Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

DENR MIMAROPA RECORDS SECTION
RECEIVED
05 DEC 2022
INCOMING
BY: Nina
OUTGOING

November 25, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 DENR By the Bay Building, Roxas Boulevard,
Barangay 668, Ermita, Manila

THRU : The OIC, Assistant Regional Director for Technical Services

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING AND PERTINENT DOCUMENTS RE: APPREHENSION AND SEIZURE OF ONE (1) UNIT MOTORCYCLE WITHOUT PLATE NUMBER WITH SIDECAR (TOPDOWN) LOADED WITH 23 SACKS OF CHARCOAL WITHOUT LEGAL DOCUMENTS

Respectfully forwarded is the memorandum of CENRO Quezon, Palawan dated November 8, 2022 relative the above subject.

Per memorandum, the apprehension was made on July 19, 2019 at around 5:30 A.M. by the personnel of CENRO Quezon Narra Station while manning their post/station along National Highway of Barangay Poblacion, Narra, Palawan. The team were able to intercept and apprehend a topdown conveyance powered by 175cc KAWASAKI motorcycle bearing Plate No. N-00108 loaded with twenty-three (23) sacks of charcoal without pertinent permits from DENR and it is a violation of Section 77 Presidential Decree No. 705, as amended.

The topdown was driven by Luis Estorminos, a resident of Barangay Princess Urduja, Narra, Palawan and subsequently requested to bring the conveyance to Narra Station for safe keeping purposes under the custody of Forester I Bernard C. Wendam pending the conduct of administrative hearing. The estimated fair market value of the topdown is Php70,000.00 and the 23 sacks of wood charcoal is Php2,500.00 respectively.

The notice of hearing dated July 31, 2019 was sent to all concerned parties in relation to DAO 1997-32 and finally the administrative hearing was conducted on August 9, 2019 at DENR CENRO Quezon, Narra Station, Narra, Palawan.

We concur with the CENRO recommendation for the issuance of confiscation order and order of finality of the apprehended conveyance and forest product in favor of the government.

For information and further instructions.

"For the PENRO"

DAVID F. DALINO
Land Management Officer III,
Chief, Patents Deeds & Permitting Unit
In-Charge Office of the PENRO

Copy Furnished:
CENRO Quezon, Palawan
File/2022-023ACG/MES Doc. Ref. No. 2022-10609

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By
Date: 28 NOV 2022
2022-3200

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
Contact No.: 0917-160-4920
Email: cenroquezon@denr.gov.ph

November 08, 2022

MEMORANDUM

DENR PENRO PALAWAN RECORDS RECEIVED BY: DATE: 11-21-2022 EN 22-10609

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

THRU : The Provincial Environment and
Natural Resources Officer
Bgy. Sta. Monica, Puerto Princesa City

FROM : The OIC- Community Environment and
Natural Resources Officer
Quezon, Palawan

SUBJECT : **SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING AND PERTINENT DOCUMENTS RE: APPREHENSION AND SEIZURE OF ONE (1) UNIT MOTORCYCLE WITHOUT PLATE NUMBER WITH SIDECAR (TOPDOWN) LOADED WITH 23 SACKS OF CHARCOAL WITHOUT LEGAL DOCUMENTS**

Forwarded herewith the memorandum dated August 16, 2019 of Pablo L. Cruz PASu In-Charge, Narra Station, Hearing Officer containing the summary of minutes of Administrative Hearing and pertinent documents relative to the above cited-subject for violation of Section 77 of P.D. 705, as amended by EO 277 and RA 7161.

Attached are the following documents, to wit:

1. Transcript of Administrative Hearing conducted dated August 9, 2019;
2. Attendance Sheet;
3. Notice of hearing to the respondents dated July 31, 2019;
4. Apprehension report of apprehending officers dated July 19, 2019;
5. Geo-tagged Pictures;
6. Apprehension Receipt;
7. Seizure Order;
8. Seizure Receipt.

In view thereof, this Office concurs with the recommendation of the hearing Officer for issuance of confiscation order and order of finality of the forest products in favor of the government.

For your information and further instruction.

CENRO RELEASED DATE: 11-15-22 SERIAL NO. 06-1573 SIGNATURE: QUEZON, PALAWAN

RENATO S. GONZAGA

CENRO QUEZON STATION
RECEIVED
9/9/19

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Quezon, Palawan, Narra Station

August 16, 2019

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer
DENR CENRO Quezon, Palawan

FROM : The In-Charge, Narra Station/Hearing Officer

SUBJECT : **EVALUATION ON THE MINUTES OF THE CONDUCTED ADMINISTRATIVE HEARING LAST AUGUST 09, 2019 RE: APPREHENDED ONE (1) UNIT TOPDOWN FOUND LOADED WITH 23 SACKS OF CHARCOAL IN THE NATIONAL HIGHWAY OF NARRA, PALAWAN ON JULY 19, 2019**

1. **Background of the case:**

On July 19, 2019 at around 5:30 in the morning while our forest officers Henry Catapang, Ronilo Gonzales, Joy Tindic and Job Order/FPO Bobby Garcia are in their post along the national highway of Brgy. Pobalacion, Narra, Palawan, they were able to intercept and apprehend a topdown conveyance powered by 175cc Kawasaki motorcycle bearing plate No. N-00108 found loaded with undocumented twenty three (23) sacks of charcoal while traversing the national highway of barangay Poblacion Narra, Palawan. The said conveyance is being driven by Mr. Luis Estorminos. Upon on-site apprehension by our aforenamed forest officers, the driver failed to show-up any legal document, hence, Mr. Luis Estorminos was commanded to bring the above conveyance to our Office for safekeeping pending the schedule and conduct of administrative hearing of the herein case.

On same Day, July 19, 2019, the apprehending officers prepared and submitted their report on the matter. Since the Hearing Officer is based at CENRO Quezon, the said report with the required enclosures was forwarded to the CENR Office in Quezon Palawan on July 23, 2019 for information and further action. By virtue of CENRO Special Order No. 19-019 dated

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JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 8/20/19

July 23, 2019 designating the undersigned as the Hearing Officer for Narra Station, the above apprehension report with its enclosures was returned to our station for the eventual conduct of the Administrative Hearing of the case. Thus, on August 9, 2019, the hearing of the above case was conducted.

