of undocumented charcoals at Brgy. Paclolo, Magsaysay Occidental Mindoro on April 24, 2019, at around 7:00 in the morning by means of a checkpoint that was conducted to monitor the travelling of illegal forest products by Personnel of Magsaysay Police Station together with Enforcement and Monitoring Section (EMS) DENR CENRO, San Jose, Occidental Mindoro.

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

- 1. That on April 24, 2019, around 6:30 in the evening, based on a report coming from the confidential asset of Magsaysay, Municipal Police Station together with Enforcement and Monitoring Section (EMS) DENR CENRO personnel was able to intercept the suspect while travelling in possession of undocumented charcoals which yielded to the arrest of the suspect while travelling in possession of the said illegal forest products, when asked if he has documents for the transport of the charcoals, he admitted that these charcoals have no documents coming from the office of the DENR-CENRO, San Jose, Occidental Mindoro. Upon interrogation the suspect's identity is known as Carlos Dela Cruz residing at Brgy. Paclolo, Magsaysay, Occidental Mindoro. (Please see attached spot report and geo-tag photos)
- 2. That the team apprehended One (1) Conveyance tricycle, RUSI 150, color red, with skeletal side car, engine number RW162FMS/JA007906 with chassis number RWCLPK20XFE007906 loaded with Eight (8) sacks of undocumented charcoals. These undocumented minor forest products and conveyance were in the office of DENR-CENRO, San Jose Occidental Mindoro, for temporary safekeeping. (Please see attached spot report and apprehension receipt.)
- 3. That the corresponding Apprehension Receipt with CENRO Control No.2019-F247 was issued by the apprehending officer headed by PCMS, Chief Intel Alexander R. Garcia. (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. Aragones Jr. issued the Seizure Order with CENRO Control Number 2019-F247 for the apprehension of One (1) Conveyance tricycle, RUSI 150, color red, with skeletal side car, engine number RW162FMS/JA007906 with chassis number RWCLPK20XFE007906 loaded with Eight (8) sacks of undocumented charcoals (please see attached seizure order)
- 5. That a notice of Administrative Hearing was received by Carlos B. Dela Cruz and it was scheduled on May 2, 2019 at 3:00 in the afternoon. (please see attached Notice of Administrative Hearing)

6. That, an Admini ive Hearing was held as scheduled May 2, 2019 at 3:00 in the afternoon. (Please see transcript of stenographic notes of the administrative hearing)

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

- 1. Whether or not the APPREHENDED eight (8) sacks of undocumented charcoal a minor forest products will be confiscated in favor of the government.
- 2. Whether or not the APPREHENDED One (1) Conveyance tricycle, RUSI 150, color red, with skeletal side car, engine number RW162FMS/JA007906 with chassis number RWCLPK20XFE007906, be confiscated in favor of the government.

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

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 Par. e. FOREST PRODUCTS: Refers to timber, including lumber, pulpwood, firewood, bark, tree top, resin, gum, wood, oil, honey, beeswax, nipa, rattan, charcoal, or other forest growth, such as but not limited to grass, shrub, flowering plants in forest lands and others.

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 producting moved or transported to any plate 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

3. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the eight (8) sacks of undocumented charcoal and One (1) Conveyance – tricycle, RUSI 150, color red, with skeletal side car, engine number H4A057693 with chassis number RFCPCJXJ9057693 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 product is/are subject to confiscation and seizure.

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 1 Part E and Sec 2, Part C. the following are hereby recommended:

 The Apprehended One (1) Conveyance – tricycle, RUSI 150, color red, with skeletal side car, engine number H4A057693 with chassis number RFCPCJXJ9057693 and Eight (8) sacks of undocumented charcoal shall be confiscated in favour of the government since those lumbers are products of an illegal act.

| Issued this               | day | of | JUL U 1 2022. | at | DENR-CENRO | Sar    |
|---------------------------|-----|----|---------------|----|------------|--------|
| Jose, Occidental Mindoro. |     |    |               |    |            | 5,7463 |

Prepared by:

IECTOR'S. ARAGONES, JR. Forester III/Hearing Officer

Noted by:

