



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

December 5, 2022

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

FROM : The OIC - PENRO
Oriental Mindoro

SUBJECT : **REPORT ON THE APPREHENDED ONE (1) UNIT CHAINSAW
WITH SERIAL NUMBER 173418109 AT SO. IBA, BRGY.
WAYGAN, MANSALAY, ORIENTAL MINDORO**



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


1. Apprehension Receipt;
2. On-site Report;
3. Tally Sheet;
4. Certified Geo-tagged Photos;
5. Seizure Order;
6. Seizure Receipt;
7. Notice of Apprehension;
8. Notice of Administrative Hearing;
9. Result of Administrative Proceedings;
10. Minutes of Administrative Proceedings;
11. Custodial Receipt;
12. Certification from CENRO Roxas; and,
13. Pertinent documents from MPS Mansalay.

Please be informed that a criminal complaint was filed by the MPS Mansalay with Criminal Case No. M 22-3509 against identified offender for violation of R.A. No. 9175. Be informed further that the said apprehended item were under the custody of CENRO Roxas for safekeeping and proper disposition.

Based on the Administrative Proceeding conducted, the recommendation of CENRO Roxas is to release the apprehended chainsaw to the owner.

For further instructions.

For the PENR Officer:


ALMA E. GIBE
DMO V/Chief TSD

In-Charge, Office of the PENRO

PENRO Tracking No.: 2211000044
FN: TSD/MES/Rick

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, tel. fax. 288-3006



DENRPENR02212000016



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

Community Environment and Natural Resources Office

Camia St., San Mariano, Roxas, Oriental Mindoro

Contact No. : 0917 876 9985/ 0917 113 5572

VOP: (043) 289-7118

Email: cenroroxas_orientalmin@yahoo.com

October 28, 2022

MEMORANDUM

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

ATTN: The Chief Law Enforcement Division
The Chief Legal Division

THRU : The PENR Officer
DENR, PENRO, Suqui, Calapan City

FROM: CENR Officer
Roxas, Oriental Mindoro

SUBJECT: **REPORT ON THE APPREHENDED ONE UNIT (1) OF
CHAINSAW WITH SERIAL NO. 173418109 AT SO. IBA BRGY.
WAYGAN, MANSALAY, ORIENTAL MINDORO**

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	NOV 07 2022
TIME:	

This is to inform that an apprehension was made on September 3, 2022 related to the above subject. The apprehended items are under court litigation with *Criminal Case No. M-22-3509* for Violation of RA 9175.

In connection with this, the office recommends that the chainsaw shall be released to the owner.

Attached are the necessary documents for your reference.

For information and further instruction.

For and in the absence of the CENR Officer:

REYNALDO D. PUDIQUET
Forester III/ Chief MES



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

APPREHENSION RECEIPT

CENRO Control No.: 2022-

E-FMS No:2022-175212-F83

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Date of Birth/Age	Participation	Status of the Person
Edwin Tamayo Tianzon	So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro		37 years old	Chainsaw Operator	Detained

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

1. Forest Products:

MAJOR FOREST PRODUCTS

Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Volume /Unit of Measurement	Estimated Value	Impounding Area	Custodian
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	DENR CENRO Roxas	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

Minor Forest Products

Kind	No. of Units	Unit of Measurement	Estimated Value	Custodian
N/A	N/A	N/A	N/A	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

Machine Involved

Type	Make/ Model/ Year	Serial No.	Color/Markings	CR No.	OR No.
Chainsaw	Oregon	173418109	N/A	N/A	N/A

Conveyance Involved (Additional Details)

Engine No.	Chassis No.	Accessories	Custodian
N/A	N/A	N/A	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

If Animal

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



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

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

Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Legal Basis for Apprehension
	Province	City/ Municipality	Barangay	Sitio		
September 3, 2022, 4:20 pm	Oriental Mindoro	Mansalay	Waygan	Iba	PCPL. Mark Russel S. Evangelista and PCPL Kevin Christopher C. Condes	Violation of RA 9175


Apprehension was done under the following circumstances:

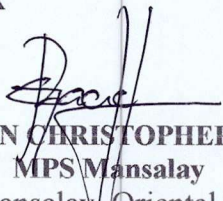
- The subject conveyance/machine (*chainsaw*) was used without necessary documents/ expired permit from the concerned agency.