2. Evaluation of minutes of the Administrative Hearing conducted.

The administrative hearing of aforementioned case was done on August 9, 2019 at exactly 2:30pm in our Narra Station office. It was attended by the apprehending officers and Luis Estorminos with his sister.

Foremost, being the driver of the apprehended conveyance, the hearing officer explained to Mr. Luis Estorminos of his Miranda Rights. The hearing officer asked Mr. Estorminos if he need a lawyer or a counsel before proceeding to the hearing. Mr. Estorminos replied that we can proceed with the hearing even without the aid of a lawyer/counsel.

Based from the minutes of the conducted hearing, the following information were disclosed to, wit:

1. Mr. Luis Estorminos who is a resident of Brgy. Princess Urduja, Narra, Palawan admitted that he is the owner of the above described apprehended conveyance and its load, the twenty three (23) sacks of charcoal;

2. That the twenty three (23) sacks of charcoal found loaded in the said apprehended conveyance is not covered by any legal document and or permit when it was apprehended by our forest officers on July 19, 2019 along the national highway of Poblacion, Narra, Palawan. That Mr. Estorminos failed to show up any legal paper during the apprehension on July 23, 2019 and even during the hearing on August 9, 2019; and

3. That according to Mr. Estorminos, he collected/gathered the said charcoals from individuals of Sitio Mariwara, Brgy. Princess Urduja, Narra, which he failed to named, as a means of payment of their debt to him.

3. Findings and Recommendations

Based from the foregoing, the act of transporting the above 23 sacks of charcoal of forest trees without any transport document coming from our office is violative to the provision of Section 77 of Presidential Decree No. 705, as amended by Republic Act No. 7161 punishable under Articles 309 and 310, hence, recommended for filing of criminal complaint against the

CERTIFIED XEROX COPY

JOANN P. PAZ
FTI/IN-CHARGE, RECORDS UNIT
DATE: 12/2021

offender in the proper court and that the conveyance used be forfeited in favor of the government.

For his information, reference and record.

PABLO L. CRUZ

CERTIFIED XEROX COPY

JOANN P. PAZ
FTI/IN-CHARGE, RECORDS UNIT
DATE: 11/2/2022

MINUTES OF THE CONDUCTED ADMINISTRATIVE HEARING RE APPREHENDED/SEIZED TOPDOWN(UNROOFED SIDECAR ATTACHED TO A MOTORCYCLE)CONVEYANCE POWERED BY 175cc KAWASAKI MOTORCYCLE FOUND LOADED WITH UNDOCUMENTED 23 SACKS OF CHARCOAL BEING DRIVEN BY LUIS ESTORMINOS ALONG THE NATIONAL HIGHWAY AT 5:30 AM ON JULY 19, 2019 HELD ON AUGUST 9, 2019 AT DENR CENRO QUEZON STATION OFFICE IN NARRA, PALAWAN.

1. OPENING PRAYER:

2. HEARING OFFICER: Isang makakalikasang hapon sa ating lahat. Una sa lahat, ako po si Pablo L. Cruz, ang bagong itinalaga na hearing officer ng Narra Sattion office. Nais ko din pong ipakilala sa inyo ang aking mga kasamahan sa tanggapang ito, sina Forester Bernald Wendam, Forest officers Henry Catapang, Ronilo Gonzales, Joy Tindic, Bobby Garcia at ang ating recorder na si Jee An Elefane.
Ang pagdinig na ito ay alinsunod sa kautusan ng DENR DAO # 97-32 at ito ay patungkol sa nahuling topdown o sidecar na nakakabit sa 175cc Kawasaki motorcycle na may lulang 23 sako ng mga uling na minamaneho ni Gionoong Luis Estorminos noong ng July 19, 2019, ganap na 5:30 ng umaga.

3. Hearing Officer: Base sa ating saligang batas, kau ginoong Luis Estorminos ay may karapatan na sumagot at di sumagot sa aming mga katanungan. Kayo din po ay may karapatan na kumuha ng abogado o Counsel bago ganapin ang pagdinig na ito.
Kaya nais naming tanungin sa inyo ngayon kung itutuloy nating ang pagdinig na ito kahit na wala kayong abogado o counsel o kailangan na kumuha muna kayo ng counsel? Ano po ang masasabi ninyo?

4. Mr. Luis Estorminos: Tuloy po kahit walang abogado

5. Hearing Officer: Pwede mo bang isabi ang buong pangalan mo, edad, tirahan, marital status at hanapbuhay?

6. Mr. Luis Estorminos, Jr.: Ako po si Luis Estorminos Jr. 56 taong gulang nakatira sa Purok 2 Brgy. Princess Urduja Narra, Palawan. Balo napo ako ang hanap buhay kop o ay nag titinda sa tabuan ng gulay.

7. Hearing Officer: Kayo po ba ang driver ng nasabing topdown na may kargang 23 sakong uling na nahuli ng aming mga tauhan noong July 19, 2019, ganap na 5:30 ng umaga sa national highway ng Brgy. Malinao , Narra, Palawan?

8. Luis Estorminos: Opo

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JOANN P. PAZ
FTI/IN-CHARGE RECORDS UNIT
DATE: 8/2/2022

9. Hearing Officer: Sino ang may ari ng 23 sakong uling na lulan ng inyong topdown na nahuli ng aming mga tauhan? Saan galing ito at saan dadalhin?

10. Luis Estorminos: Ako po Galing po sa mariwara at dadalhin ko sa bayan ng Narra

11. Hearing Officer: Saan galing ang uling?

12. Luis Estorminos: Sa Resettlement Mariwara.

13. Hearing Officer: Kayo po ba mismo ang naguuling?

14. Luis Estorminos: Hindi po binayad po sa akin ng may mga utang.

15. Hearing Officer: May dala ba kayo na permit ng uling o ano mang dokumento na may kinalaman sa nahuling mga uling na sakay ng nasabing topdown?

16. Luis Estorminos: Wala po

17. Hearing Officer: Sa inyo ba ang topdown na may kargang 23 sakong uling na hinuli ng aming mga tauhan?

18. Luis Estorminos: Sa akin po pero utang at hulugan po.

19. Hearing Officer: May drivers license ka ba para magmaneho ng sasakyan?

20. Luis Estorminos: Mayron po Professional Drivers License

21. Hearing Officer: Nakailang byahe ka na ng uling bago ka nahuli ng aming mga tauhan noong July 19, 2019?

22. Luis Estorminos: Isang beses pa lang po

23. Hearing Officer: Alam mo ba na labag sa batas ang pagbyahe mo ng uling na walang permit o ano mang dokumento na galling sa tamang ahensya ng gobyerno o sa DENR?