EFREN L. DELOS REYE



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Region IV-MIMAROPA
Community Environment and Natural Resources
Brgy. Labangan, San Jose, Occidental Mindoro

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

EMAIL FOR TRANSMISSION April 25, 2019

FOR:

THE REGIONAL EXECUTIVE DIRECTOR

DENR-IVB, MIMAROPA

ERMITA, MANILA

THRU:

ARD FOR TECHNICAL SERVICES

DENR-IVB, MIMAROPA

ERMITA, MANILA

FROM:

CENRO SAN JOSE

OCCIDENTAL MINDORO

PLEASE BE INFORMED THAT PERSONNEL OF MAGSAYSAY MUNICIPAL POLICE HEADED BY PCMS ALEXANDER R. GARCIA HAD TURNED-OVER TO THIS OFFICE THE APPREHENDED ONE (1) UNIT RUSI 150 COLORED RED WITH SKELETAL SIDECAR CMA WITH CHASSIS NUMBER RWCLPK20XFE007906 AND ENGINE NUMBER RW162FMS/JA007906 LOADED WITH EIGHT (8) SACKS OF UNDOCUMENTED CHARCOAL AT BARANGAY PACLOLO CMA MAGSAYSAY CMA OCCIDENTAL MINDORO ON APRIL 24, 2019 AT AROUND 7:00 IN THE EVENING PD

THE CONVEYANCE AND FOREST PRODUCTS WERE OWNED BY A CERTAIN MR. CARLOS PACABA DELA CRUZ CMA HOWEVER CMA CONVEYANCE AND FOREST PRODUCTS ARE SUBJECTED TO APPREHENSION PD

PLEASE BE FURTHER INFORMED THAT THE SAID CONVEYANCE AND FOREST PRODUCTS IS UNDER THE CUSTODY OF DENR-CENRO SAN JOSE FOR SAFEKEEPPING PURPOSED AND NOW PENDING FOR ADMINISTRATIVE PROCEEDINGS AS PER DAO 97-32 PD

FOR HIS INFORMATION AND RECORD PD

FORESTER DELOS REYES

SENDER:

EFREN L. DELOS REYES Officer-in-Charge



### Republic of the Philippines NATIONAL POLICE COMMISSION PHILIPPINE NATIONAL POLICE MAGSAYSAY MUNICIPAL POLICE STATION Magsaysay, Occidental Mindoro



### MEMORANDUM

FOR

: Provincial Director

Occidental Mindoro PPO Camp Winston Ebersole San Jose, Occ. Mindoro

(Attn: C, PIDMB/PCRB/PIB/POPB)

FROM

: Officer-In Charge

SUBJECT

Spot Report Re Violation of PD 705

DATE

: April 24, 2019

1.

What : Violation of PD 705

Where: Brgy. Paclolo, Magsaysay, Occidental Mindoro.

3.

When: April 24, 2019 about 7:00 PM

Who : The suspect was identified as Carlos Pacaba Dela Cruz, 64 years old, male, married, jobless and a resident of Barangay Paclolo, Magsaysay, Occidental Mindoro.

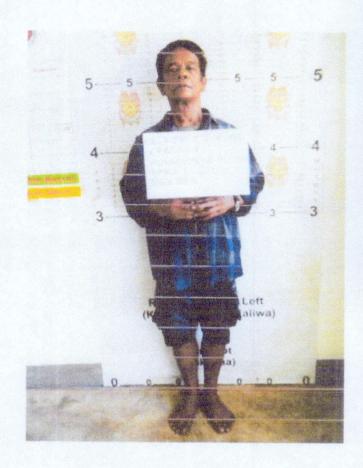
- How: Investigation conducted by IOC disclosed that on April 24, 2019 at around 7:00 PM, information received from confidential informant disclosed that there was a tricycle loaded of charcoal from Barangay Paclolo, Magsaysay, going to San Jose, Occidental Mindoro. Immediately, upon receipt the said information, the undersigned together with intelligence operatives of this station composed of PCMS Alexander R Garcia, Chief Intel and PSSgt Von J Mortos were dispatched and conducted anti-illegal logging operations. Upon reaching Brgy Paclolo the operating team intercepted one (1) Red Rusi TC 150, with skeletal sidecar, without plate number loaded with Eight (8) sacks of charcoal with an estimated amount of one thousand two hundred (Php 1,200.00) pesos. The suspects failed to present PERMIT to Transport from the concern agency (DENR) to the operating team. The apprehended suspect is now under the custody of this station for filing of appropriate Criminal Complaint. Investigator-on-case is PCpl Luis Corpuz Jr with Cp Nr. 09466415556...
  - 6. Progress Report to Follow