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 5th day of September year 2022 at DENR-CENRO Brgy. San Mariano, Roxas, Oriental Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)



PCPL. MARK RUSSEL S. EVANGELISTA
MPS Mansalay
Mansalay, Oriental Mindoro


PCPL KEVIN CHRISTOPHER C. CONDES
MPS Mansalay
Mansalay, Oriental Mindoro

WITNESS
(Signature Over Printed Name)


MA. VICTORIA T. MONTELEJA
Forest Ranger

ATTESTED BY:


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit
DENR – CENRO
San Mariano, Roxas
Oriental Mindoro

Copy Received by:

Signature Over Printed Name

Date / Time: _____



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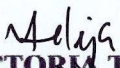
TALLY SHEET

This is to certify that the apprehended conveyance/machine (*chainsaw*) is properly itemized and listed below, to wit:


No. of Pieces	Unit	Forest Products/ Machine	Marking	Estimated Market Value
1	unit	OREGON CHAINSAW	ETT	Php 15,000.00
		Total Amount		Php 15,000.00
—nothing follows—				

The following is counted and inspected in our presence this 5th day of September, 2022 at DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

Counted and inspected by:


MA. VICTORIA T. MONTELEJA
Forest Ranger

Attested by:


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit
DENR - CENRO
San Mariano, Roxas
Oriental Mindoro



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CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that these are the true pictures of the actual inspection of the confiscated one STIHL Chainsaw with Serial No. 173418109 at So, Iba, Brgy. Waygan, Mansalay, Oriental Mindoro. The subject conveyance/machine is currently under the custody of DENR CENRO-Roxas, Oriental Mindoro for safekeeping.

Signed this 5th day of September, 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

MA. VICTORIA J. MONTELEJA
MA. VICTORIA J. MONTELEJA
Forest Ranger

SUBSCRIBED AND SWORN to before me this 5th day of September, 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
REYNALDO D. PUDIQUET
Forester III/ MES chief



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Department of Environment and Natural Resources
MIMAROPA Region

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DENR-IV-B, MIMAROPA, Forest Protection
Supervision

CERTIFICATION

September 5, 2022

TO WHOM IT MAY CONCERN

THIS IS TO CERTIFY that there is one unit of Oregon Chainsaw seized by member of Mansalay Municipal Police marked as ETT.

Said machine was intercepted at So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro.

This is to certify further that the machine has a market value of FIFTEEN THOUSAND pesos only (Php. 15,000.00).

Further certify that this office has not issued any certificate of registration or renewed the same.

This certification is issued in connection with the case filed against the respondent for violation of R.A. 9175.

Signed this 5th day of September, 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Forester III/Chief MES



SEIZURE ORDER

CENRO Control No.: 2022-

E-FMS No: 2022-175212-

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277, RA 9175 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products and machinery used are hereby ordered seized, to wit:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS

Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	DENR-CENRO compound	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo.

Minor Forest Products

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

Machine Involved

Type	Make/ Model/ Year	Serial No.	Color/Markings	CR No.	OR No.
Chainsaw	Oregon	173418109	N/A	N/A	N/A

Conveyance Involved (Additional Details)

Engine No.	Chassis No.	Accessories	Custodian*
N/A	N/A	N/A	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

**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



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

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

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

Name	Address	Civil Status	Age	Participation	Status of the Person
Edwin Tamayo Tianzon	So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro		37 years old	Chainsaw Operator	Detained

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

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/ Municipality	Barangay	Sitio		
	Oriental Mindoro	Roxas	San Mariano	N/A	REYNALDO D. PUDIQUET	Violations of Sec.77 of PD 705 as amended

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
PCPL Mark Russel S. Evangelista	September 5, 2022	3:30 pm	DENR-CENRO
PCPL Kevin Christopher C. Condes	September 5, 2022	3:30 pm	DENR-CENRO
Ma. Victoria T. Monteleja	September 5, 2022	3:30 pm	DENR-CENRO

After thorough evaluation of the Apprehension Report dated September 5, 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 by the offender.