24. Luis Estorminos: Hindi po

25. Hearing Officer: May gusto ka pa bang sabihin, idagdag o baguhin sa iyong mga kasagutan sa pagdinig na ito?

26. Luis Estorminos: mayron po sana makuha po ang topdown hindi na po ako uulit at na kukuha na po ng permit.

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JOANN P. PAZ
PTV IN-CHARGE, RECORDS UNIT
DATE: 11/2/2022

27. Hearing Officer: Dito nagtatapos ang ating pagdinig sa oras na ito at aking iminumungkahe na imbitahan ang ma...

28. Time Adjourned: 3:54pm

Recorded by:

JEE ANTELEFANE
Job Order

Attested By:

PABLO L. CRUZ
Hearing Officer/Supervising ECOMS
Management Specialist

CERTIFIED XEROX COPY

JOANN P. PAZ
FTV IN-CHARGE, RECORDS UNIT
DATE: 11/2/2022

ATTENDANCE SHEET

Minutes of the Administrative Hearing re: apprehended One (1) unit Top down (unroofed sidecar attached to a motorcycle) conveyance powered by a Kawasaki 175 CC motorcycle found loaded with 23 sacks of undocumented charcoal being driven by Luis Estorminos along The National Highway Brgy. Poblacion, Narra, Palawan. 5:00 AM of July 19, 2019.

August 9, 2019

Name	Address	Signature
1. Pablo L. Cruz	DENR Narra Station G.P Cruz st. Poblacion Narra, Palawan	
2. Bernald C. Wendam	__do__	
3. Ronilo L. Gonzales	_ do__	
4. Joy N. Tindic	__do__	
5. Henry G.Catapang	__do __	
6. Bobby Garcia	__do__	
7. Jee Ann o. Elefane	__do__	
8. Luis Estorminos	Brgy. Princess Urduja, Narra, Palawan	
9.		
10.		
11.		

CERTIFIED XEROX COPY

JOANN P. PAZ
FTI/IN-CHARGE, RECORDS UNIT
DATE: 11/2/2020

Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Quezon Station, Narra, Palawan

July 31, 2019

Mr. Luis Estominos
Bgy. Princess Urduja
Narra, Palawan

7/31/19

Ginoong Luis,

Isang Makakalikasang Pagbati!

Ang sulat na ito ay kaugnay po sa nahuling isang unit na top down Kawasaki 175 cc na may kargang 23 sako ng uling sa National highway Poblacion, Narra, Palawan.noong July 19, 2019.

Kaugnay po dito, kayo po ay aming inaayayahan na dumalo sa Administrative Hearing dito sa tanggapan ng DENR- CENRO Quezon Station, Narra, Palawan sa August 9, 2019 sa ganap na ika- 3:30 ng hapon. Kayo ay aming pinapayuhan na dadalhin ninyo ang ano mang dokumento o papeles na may kinalaman sa nasabing motor/ topdown at lulan nitong uling sa inyong pag dalo sa hearing.

Mahalaga po ang inyong presensiya sa nasabing pagdinig.

Maraming salamat po.

CERTIFIED XEROX COPY
JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 8/2/19

Ang inyong Lingkod,

PABLO E. CRUZ
Supervising ECOMS/
In Charge Narra Station

Luis Estominos Jr.
8-1-19

G.P CRUZ., Poblacion, Narra, Palawan 5303
Email Address: cenro narrapal@yahoo.com.ph

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Quezon Station, Narra, Palawan

MEMORANDUM

July 19, 2019

FOR : The In-charge, Quezon Station
Narra, Palawan

THRU : The Chief Monitoring and Evaluation Section
Narra, Palawan

FROM : Apprehending Officer

SUBJECT : **REPORT ON APPREHENDED MOTORCYCLE LOADED 23 SACKS OF CHARCOAL AT ALONG NATIONAL HIWAY MALINAO, NARRA, PALAWAN.**

CENRO ... DOC # 203 7-19-2019 DATE NARRA, PALAWAN

Please be informed that on or about 5:30 AM of July 19, 2019 at along national highway Brgy. Malinao, Narra, Palawan while the team post at along national highway conducting patrolling we apprehended one (1) unit Top down with PLATE no. N00108 (KAWASAKI 175) loaded 23 sacks of charcoal.

The aforementioned motorcycle was owned and driven by Mr. Luis Estorminos, a residing at Bgy. Princess Urduja, Narra, Palawan, the 23 sacks of charcoal owned by Mr. Luis Estorminos at the said Barangay.

According to Mr. Luis Estorminos, the said Charcoal were came from Public forest at So. Mariwara, Bgy. Princess Urduja will be delivered to Bgy. Poblacion, Narra, Palawan.

The said motorcycle and charcoal were impounded at CENRO Quezon Narra Station compound for safekeeping. (attached are geo-tagged photos).

For his information record and further instruction.