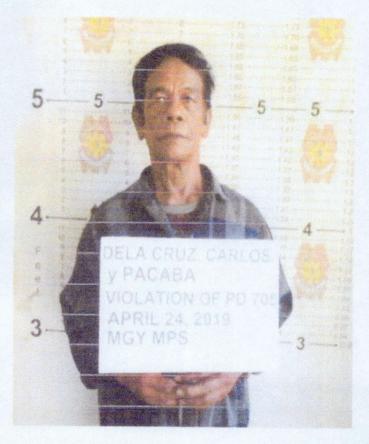
Police Captain

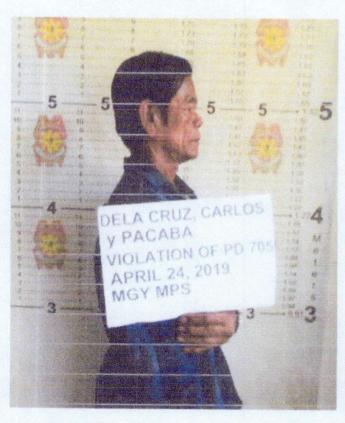
### BUOKING MUG SHOTS

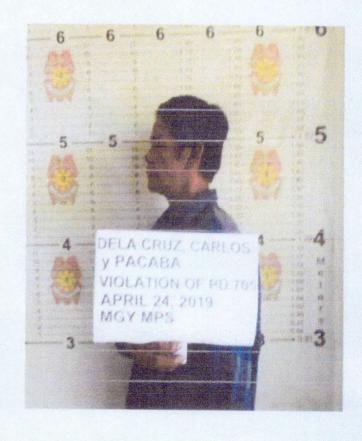
NAME OF SUSPECT: DELA CRUZ CARLOS PACABA (Family) (First) (Middle)

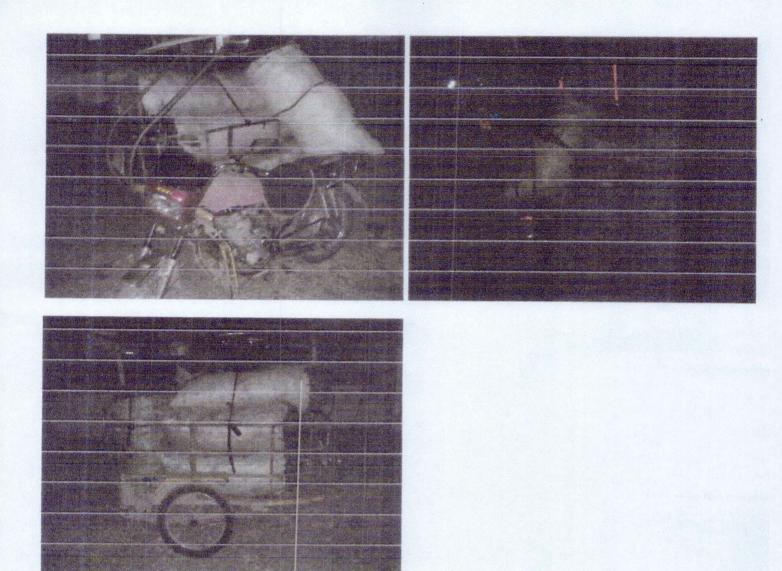
Blotter Entry Nr. 3179











Republika ng Pilipinas )

LALAWIGAN NG KANLURANG MINDORO) S.S

BAYAN NG MAGSAYSAY)

### SINUMPAANG SALAYSAY

Ako si **PCMS Alexander Relopez Garcia** , nasa hustong gulang , may asawa , alagad ng batas na nakatalaga sa Magsaysay Municipal Police Station at kasalukuyang naninirahan sa Barangay Pobalcion, Magsaysay, Occidental Mindoro matapos makapanumpa ng ayon sa bagong saligang batas ay nagsasabi ng mga sumusunod.