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

So ordered this 5th day of September year 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro

REYNALDO D. PUDIQUET
Seizure Officer



SEIZURE RECEIPT

No. 26

The following apprehended item with Apprehension Receipt No. 2022-175212-F83 is Administrative seizure pursuant to Section 3 of DAO 97-32.

A. CONVEYANCE/MACHINERY

No. of Pieces	Unit	Forest Products/ Machine	Marking	Estimated Market Value
1	unit	OREGON CHAINSAW	ETT	Php 15,000.00
		Total Amount		Php 15,000.00
—nothing follows—				

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

NAME	ADDRESS	NATURE OF PARTICIPATION
1. Edwin Tamayo Tianzon	So. Iba, Brgy. Waygan, Mansalay, Or. Mdo.	Chainsaw Operator

B. MACHINE

Name of Registration/Owner: Randy Eusebio
Address: So. Iba Brgy. Waygan, Mansalay, Oriental Mindoro
Type of Machine: Oregon Chainsaw
Serial No: 173418109
Certificate of Registration No. N/A
Estimated Fair Market Value: Php 15,000.00



C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly described the physical appearance and condition of each items and estimate fair market value).

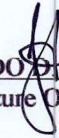
Note: The confiscated Oregon Chainsaw has an estimated market value of Php. 15,000.00.
(State reasons or offense committed)

The items were apprehended by the elements of MPS Mansalay at So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro on September 3, 2022.

The same items are under the custody of DENR-CENRO San Mariano, Roxas, Oriental Mindoro. Further, these apprehended items are now deposited at DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

That the undersigned hereby acknowledge that the above listed items is now in ADMINISTRATIVE SEIZURE and that I, as authorized seizing Officer, assume the possession and control for the custodial legis, pending the conduct of administrative confiscation proceedings for their disposition.

Therefore, issue this Seizure Receipt No. 20 this 5th day of September 2022 at DENR-CENRO Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Seizure Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
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September 5, 2022

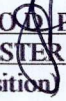
NOTICE OF APPREHENSION

This is to inform the public that the Oriental Mindoro MPS Mansalay led by Police Major Roel G. Gabito, apprehended on 3rd day of September 2022 on or about 12:30 pm the following forest products/conveyance/equipment:

No. of Pieces	Unit	Forest Products/ Machine	Marking	Estimated Market Value
1	unit	OREGON CHAINSAW	ETT	Php 15,000.00
		Total Amount		Php 15,000.00
—nothing follows—				

At So. Iba, Barangay Waygan, Mansalay, Oriental Mindoro, the same having found to be without the necessary legal documents, hence, violates R.A. 9175, as amended.

The subject forest products/equipment/conveyance is properly impounded under the custody of DENR-CENRO compound San Mariano, Roxas, Oriental Mindoro


REYNALDO D. PUDIQUET
FORESTER III
(Position)
DENR-CENRO Roxas
(Agency)



September 5, 2022

MEMORANDUM

FOR : The CENR Officer
Roxas, Oriental Mindoro

THRU : The Chief, Monitoring and Enforcement Section

FROM : The Enforcement Team

SUBJECT : **SUBMISSION OF ON-SITE REPORT FOR THE APPREHENDED OREGON CHAINSAW AT SO. IBA, BARANGAY WAYGAN, MANSALAY, ORIENTAL MINDORO**

BASIC INFORMATION GATHERED:

1. Time of Apprehension - On or about 4:20 pm
Date of Apprehension - September 3, 2022
Place of Apprehension - So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro
 2. Full Name of Alleged Offender - Edwin Tamayo Tianzon
 3. Name of accompanying or providing assistance to the apprehending officers
PCPL Mark Russel S. Evangelista
PCPL Kevin Christopher C. Condes
MPS Mansalay
 4. Circumstances that lead to the apprehension - Elements of MPS Mansalay led by Police Major Roel G. Gabito received an information that there was a person cutting a mango tree using a chainsaw in Brgy. Waygan, Mansalay. They immediately proceeded to the scene and caught the accused in the act of cutting mango tree. Upon verification the chainsaw has no any legal documents
 5. Name of Local Government

- NONE
- Officials present and/or
Witnessing the apprehension



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6. Preliminary description of items being apprehended - OREGON Chainsaw
7. Origin of forest product - Brgy. Waygan, Bulalacao
Oriental Mindoro
8. Consignor/s and consignee - N/A.
9. Other data or information, comments and recommendations:

Elements of MPS Mansalay led by Police Major Roel G. Gabito received an information that there was a person cutting a mango tree using a chainsaw in Brgy. Waygan, Mansalay. They immediately proceeded to the scene and caught the accused in the act of cutting mango tree. Upon verification the chainsaw has no any legal documents

Subsequently, the personnel of MPS Mansalay led by Police Major Roel G. Gabito coordinated with Forester Reynaldo Pudiquet of CENRO Roxas office requesting for technical assistance to the apprehended forest product. Pursuant to the facts and circumstances, an apprehension receipt was immediately prepared cognizant to the Oregon Chainsaw

The subject forest product was turned-over under the custody of DENR CENRO compound San Mariano, Roxas, Oriental Mindoro for safekeeping.

For information, record and further instruction.


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit

SUBSCRIBED AND SWORN to before me this 5th day of September, 2022 at DENR-CENRO Office San Mariano, Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Forester III/ Chief MES



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Department of Environment and Natural Resources
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CUSTODIAL RECEIPT

I hereby acknowledge to have received from the apprehending officers (DENR-CENRO PERSONNEL) the following items listed below, to wit;

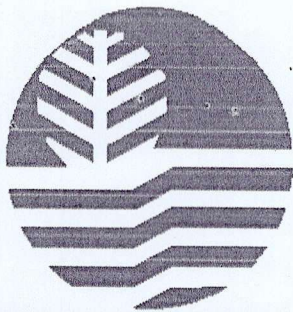
1 unit of Oregon Chainsaw

As custodian, I will protect from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the DENR or his duly authorized representative or any Court of Justice of the Philippines.

Done this 5th day of September 2022 at DENR-CENRO San Mariano Roxas, Oriental Mindoro.

Custodian:


DALE MELCHOR ALAGAO
Property Custodian



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Department of Environment and Natural Resources
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PAGBIBIGAY-ALAM SA PAGDINIG

September 5, 2022

SA KINAUKULAN:

EDWIN TAMAYO TIANZON

Ipinapaalam po ng mga kawani o tauhan ng Kapaligiran at Likas Yaman (DENR) na nakatalaga sa Barangay San Mariano, Roxas, Silangang Mindoro na ang Municipal Police Station ng Mansalay ay nakahuli/nakasamsam ng isang Oregon chainsaw sa Sitio Iba, Barangay Waygan, Mansalay, Silangang Mindoro humigit kumulang ika 4:20 ng hapon noong September 3, 2022. Ito ay ginamit sa pagputol ng puno/sanga ng mangga. Ito ay kasalukuyang nakadeposito at nasa pag-iingat ng DENR-CENRO, Barangay San Mariano, Bayan ng Roxas, Silangang Mindoro.

Alinsunod sa P.D. 705 at R.A. 9175, kayo ay aming inaanyayahan sa September **12, 2022** sa gaganaping pagdinig na isasagawa ng aming tanggapan na matatagpuan sa Barangay San Mariano, Roxas, Silangang Mindoro sa ganap na **10:00 ng umaga** sa nasabing lugar. Ang nabanggit na pagdinig ay ipinatutupad sa ilalim ng Department Administrative Order 97-32 na nagbibigay ng pagkakataon sa may-ari na magpakita ng mga kinakailangang katibayan/dokumento na kung saan ang mga nabanggit na mga nahuling produkto, makinarya o kagamitan ay hindi tuluyang masamsam o makumpiska sa panig ng pamahalaan.