RONILO L. GONZALES

HENRY Q. CATAPANG

JOY N. TINDIC

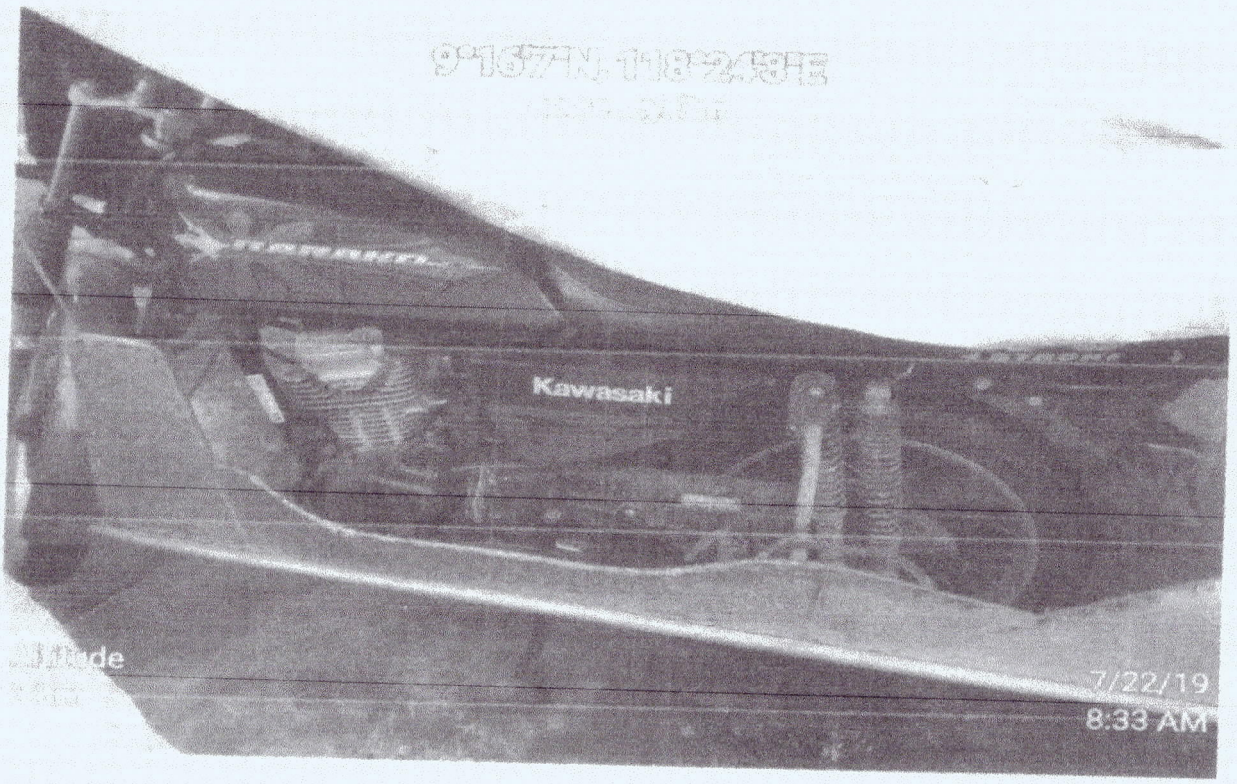
BOBBY D. GARCIA

CERTIFIED XEROX COPY

JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 11/2/2022

G.P. Cruz St. Poblacion, Narra, Palawan
Email address, cenronarra_pal@yahoo.comph





GEO-TAGGED BY:

JOY N. FINDIC
Forest Ranger

CERTIFIED XEROX COPY

JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 1/2/2022

Community Environment and Natural Resources Office
Quezon, Pal[illegible]n

DENR-IV-28 SN 0719 - 001

APPREHENSION RECEIPT

Pursuant to the provision of P.D. 705, as amended by Executive Order No. 277, the following forest products and/or machinery, machinery, equipment, tools and conveyances, to wit:

QUANTITY	UNIT	ARTICLES AND DESCRIPTION	ESTIMATED VALUE
23	PCS	Charcoal 23 x 100	₱2,300
1	pcs	Kawasaki Tipdown PLATE# N00108	₱70,000
			72,300

IS/ARE HEREBY DECLARED UNDER APPREHENSION FOR THE FOLLOWING REASONS:
P.D 705 Sec. 68 AS AMENDED BY SEC. 77 OF R.A 7161

The same having been apprehended, subject forest products and/or machinery, equipment, tools and conveyance 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 or any Court of Justice of the Philippines.

Done this 19 day of JULY, 2019 at DENR Sub-Station, Palawan
5:30 PM

APPREHENDING OFFICER

1. DANILO GONZALES
Address: DENR Quezon Sub-Station
2. Henry CATAPANG
Address: DENR Quezon Harra Pal.
3. Joy LINDO
Address DENR Quezon Harra Pal.
4. Bobby GARCIA
Address: DENR-Quezon Harra Pal.

Luis Estorninos
CLAIMANT/REPRESENTATIVE/DRIVER

1. Luiz Estorninos
Address Princes Urduja Harra Pal.
2.
Address:

WITNESSES

1. Bernabe WENDAM
Address: DENR-Quezon Harra Pal.
2.
Address:

CERTIFIED XEROX COPY
JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 11/2/2022

Remarks:

ACKNOWLEGEMENT

This is to certify that the following item/s listed above has been received by the undersigned for custody/safekeeping.

DATE RECEIVED:
PLACE OF CUSTODY:

Bernabe WENDAM
Custodian

Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Quezon-Narra Station, Narra, Palawan

Date : July 19, 2019

SEIZURE RECEIPT

GREETINGS :

Before this Office is the Apprehension Receipt of the apprehending team re : the following forest products and/or machinery/equipment/tools/conveyance used in connection therewith, to wit:

QUANTITY	UNIT	ARTICLES & DESCRIPTION	ESTIMATED VALUE
23	PCS	CHARCOAL 23 X 100	₱ 2,500
1	PC	KAWASAKI TOP DOWN (175 CC)	₱ 70.00
		PLATE # N00108	₱ 72.500

IS/ARE HEREBY DECLARED UNDER APPREHENSION FOR THE FOLLOWING REASONS :

P.D. 705 SEC. 68 AS AMENDED BY SEC. 77 OF RA. 7161

The above-described forest products and/or machinery/equipment/tools/conveyance were apprehended by : HENRY G. CATAPANG, RONILO L. GONZALES, JOY TINDIC, BOBBY GARCIA
(Name of Apprehending Officer/s)
CENRO QUEZON STATION, NARRA, PALAWAN
on JULY 19, 2019 (Date) at BRGY. MALINAO, NARRA, PALAWAN (Place)
at on or about 5:30 AM (Time) for the following violations :

CERTIFIED XEROX COPY
JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 11/2/2021

Pursuant to the provisions of the Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines, as amended by Executive Order No. 277 and pursuant further to the recent Department Administrative Order No. 97-32, series of 1997 re : Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyances used in connection therewith, the above subject forest products and/or machinery/equipment/tools/conveyance are hereby declared seized hereof into government custody, pending formal administrative proceedings for the disposition thereof.

PABLO T. [illegible]
(Seizure Officer)

Remarks :

ACKNOWLEGEMENT

This is to certify that the following item/s listed above has been received by the undersigned for custody/safekeeping.