#### PANGUNANG SALITA

Ang nagtatanong sa akin sa affidavit kong ito ay si PCpl Luis F Corpuz Jr, na isang pulis na nakatalaga sa Investigation Section Magsaysay Municipal Police Station, Magsaysay, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa loob ng Police Station gaya ng mga sumusunod:

(ANG NAGSALAYSAY AY PINAHIWATIGAN O PINAALALAHANAN NG LAHAT NG KANYANG MGA KARAPATAN ALIN SUNOD SA ITINATADHANA NG BAGONG SALIGANG BATAS)

### MGA TANONG AT SAGOT

- 01. TANONG PCMS Alexander Relopez Garcia, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?
  - SAGOT Opo.
- 02. TANONG Ikaw ba ay handang magbigay ng iyong malaya at kusang loob na salaysay?
  - SAGOT Opo.
- 03. TANONG Maari mo bang sabihin sa pagsisiyasat na ito ang iyong tunay na pangalan at iba pang mapagkakakilanlan sa iyong tunay na pagkatao?
  - SAGOT Ako si **PCMS Alexander Relopez Garcia**, nasa hustong taong gulang, may asawa alagad ng batas na nakatalaga sa Magsaysay Municipal Police Station at kasalukuyang naninirahan sa Barangay Pobalcion, Magsaysay, Occidental Mindoro
- O4. T Ano ang dahilan at naririto ka sa aming tanggapan at nagbibigay ng iyong Malaya at kusang loob na salaysay?

### PAHINA 2. KARUGTONG NG SALAYSAY NI PCMS Alexander Relopez Garcia NGAYONG IKA- 24 ng Abril 2019 .

- S- Upang magbigay ng salaysay kaugnay sa isinagawang operasyon ng Magsaysay Municipal Police Station laban sa ipinagbabawal na pagbyabyahe ng uling o paglabag sa PD 705 (Illegal Logging/Charcoal) na naganap sa Brgy. Paclolo, Magsaysay, Occidental Mindoro.
- 05. T Kailan at saan nangyari ang paghuli o operasyon laban sa ipinagbabawal na pagbyabyahe ng uling o PD 705 (Illegal Logging/Charcoal) At ano ang naging partisipasyon mo dito?
  - S Humigit Kumulang sa 6:30 ng hapun April 24, 2019, sa Brgy. Paclolo, Magsaysay, Occidental Mindoro at ako ay naatasang mag-aresto sa driver o suspect.
- O6. T Maari mo bang isalaysay ang buong pangyayari sa isinagawa ninyong paghuli o operasyon laban sa pagbyabyahe ng uling o PD 705 (Illegal Logging/Charcoal) sa Brgy. Paclolo, Magsaysay, Occidental Mindoro?
  - S-Noong ika-24 ng Abril 2019, ang oras ay humigit kumulang sa ika 06:30 ng hapun ay nakatanggap ng impormasyon ang aming Himpilan ng Pulisya ng Magsaysay mula sa aming isang confidential asset na may nagbyabyahi ng uling sa Brgy. Paclolo, Magsaysay, Occidental Mindoro. Na agad kaming pinulong ng aming Officer In-Charge (OIC) na si Police Captain GERRY H OLAR. At pagkatapos agad kaming pumunta ni PSSgt Von J Mortos Brgy. Paclolo, Magsaysay, Occidental Mindoro upang isagawa ang paghuli sa nasabing pagbyabyahe ng uling o PD 705 (Illegal Logging/Charcoal). At bandang 07:00 ng gabi ng Abril 24, 2019, pagdating namin sa lugar sa Brgy. Paclolo, Magsaysay, Occidental Mindoro nakita namin ni PSSgt Von J Mortos ang sinabi ng aming asset na may nagbyabyahe ng uling sa Brgy. Paclolo, Magsaysay, Occidental Mindoro ang isang Rusi TC 150, na kulay pula na walang plaka na may skeletal sidecar (tora-tora) na may sakay na mga uling (Charcoal) At nang hanapan namin ng kaukulang papeles para ibyahe (Permit to transport) ang driver na si Carlos Pacaba Dela Cruz ay wala itong maipakita sa amin ng Permit to Transport kaya siya ay aking inaresto at Aming dinala ang kanyang motorsiklo na may eskeletal side car kasama ang walong sakong uling na sakay nito na may halagang humigit kumulang sa isang libo dalawangdaang peso (Php1,200.00) Na habang inaaresto ko ang suspek ay ipinaalam ko sa kanya na siya ay may karapatang manahimik, ipagtanggol ang sarili sa pamamagitan ng pagpili niya ng manananggol at kung hindi nila kayang magbayad ay bibigyan sila ng libreng abogado ng gobyerno, gayundin at ang kanyang karapatan makipagtalastasan sa mga kaanak at kaibigan. At siya ay aming dinala sa Magsaysay Health Office para ipasuring medical.