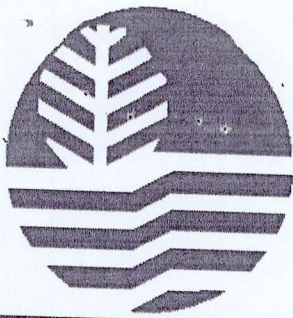
Inaasahan po na lahat ng ito ay bibigyan ng kaukulang pansin at lubos na pahalagahan.

Maraming salamat po.

Sumasainyo,

Edwin T. Tianzon

REYNALDO B. PUDIQUET
Forester III/Chief MES



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PAGBIBIGAY-ALAM SA PAGDINIG

October 4, 2022

SA KINAUKULAN:

RANDY EUSEBIO

Ipinapaalam po ng mga kawani o tauhan ng Kapaligiran at Likas Yaman (DENR) na nakatalaga sa Barangay San Mariano, Roxas, Silangang Mindoro na ang Municipal Police Station ng Mansalay ay nakahuli/nakasamsam ng isang Oregon chainsaw sa Sitio Iba, Barangay Waygan, Mansalay, Silangang Mindoro humigit kumulang ika 4:20 ng hapon noong September 3, 2022. Ito ay ginamit sa pagputol ng puno/sanga ng mangga. Ito ay kasalukuyang nakadeposito at nasa pag-iingat ng DENR-CENRO, Barangay San Mariano, Bayan ng Roxas, Silangang Mindoro.

Alinsunod sa R.A. 9175, Presidential Decree No. 705 at ng Executive Order No. 277, kayo ay inaanyayahan sa **October 10, 2022** sa gaganaping pagdinig na isasagawa ng aming tanggapan na matatagpuan sa Barangay San Mariano, Roxas, Silangang Mindoro sa ganap na **10:30 ng umaga** sa nasabing lugar. Ang nabanggit na pagdinig ay ipinatutupad sa ilalim ng Department Administrative Order 97-32 na nagbibigay ng pagkakataon sa may-ari na magpakita ng mga kinakailangang katibayan/dokumento na kung saan ang mga nabanggit na mga nahuling produkto, makinarya o kagamitan ay hindi tuluyang masamsam o makumpiska sa panig ng pamahalaan.

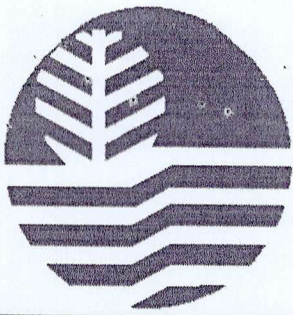
Inaasahan po na lahat ng ito ay bibigyan ng kaukulang pansin at lubos na pahalagahan.

Maraming salamat po.

Sumasainyo,

REYNALDO D. PUDIQUET
Forester III/Chief MES

Randy M. Eusebio



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Department of Environment and Natural Resources
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PAGBIBIGAY-ALAM SA PAGDINIG

October 17, 2022

SA KINAUKULAN:

RANDY EUSEBIO

Ipinapaalam po ng mga kawani o tauhan ng Kapaligiran at Likas Yaman (DENR) na nakatalaga sa Barangay San Mariano, Roxas, Silangang Mindoro na ang Municipal Police Station ng Mansalay ay nakahuli/nakasamsam ng isang Oregon chainsaw sa Sitio Iba, Barangay Waygan, Mansalay, Silangang Mindoro humigit kumulang ika 4:20 ng hapon noong September 3, 2022. Ito ay ginamit sa pagputol ng puno/sanga ng mangga. Ito ay kasalukuyang nakadeposito at nasa pag-iingat ng DENR-CENRO, Barangay San Mariano, Bayan ng Roxas, Silangang Mindoro.