PLACE OF CUSTODY : _____

JOANN P. PAZ
(Custodian)

G. P. Cruz St., Bgy. Poblacion, Narra, Palawan 5303
Email address: cenrronarra_pal@yahoo.com.ph

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Quezon Station, Narra, Palawan

July 19, 2019

SEIZURE ORDER

Pursuant to the provisions of Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines as amended by Executive Order no. 277 and pursuant further to section 6, Item 2 paragraph a of DAO 97-32 series of 1997 re: Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyance used in connection therewith, the apprehended on top down motorcycle KAWASAKI 175 cc loaded 23 Sacks of charcoal with plate No. 00108 dated July 19, 2019 at Barangay Malinao, Narra, Palawan, being driven by a certain Mr. Luis Estorminos are hereby declared seized into government custody, pending formal administrative proceeding for the disposition thereof.

The seized forest product is now deposited inside the office compound of DENR Narra Station, Palawan and was temporary place under the custody of Forester I Bernard C. Wendam.

Signed and issued this 19th day of 2019 at DENR CENRO Narra Station,Poblacion, Narra, Palawan.

PABLO L. CRUZ
Supervising ECOMS/
In-Charge, Narra Sub Station

CERTIFIED XEROX COPY

JOANN P. PAZ
FTI/IN-CHARGE, RECORDS UNIT
DATE: 7/22/2019

G.P. Cruz St. Poblacion, Narra, Palawan
Email address; cenronarra_pal@yahoo.comph.

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
Contact No.: 0917-160-4920
Email: cenroquezon@denr.gov.ph

November 08, 2022

MEMORANDUM

DENR PENRO PALAWAN RECORDS RECEIVED BY: DATE: 11-24-2022 22-10609

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

THRU : The Provincial Environment and
Natural Resources Officer
Bgy. Sta. Monica, Puerto Princesa City

FROM : The OIC- Community Environment and
Natural Resources Officer
Quezon, Palawan

SUBJECT : **SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING AND PERTINENT DOCUMENTS RE: APPREHENSION AND SEIZURE OF ONE (1) UNIT MOTORCYCLE WITHOUT PLATE NUMBER WITH SIDECAR (TOPDOWN) LOADED WITH 23 SACKS OF CHARCOAL WITHOUT LEGAL DOCUMENTS**

Forwarded herewith the memorandum dated August 16, 2019 of Pablo L. Cruz PASu In-Charge, Narra Station, Hearing Officer containing the summary of minutes of Administrative Hearing and pertinent documents relative to the above cited-subject for violation of Section 77 of P.D. 705, as amended by EO 277 and RA 7161.

Attached are the following documents, to wit:

1. Transcript of Administrative Hearing conducted dated August 9, 2019;
2. Attendance Sheet;
3. Notice of hearing to the respondents dated July 31, 2019;
4. Apprehension report of apprehending officers dated July 19, 2019;
5. Geo-tagged Pictures;
6. Apprehension Receipt;
7. Seizure Order;
8. Seizure Receipt.

In view thereof, this Office concurs with the recommendation of the hearing Officer for issuance of confiscation order and order of finality of the forest products in favor of the government.

For your information and further instruction.

CENRO RELEASED DATE: 11-15-22 SERIAL NO. 04593 SIGNATURE: QUEZON, PALAWAN

RENATO S. GONZAGA

CENRO QUEZON STATION
RECEIVED
8/23/19

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Quezon, Palawan, Narra Station

August 16, 2019

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer
DENR CENRO Quezon, Palawan

FROM : The In-Charge, Narra Station/Hearing Officer

SUBJECT : **EVALUATION ON THE MINUTES OF THE CONDUCTED ADMINISTRATIVE HEARING LAST AUGUST 09, 2019 RE: APPREHENDED ONE (1) UNIT TOPDOWN FOUND LOADED WITH 23 SACKS OF CHARCOAL IN THE NATIONAL HIGHWAY OF NARRA, PALAWAN ON JULY 19, 2019**

1. **Background of the case:**

On July 19, 2019 at around 5:30 in the morning while our forest officers Henry Catapang, Ronilo Gonzales, Joy Tindic and Job Order/FPO Bobby Garcia are in their post along the national highway of Brgy. Pobalacion, Narra, Palawan, they were able to intercept and apprehend a topdown conveyance powered by 175cc Kawasaki motorcycle bearing plate No. N-00108 found loaded with undocumented twenty three (23) sacks of charcoal while traversing the national highway of barangay Poblacion Narra, Palawan. The said conveyance is being driven by Mr. Luis Estorminos. Upon on-site apprehension by our aforenamed forest officers, the driver failed to show-up any legal document, hence, Mr. Luis Estorminos was commanded to bring the above conveyance to our Office for safekeeping pending the schedule and conduct of administrative hearing of the herein case.

On same Day, July 19, 2019, the apprehending officers prepared and submitted their report on the matter. Since the Hearing Officer is based at CENRO Quezon, the said report with the required enclosures was forwarded to the CENR Office in Quezon Palawan on July 23, 2019 for information and further action. By virtue of CENRO Special Order No. 19-019 dated

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DATE: 8/2/2019

July 23, 2019 designating the undersigned as the Hearing Officer for Narra Station, the above apprehension report with its enclosures was returned to our station for the eventual conduct of the Administrative Hearing of the case. Thus, on August 9, 2019, the hearing of the above case was conducted.

2. Evaluation of minutes of the Administrative Hearing conducted.

The administrative hearing of aforementioned case was done on August 9, 2019 at exactly 2:30pm in our Narra Station office. It was attended by the apprehending officers and Luis Estorminos with his sister.

Foremost, being the driver of the apprehended conveyance, the hearing officer explained to Mr. Luis Estorminos of his Miranda Rights. The hearing officer asked Mr. Estorminos if he need a lawyer or a counsel before proceeding to the hearing. Mr. Estorminos replied that we can proceed with the hearing even without the aid of a lawyer/counsel.

Based from the minutes of the conducted hearing, the following information were disclosed to, wit:

1. Mr. Luis Estorminos who is a resident of Brgy. Princess Urduja, Narra, Palawan admitted that he is the owner of the above described apprehended conveyance and its load, the twenty three (23) sacks of charcoal;

2. That the twenty three (23) sacks of charcoal found loaded in the said apprehended conveyance is not covered by any legal document and or permit when it was apprehended by our forest officers on July 19, 2019 along the national highway of Poblacion, Narra, Palawan. That Mr. Estorminos failed to show up any legal paper during the apprehension on July 23, 2019 and even during the hearing on August 9, 2019; and

3. That according to Mr. Estorminos, he collected/gathered the said charcoals from individuals of Sitio Mariwara, Brgy. Princess Urduja, Narra, which he failed to named, as a means of payment of their debt to him.