## PAHINA 3. KARUGTONG NG SALAYSAY NI PCMS Alexander Relopez Garcia NGAYONG IKA- 24 ng Abril 2019.

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

- S Matapos namin siyang hulihin ay dinala namin siya sa Magsaysay sa Police Station para sa pagdudukumento.
- 08. T Wala na akong gustong itanong sa iyo. Handa mo bang lagdaan ang salaysay mong ito na walang tumakot, pumilit o nagbigay ng pabuya sa iyo at binubuo ng tatlong (4) pahina?

S - Opo.

### WAKAS NG SALAYSAY:

PCMS Alexander Relopez Garcia

Nagsalaysay

OATH

25 APR 2019

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

### ATTESTATION

'I attest to the fact that I personally supervised the taking of the affidavit from **PCMS Alexander Relopez Garcia** and the result was reduced in the judicial affidavit. And, I further attest that the questions asked to the complainant and his answers to the same were faithfully recorded and that no one assisted or coached the complainant when he answered the question asked of him.

PCpl Lus F Corpuz Jr Investigator

### **OATH AND CERTIFICATION**

25 APR 2019

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_\_day of April 2019 at San Jose Occidental Mindoro. I hereby certify that I have examined the herein affiant under oath and that I am satisfied that he voluntarily executed and understood his statement

PROSECUTOR T

# Republic of the Philippines Department of Environment and Natural Larces CENRO SAN JOSE

Address: Labangan San Jose, Occidental Mindoro

### SEIZURE ORDER

CENRO Control No.: 2019 - F247 E-FMS No: 2019 - 175110 - F247

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:

| The second second |  | Source/   |   |  |  |   |  |  |  |
|-------------------|--|---|---|--|--|---|--|--|--|
| Kind              | Item:  | Origin of<br>Forest<br>Products   | Species<br>Grouping   | Species  | Pieces   | Volume/Unit<br>of<br>Measurement  | Estimated<br>Value   | Impounding<br>Area   | Custodiar  |
|                   |  |   |   |  |  |   |  |  |  |
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| *turned over to th               | ne high                                     | est officer   | of the                            | e Region   | nal Office o    | oncerned   | l if gover   | nment  | -owned vehicle   |
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| Kind                             |   | Quantity      | Ge                                | ender  | Age<br>(Adult/Y |  | Col  | or   | Custodian  |
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| Equipment Invol                  | ved   |               | Principle acceptantification      |  |                 |  |  |  |  |
| Туре                             |   | Quantit       | у                                 | De   | tails           | Estima<br><del>Valu</del>  |  |  | Custodian  |
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| mplements Invo                   | lved  |               |                                   |  |                 |  |  |  |  |
| Type                             |   | Quantit       | у                                 |  | Deta            | ils  |  |  | Custodian  |
|                                  |   |               |                                   |  |                 |  |  |  |  |
| The subject<br>control/ownership | Forest                                      | Products      | and o                             | other ite  | ms were a       | pprehend   | led while  | under  | the possession   |
| Name                             |   | Address       | Civi                              | il Status  | Age             | Partic   | ipation  | Stat   | tus of the Persor  |
| Reoppie S. Magan                 | Con   | Roque 2       | И                                 | Narricol   | 35 410          | property and any single resignation of course of the problem behind the collection of  | Mary or against a service of the service of the service of | and the second s |  |

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

| Date and<br>Time of<br>Seizure |            | Place of Seizu    | re       |       | Seizing Officer |   |  |
|--------------------------------|------------|-------------------|----------|-------|-----------------|---|--|
|                                | Province   | City/Municipality | Barangay | Sitio |                 | Legal Basis<br>for Seizure              |  |
| April 25,2019<br>8:30 pm.      | Occ. molio | Stan Jose         | Labangan |       |                 | Violation by PADDO<br>as arended by 8:0 |  |

Examination Conducted by Seizure Officer:

| Persons Examined     | Date   | Time | Place |
|----------------------|--|------|-------|
| Apprehending Officer |  |      |       |
| Witnesses            |  |      |       |
| 10.00                | emplante on the complete property against the extract for an east property construction of the constructio |      |       |

After thorough evaluation of the Apprehension Report dated April 24, 2019 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 25 day of April, year 2019 at

HECTOR S. ARAGONES, IR.
SELEURE OFFICER
HEARING OFFICER

Copy furnished:

# Republic of the Philippines Department of Environment and Natural Resources CENRO SAN JOSE

Address: Labangan, San Jose, Occidental Mindoro

### APPREHENSION RECEIPT

| CENRO Cor  | atrol No.: | 2019.    | F247  |
|--|------------|----------|-------|
| Народника и тексти и при при при при при при при при при |            |          |       |
| E-FMS No:  | 2019-17    | 15 110 - | F 247 |

This APPREHENSION RECEIPT is issued to -

| Name   | Address         | Civil Status | Age  | Participation  | Status of the Person  |
|--|-----------------|--------------|--|--|---|
| Corloc Pocaloa Delo Cru  | re Begy Padato  | Married      | Ce4/4/0  | driver   |   |
|  | Magsaysay, Occ. |              |  | and a fine-control of the security of the control o |   |
|  | Mdo.            |              | A CONTRACTOR OF THE PROPERTY O |  |   |
| The state of the s |                 |              | ne algebra de la seguina de la presentar ambigido de mercene esta militar.   |  | menorali eta kontrata mendukuntan menduko eta piranek menengan nineran pineran pinerak pelak keleganden salansa |
|  |                 |              |  |  |   |
|  |                 |              |  |  |   |
|  |                 |              |  |  |   |

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:

| Kind | Item: | Source/<br>Origin of<br>Forest<br>Products | Species<br>Grouping | Species                                 | Pieces | Volume/Unit<br>of<br>Measurement | Estimated<br>Value | Impounding<br>Area | Custodiar |
|------|-------|--|---------------------|---|--------|----------------------------------|--------------------|--------------------|-----------|
|      |       |  |                     |   |        |                                  |                    |                    |           |
|      |       |  |                     |   |        |                                  |                    |                    |           |
|      |       |  |                     |   |        |                                  |                    |                    |           |
|      |       |  |                     |   |        |                                  |                    |                    |           |
|      |       |  |                     | *************************************** |        |                                  |                    |                    |           |
|      |       |  |                     |   |        |                                  |                    |                    |           |

| Kind     | Unit of<br>Measurement | No. of Units | Estimated Value | Custodian |
|----------|------------------------|--------------|-----------------|-----------|
| charcoal | sacks                  | 8            | 1,200.00        |           |

| Conv | Conveyance involved |              |                |        |        |        |         |             |  |  |
|------|---------------------|--------------|----------------|--------|--------|--------|---------|-------------|--|--|
| Type | Make/Model/Year     | Plate<br>No. | Color/Markings | CR No. | OR No. | Engine | Chassis | Accessories |  |  |