3. Findings and Recommendations

Based from the foregoing, the act of transporting the above 23 sacks of charcoal of forest *trees without any transport document coming from our office* is violative to the provision of Section 77 of Presidential Decree No. 705, as amended by Republic Act No. 7161 punishable under Articles 309 and 310, hence, recommended for filing of criminal complaint against the

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DATE: 1/2/2022

offender in the proper court and that the conveyance used be forfeited in favor of the government.

For his information, reference and record.

PABLO L. CRUZ

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JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 11/2/2021

MINUTES OF THE CONDUCTED ADMINISTRATIVE HEARING RE APPREHENDED/SEIZED TOPDOWN(UNROOFED SIDECAR ATTACHED TO A MOTORCYCLE)CONVEYANCE POWERED BY 175cc KAWASAKI MOTORCYCLE FOUND LOADED WITH UNDOCUMENTED 23 SACKS OF CHARCOAL BEING DRIVEN BY LUIS ESTORMINOS ALONG THE NATIONAL HIGHWAY AT 5:30 AM ON JULY 19, 2019 HELD ON AUGUST 9, 2019 AT DENR CENRO QUEZON STATION OFFICE IN NARRA, PALAWAN.

1. OPENING PRAYER:

2. HEARING OFFICER: Isang makakalikasang hapon sa ating lahat. Una sa lahat, ako po si Pablo L. Cruz, ang bagong itinalaga na hearing officer ng Narra Sattion office. Nais ko din pong ipakilala sa inyo ang aking mga kasamahan sa tanggapang ito, sina Forester Bernald Wendam, Forest officers Henry Catapang, Ronilo Gonzales, Joy Tindic, Bobby Garcia at ang ating recorder na si Jee An Elefane.
Ang pagdinig na ito ay alinsunod sa kautusan ng DENR DAO # 97-32 at ito ay patungkol sa nahuling topdown o sidecar na nakakabit sa 175cc Kawasaki motorcycle na may lulang 23 sako ng mga uling na minamaneho ni Gionoong Luis Estorminos noong ng July 19, 2019, ganap na 5:30 ng umaga.

3. Hearing Officer: Base sa ating saligang batas, kau ginoong Luis Estorminos ay may karapatan na sumagot at di sumagot sa aming mga katanungan. Kayo din po ay may karapatan na kumuha ng abogado o Counsel bago ganapin ang pagdinig na ito.
Kaya nais naming tanungin sa inyo ngayon kung itutuloy nating ang pagdinig na ito kahit na wala kayong abogado o counsel o kailangan na kumuha muna kayo ng counsel? Ano po ang masasabi ninyo?

4. Mr. Luis Estorminos: Tuloy po kahit walang abogado

5. Hearing Officer: Pwede mo bang isabi ang buong pangalan mo, edad, tirahan, marital status at hanapbuhay?

6. Mr. Luis Estorminos, Jr.: Ako po si Luis Estorminos Jr. 56 taong gulang nakatira sa Purok 2 Brgy. Princess Urduja Narra, Palawan. Balo napo ako ang hanap buhay kop o ay nag titinda sa tabuan ng gulay.

7. Hearing Officer: Kayo po ba ang driver ng nasabing topdown na may kargang 23 sakong uling na nahuli ng aming mga tauhan noong July 19, 2019, ganap na 5:30 ng umaga sa national highway ng Brgy. Malinao , Narra, Palawan?

8. Luis Estorminos: Opo

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DATE: 11/7/2022

9. Hearing Officer: Sino ang may ari ng 23 sakong uling na lulan ng inyong topdown na nahuli ng aming mga tauhan? Saan galing ito at saan dadalhin?

10. Luis Estorminos: Ako po Galing po sa mariwara at dadalhin ko sa bayan ng Narra

11. Hearing Officer: Saan galing ang uling?

12. Luis Estorminos: Sa Resettlement Mariwara.

13. Hearing Officer: Kayo po ba mismo ang naguuling?

14. Luis Estorminos: Hindi po binayad po sa akin ng may mga utang.

15. Hearing Officer: May dala ba kayo na permit ng uling o ano mang dokumento na may kinalaman sa nahuling mga uling na sakay ng nasabing topdown?

16. Luis Estorminos: Wala po

17. Hearing Officer: Sa inyo ba ang topdown na may kargang 23 sakong uling na hinuli ng aming mga tauhan?

18. Luis Estorminos: Sa akin po pero utang at hulugan po.

19. Hearing Officer: May drivers license ka ba para magmaneho ng sasakyan?

20. Luis Estorminos: Mayron po Professional Drivers License

21. Hearing Officer: Nakailang byahe ka na ng uling bago ka nahuli ng aming mga tauhan noong July 19, 2019?

22. Luis Estorminos: Isang beses pa lang po

23. Hearing Officer: Alam mo ba na labag sa batas ang pagbyahe mo ng uling na walang permit o ano mang dokumento na galling sa tamang ahensya ng gobyerno o sa DENR?

24. Luis Estorminos: Hindi po

25. Hearing Officer: May gusto ka pa bang sabihin, idagdag o baguhin sa iyong mga kasagutan sa pagdinig na ito?

26. Luis Estorminos: mayron po sana makuha po ang topdown hindi na po ako uulit at na kukuha na po ng permit.

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DATE: 11/7/2022

27. Hearing Officer: Dito nagtatapos ang ating pagdinig sa oras na ito at aking iminumungkahe na imbitahan ang ma...

28. Time Adjourned: 3:54pm

Recorded by:

JEE ANTELEFANE
Job Order

Attested By:

PABLO L. CRUZ
Hearing Officer/Supervising ECOMS
Management Specialist

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JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 11/2/2020

ATTENDANCE SHEET

Minutes of the Administrative Hearing re: apprehended One (1) unit Top down (unroofed sidecar attached to a motorcycle) conveyance powered by a Kawasaki 175 CC motorcycle found loaded with 23 sacks of undocumented charcoal being driven by Luis Estorminos along The National Highway Brgy. Poblacion, Narra, Palawan. 5:~~35~~ AM of July 19, 2019.