| If Animal  |   |  | en egin elektronis sistema kengi elektris i interesioni sistema sistema interesioni sistema interesioni sistem   |  |                         | anni e de la compressión de la proposición de la contrata e de materiar en contrata de la contrata de la contra |
|--|---|--|--|--|-------------------------|---|
|  | Kind  | Qua  | antity   | Control Control of Asia and against assessed   | Gender                  | Color   |
|  |   |  |  |  |                         |   |
| ti kan sakan sa  | adicante en interpreta persona de la como tracca e per una función por consecución de la consecución del consecución de la consecución de |  |  |  |                         |   |
| the control of the co |   |  | in terminal menemental menementujak sistemi kenementu interesi di periode selam selam selam selam selam selam s  | and annie and a second and an annie and a second a second and a second a second and |                         |   |
| Equipment In   | volved  |  | tra des Atras (a lla constitución en esta en esta en esta en entre en esta en en el des en en entre en entre e   | energia (r. p. k. propies konstruente (r. p. p. p. k. propies konstruente)   |                         |   |
| Typ  |   | Quantity   | Es   | timated  | Value                   | Custodian   |
|  | kalakan dina taun panjahan dina dina pinjahan mang tapa dina dan dina anang   |  |  | 0-699-1-400000-1000-1000-1000-1000-1000-100  |                         |   |
|  |   |  |  |  |                         |   |
|  |   | 1  |  |  |                         |   |
|  |   |  |  |  |                         |   |
| Implements In  | ivolved   | and automorphism on the contract of minimum and an electronic to the desperature contraction of the production of the contract | a resident de la compactica de la compac |  |                         |   |
|  | Тур   | n mentan manakan menanci mendakan pemmuan pendan pendan pendan pendan pendan pendan pendan pendan pendan pendan<br>Manakan   |  |  | Quantity                | 96 (1986) 18 до година по се 2004 година (1986) по се пред пред пред става (1986) година (1986) година (1986)   |
|  | and the second  |  |  |  |                         |   |
|  |   |  |  | Park Anthropian Berrick (Anthropia) Alberta (Anthropia) Anthropian (Anthropia) Anthropian (Anthropian) |                         |   |
|  | ant were kindere sink uit in her sterper tree sin 'n heider in vergelateriek die processe hand son een  |  | NAAN MAAN AMAA AMAA AMAA AMAA AMAA AMAA  |  |                         |   |
| 2. The s   | subject Fores<br>eedings.   | st Products and other  | items have   | undergo  | one the following A     | Apprehension  |
| APPREHENSI   | ON  |  | ere yen i salam ar ik manananan ina ina ina ina ina ina ina ina  |  |                         |   |
| Date and   |   | Place of Apprehe   | ension   |  |                         | Factual Legal   |
| Time of Apprehension   | Province  | City/Municipality  | Barangay   | Sitio  | Apprehending<br>Officer | Basis for<br>Apprehension   |
| April 24,2019  | Occ. Molo.  | mageaysay  | Pacloto  |  | PNP Magsayay            | violation of  |
| 7:00 PM  |   |  |  |  | 7 / /                   | sec. 77 of P.D.70<br>as amended by  |
|  |   |  |  |  |                         | E.O 277   |

| 801 | Respondent   | is transporting  | porest | product | w/o                               | Itagal  | documents | / permits              | from |
|-----|--|--|--------|---------|-----------------------------------|---|-----------|------------------------|------|
| 18  | the  | is transporting<br>DENR.   |        |         |                                   |   |           |                        |      |
|     | mentionine data in production to the control of the | erational de la materia de la marita muitan dans des metros de la marita de la materia de la marita de la mate |        |         | gwitter als epageans epagean, see | the transfer of the second section of the second section (second second sec |           | an and a second state. |      |

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 24 day of April, year 2019 at