August 9, 2019

	Name	Address	Signature
1.	Pablo L. Cruz	DENR Narra Station G.P Cruz st. Poblacion Narra, Palawan	
2.	Bernald C. Wendam	__do__	
3.	Ronilo L. Gonzales	_ do__	
4.	Joy N. Tindic	__do__	
5.	Henry G.Catapang	__do __	
6.	Bobby Garcia	__do__	
7.	Jee Ann o. Elefane	__do__	
8.	Luis Estorminos	Brgy. Princess Urduja, Narra, Palawan	
9.			
10.			
11.			

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JUANITA P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 11/2/2022

Department of Environment and Natural Reso[illegible]
MIM[illegible]OPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Quezon Station, Narra, Palawan

July 31, 2019

Mr. Luis Estominos
Bgy. Princess Urduja
Narra, Palawan

7/31/19

Ginoong Luis,

Isang Makakalikasang Pagbati!

Ang sulat na ito ay kaugnay po sa nahuling isang unit na top down Kawasaki 175 cc na may kargang 23 sako ng uling sa National highway Poblacion, Narra, Palawan.noong July 19, 2019.

Kaugnay po dito, kayo po ay aming inaayayahan na dumalo sa Administrative Hearing dito sa tanggapan ng DENR- CENRO Quezon Station, Narra, Palawan sa August 9, 2019 sa ganap na ika- 3:30 ng hapon. Kayo ay aming pinapayuhan na dadalhin ninyo ang ano mang dokumento o papeles na may kinalaman sa nasabing motor/ topdown at lulan nitong uling sa inyong pag dalo sa hearing.

Mahalaga po ang inyong presensiya sa nasabing pagdinig.

Maraming salamat po.

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DATE: 11/2/2020

Ang inyong Lingkod,

PABLO L. CRUZ
Supervising ECOMS/
In Charge Narra Station

Luis Estominos Jr.
8-1-19

G.P CRUZ., Poblacion, Narra, Palawan 5303
Email Address: cenro.narrapal@yahoo.com.ph

COMMUNITY ENVIRONMENT AND NATURAL RESOURCE OFFICE
Quezon Station, Narra, Palawan

MEMORANDUM

July 19, 2019

CENRO ... RECEIVED
DOC # 203
7-19-2019
DATE
NARRA, PALAWAN

FOR : The In-charge, Quezon Station
Narra, Palawan

THRU : The Chief Monitoring and Evaluation Section
Narra, Palawan

FROM : Apprehending Officer

SUBJECT : **REPORT ON APPREHENDED MOTORCYCLE LOADED 23 SACKS OF CHARCOAL AT ALONG NATIONAL HIWAY MALINAO, NARRA, PALAWAN.**

Please be informed that on or about 5:30 AM of July 19, 2019 at along national highway Brgy. Malinao, Narra, Palawan while the team post at along national highway conducting patrolling we apprehended one (1) unit Top down with PLATE no. N00108 (KAWASAKI 175) loaded 23 sacks of charcoal.

The aforementioned motorcycle was owned and driven by Mr. Luis Estorminos, a residing at Bgy. Princess Urduja, Narra, Palawan, the 23 sacks of charcoal owned by Mr. Luis Estorminos at the said Barangay.

According to Mr. Luis Estorminos, the said Charcoal were came from Public forest at So. Mariwara, Bgy. Princess Urduja will be delivered to Bgy. Poblacion, Narra, Palawan.

The said motorcycle and charcoal were impounded at CENRO Quezon Narra Station compound for safekeeping. (attached are geo-tagged photos).

For his information record and further instruction.

RONILO L. GONZALES

HENRY G. CATAPANG

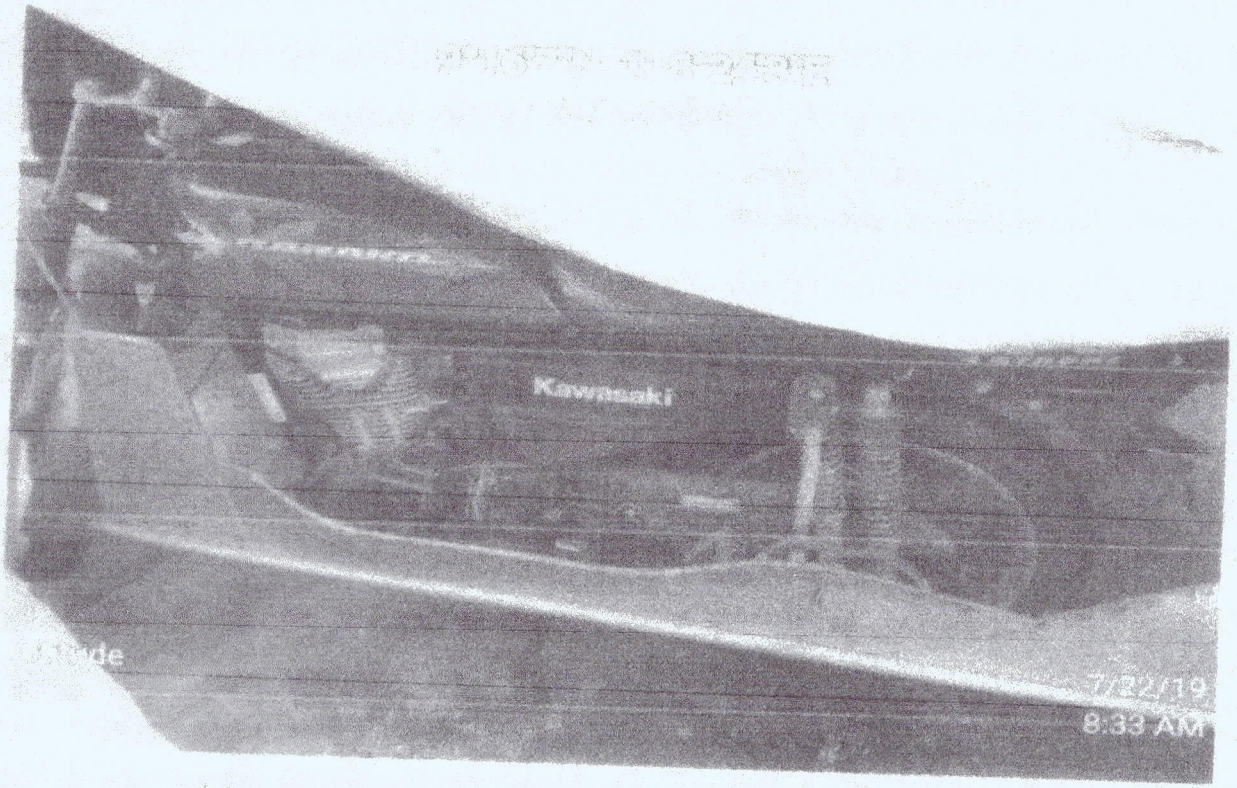
JOY N. TINDIC

BOBBY D. GARCIA

CERTIFIED XEROX COPY
JOANN P. PAZ
FTI/ IN-CHARGE, RECORDS UNIT
DATE: 1/2/2022

G.P. Cruz St. Poblacion, Narra, Palawan
Email address; cenronarra_pal@yahoo.comph.





GEO-TAGGED BY:

JOY N. PINDIC
Forest Ranger

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JOANN P. PAZ
FTI/IN-CHARGE, RECORDS UNIT
DATE: 12/2022

DENR-IV-28 SN 0719 - 001

APPREHENSION RECEIPT

Pursuant to the provision of P.D. 705, as amended by Executive Order No. 277, the following forest roducts and/or machinery, machinery, equipment, tools and conveyances, to wit:

QUANTITY	UNIT	ARTICLES AND DESCRIPTION	ESTIMATED VALUE
23	PCS	Charcoal 23 x 100	₱2,300
1	pcs	Kawasaki Tipdown PLATE # N 00108	₱70,000
			72,300

S/ARE HEREBY DECLARED UNDER APPREHENSION FOR THE FOLLOWING REASONS:
P.D 705 Sec. 68 As Amended by Sec. 77 of R.A 7161

The same having been apprehended, subject forest products and/or machinery, equipment, tools and onveyance should be kept and protected from defacement in any manner, destruction or loss and should not be ltered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural esources or his duly authorized representative or any Court of Justice of the Philippines.

Done this 19 day of July, 2019 at DENR Sub-Station, Palawan.

5:30 PM

APPREHENDING OFFICER

Danilo Gonzales
Address: DENR Quezon Sub-Station

2. Henry Catapang
Address: DENR Quezon Hdqrs Pal.

Joy Clark Indu
Address: DENR Quezon Hdqrs Pal.

4. Bobby Garcia
Address: DENR-Quezon Hdqrs Pal.

Luis Estorminos
CLAIMANT/REPRESENTATIVE/DRIVER

Luiz Estormimos
Address: Princesa Urduja Hdqrs Pal.

2.
Address:

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Bernabe Wendam
WITNESSES

Address: DENR-Quezon Hdqrs Pal.

2.
Address:

JOANN P. PAZ
FTI/IN-CHARGE, RECORDS UNIT
DATE: 11/2/2022

emarks:

ACKNOWLEGEMENT

This is to certify that the following item/s listed above has been received by the undersigned for stody/safekeeping.

DATE RECEIVED:
PLACE OF CUSTODY:

Bernabe Wendam
Custodian

Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Quezon-Narra Station, Narra, Palawan

Date : July 19, 2019

SEIZURE RECEIPT

GREETINGS :

Before this Office is the Apprehension Receipt of the apprehending team re : the following forest products and/or machinery/equipment/tools/conveyance used in connection therewith, to wit:

QUANTITY	UNIT	ARTICLES & DESCRIPTION	ESTIMATED VALUE
23	PCS	CHARCOAL 23 X 100	₱ 2,500
1	PC	KAWASAKI TOD DOWN (175 CC)	₱ 70.00
		PLATE # N00108	₱ 72.500
IS/ARE HEREBY DECLARED UNDER APPREHENSION FOR THE FOLLOWING REASONS :			
P.D. 705 SEC. 68 AS AMENDED BY SEC. 77 OF R.A. 7161			

The above-described forest products and/or machinery/equipment/tools/conveyance were apprehended by : HENRY G. CATAPANG, RONILO L. GONZALES, JOY TINDIC, BOBBY GARCIA
(Name of Apprehending Officer/s)
CENRO QUEZON STATION, NARRA, PALAWAN
on JULY 19 2019 at BRGY. MALINAO, NARRA, PALAWAN
(Date) (Place)
at on or about 5:30 AM for the following violations :
(Time)

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JOANN P. PAZ
FTI/IN-CHARGE RECORDS UNIT
DATE 11/2/2022

Pursuant to the provisions of the Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines, as amended by Executive Order No. 277 and pursuant further to the recent Department Administrative Order No. 97-32, series of 1997 re : Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyances used in connection therewith, the above subject forest products and/or machinery/equipment/tools/conveyance are hereby declared seized hereof into government custody, pending formal administrative proceedings for the disposition thereof.

PABLO T. MARTINEZ
(Seizure Officer)

Remarks :

ACKNOWLEGEMENT

This is to certify that the following item/s listed above has been received by the undersigned for custody/safekeeping.

PLACE OF CUSTODY : _____

JOANN P. PAZ
(Custodian)

G. P. Cruz St., Bgy. Poblacion, Narra, Palawan 5303
Email address: cenronarra_pal@yahoo.com.ph

Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Quezon Station, Narra, Palawan

July 19, 2019

SEIZURE ORDER

Pursuant to the provisions of Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines as amended by Executive Order no. 277 and pursuant further to section 6, Item 2 paragraph a of DAO 97-32 series of 1997 re: Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyance used in connection therewith, the apprehended on top down motorcycle KAWASAKI 175 cc loaded 23 Sacks of charcoal with plate No. 00108 dated July 19, 2019 at Barangay Malinao, Narra, Palawan, being driven by a certain Mr. Luis Estorminos are hereby declared seized into government custody, pending formal administrative proceeding for the disposition thereof.

The seized forest product is now deposited inside the office compound of DENR Narra Station, Palawan and was temporary place under the custody of Forester I Bernard C. Wendam.

Signed and issued this 19th day of 2019 at DENR CENRO Narra Station,Poblacion, Narra, Palawan.

PABLO L. CRUZ
Supervising ECOMS/
In-Charge, Narra Sub Station

CERTIFIED XEROX COPY

JOANN P. PAZ
PTI/IN-CHARGE, RECORDS UNIT
DATE: 7/22/2019

G.P. Cruz St. Poblacion, Narra, Palawan
Email address; cenronarra_pal@yahoo.comph.