### APPREHENDING OFFICER (Signature over Printed Name)

| 1. Alexander R. Garcia   | 4.   |
|--|--|
| Position: PCMS, Chief Intel  | Position:  |
| Address: PNP Magsaycay   | Address:   |
| 20.2   | 5  |
| Position:  | Position:  |
| Address:   | Address:   |
|  |  |
| 3.   | 6.   |
| Position:  | Position:  |
| Address:   | Address:   |
| WITM   | NESSES:  |
|  |  |
|  |  |
|  |  |
|  |  |
| Signature (Signature   | EPRESENTATIVE/DRIVER over Printed Name)                            |
| Signature (Signature   | over Printed Name)   |
| Signature (Signature  1. Carlos Pacaba De la Cruz  | over Printed Name)  3  |
| Adraga (Signature  | over Printed Name)  3.  Position:                                  |
| (Signature  Address:   | over Printed Name)  3 Position: Address:                           |
| (Signature  Address:  (Signature  (Signature  (Signature   | over Printed Name)  3.  Position: Address:                         |
| (Signature  Address:  Position:  Position:  Position:  | over Printed Name)  3.  Position: Address:  5.  Position:          |
| (Signature  Address:  (Signature  (Signature  (Signature   | over Printed Name)  3.  Position: Address:                         |
| (Signature  Address:  (Signature  (Signature  (Signature  (Signature  (Signature   | 3. Position: Address:  5. Position: Address:                       |
| (Signature  Altraga  1. Carlos Pacaba De la Cruz  Position: Address:  2.  Position: Address:   | over Printed Name)  3.  Position: Address:  5.  Position: Address: |
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| (Signature  Altraga  1. Carlos Pacaba De la Cruz  Position: Address:  2.  Position: Address:   | over Printed Name)  3.  Position: Address:  5.  Position: Address: |
| (Signature  Autrog G  1. Carlos Pacaba De la Cruz Position: Address:  2. Position: Address:  3. Position: Address:   | 3. Position: Address:  5. Position: Address:  6. Position:         |
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| (Signature  Altraga  1. Carlos Pacaba De la Cruz  Position: Address:  2.  Position: Address:  3.  Position: Address:   | 3. Position: Address:  5. Position: Address:  6. Position:         |
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2 6 APR 2019

### NOTICE OF ADMINISTRATIVE HEARING

MR. CARLOS B. DELA CRUZ Brgy. Paclolo, Magsaysay, Occidental Mindoro

Dear Mr. Dela Cruz.

Ito po ay patungkol sa nahuling isang (1) unit ng topdown tricycle RUSI TC150, kulay pula na may Engine Number RW162FMS/J4007906 at Chassis Number RWCLPK20XFE007906 na may kargang walong (8) sakong uling na nahuli ng mga tauhan ng PNP Magsaysay noong Abril 24, 2019 ganap na 7:00 ng gabi sa Brgy. Paclolo, Magsaysay, Occidental Mindoro.

Ang nasabing sasakyan at uling ay dinala sa tanggapan ng DENR-CENRO San Jose Office sa Brgy. Labangan, San Jose, Occidental Mindoro para sa pangangalaga.

Kayo po ay aming inaanyayahan dito sa aming opisina sa ika-2 ng Mayo, 2019 bandang 3:00 ng hapon dito sa aming tanggapan.

Nagpapasalamat,

EFREN L. DELOS REYES Officer-In-Charge

> FELY DELA CRUZ APRIL 30,2019

Brgy, Labangan, San Jose, Occidental Mindoro Telephone No. 043-457-0236 Email Address: denrcenro\_sanjose@yahoo.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

May 2, 2019

BJECT: PACLOLO, MAGSAYSAY, OCC. MINDORO EIGHT (8) SACKS OF UNDOCUMENTED CHARCOAL WHICH WAS APPREHENDED BY PNP MAGSAYSAY LAST APRIL 24, 2019 AT ATTENDANCE ON THE ADMINISTRATIVE PROCEEDING RE: APPREHENSION OF ONE (1) UNIT TOPDOWN TRICYCLE RUSI 150, COLOR RED, WITH ENGINE NUMBER RW162FMS/J4007906 AND CHASSIS NUMBER RWCLPKXFE007906 LOADED WITH

| HECTOR S. Alagoms, Jr. | of logos . I officed | Con C Mongo  | ALEXAMPER P. CANCA POBLACIUS, YRAGONES AT | EMM MAS SOTON         | NAME          |
|------------------------|----------------------|--|---|-----------------------|---------------|
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|                        |                      | 36   | A   | 62                    | AGE           |
| 3                      | Monay                | My.  | 15 A                                      | Mark                  | GENDER        |
| Having bypicus         | 1 Apple De Company   |  | abbichardim arad                          | tupodat               | PARTICIPATION |
|                        |                      | 22619120100  | <u> </u>                                  |                       | CONTACT NO.   |
| Who was                | 一个大                  | A STATE OF THE STA | +   | Madure                | SIGNATURE     |