Alinsunod sa R.A. 9175, Presidential Decree No. 705 at ng Executive Order No. 277, kayo po ay aming pinadalhan ng sulat noong October 4, 2022 para anyayahan na magbigay ng pahayag o salaysay sa October 10, 2021 para sa gaganaping pagdinig. Subalit kayo ay hindi nakapunta sa nasabing petsa.

Kaugnay nito, kayo ay aming muling inaanyayahan sa **October 25, 2022** sa gaganaping pagdinig na isasagawa ng aming tanggapan na matatagpuan sa Barangay San Mariano, Roxas, Silangang Mindoro sa ganap na **1:30 ng hapon** sa nasabing lugar. Ang nabanggit na pagdinig ay ipinatutupad sa ilalim ng Department Administrative Order 97-32 na nagbibigay ng pagkakataon sa may-ari ng chainsaw na magpakita ng mga kinakailangang katibayan/dokumento na kung saan ang mga nabanggit na mga nahuling produkto, makinarya o kagamitan ay hindi tuluyang masamsam o makumpiska sa panig ng pamahalaan.

Inaasahan po na lahat ng ito ay bibigyan ng kaukulang pansin at lubos na pahalagahan.

Maraming salamat po.

Sumasainyo,


REYNALDO D. PUDIQUET
Forester III/Chief MES


RANDY M. EUSEBIO - 10-21-2022



October 14, 2022

MEMORANDUM

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

THRU : In-Charge, The PENR Office
Suqui, Calapan City,
Oriental Mindoro

FROM : Hearing Officer

SUBJECT : **SUBMISSION OF THE RESULT OF ADMINISTRATIVE PROCEEDINGS ON MACHINERY/EQUIPMENT APPREHENDED AT SO. IBA, BRGY. WAYGAN, MANSALAY, ORIENTAL MINDORO**

Attached is the transcript of the Minutes of the Administrative Hearing undertaken on the case *Department of Environment and Natural Resources –versus- Edwin Tamayo Tianzon* for violation of R.A. 9175 as amended. Please be informed that Administrative Hearing was conducted last October 4 and 25, 2022 in accordance with Item 2, Section 7 of DAO 97-32 which was attended by respondent, with the following observations:

1. Based on the spot report of the Municipal Police of Mansalay, they received a tip from Barangay Intelligence Network (BIN) that there was a person cutting a mango tree using a chainsaw at So. Iba. Brgy. Waygan, Mansalay, Oriental Mindoro.
2. MPS Mansalay went to the area to verify the information. They saw Edwin in the act of cutting mango. Upon verification, the MPS Mansalay found out that the chainsaw has no permit.
3. An administrative hearing was conducted after the turn-over of the documents from the Municipal Police of Mansalay.
4. During the administrative hearing, Edwin Tianzon denied that he used the chainsaw. He was eating at his house when the police officers seized the chainsaw. He was told to go to their headquarters and bring chicken. When he arrived at the station, he was immediately detained. Also, he was told that they will take a video of him in the act of cutting mango.
5. As for Randy Eusebio, he only borrowed the chainsaw from Ian Joseph Salas and he will buy it once the registration is processed. He was at Romblon when the incident happened. He told Edwin not to use the chainsaw because the registration is expired. He will process it once he came back from Romblon.
6. The subject chainsaw was turned-over by the apprehending officers to the nearest authorized Seizure Officer pursuant to Section 3 of DAO 97-32.



FINDINGS AND RECOMMENDATIONS:


The undersigned after having reviewed the documents at hand and the statements of the respondents, and the Administrative Hearing conducted, determines that the Oregon Chainsaw was not actually use in the act of cutting the mango. This act is not a violation of Sec. 7 of R.A. 9175.

In view of the foregoing these are the findings and recommendations of the hearing officer:

EDWIN TAMAYO TIANZON respondent for CENRO Case No. 2022- 19 did violated Sec. 7 of R.A. 9175. The Oregon CHAINSAW with serial no. 173418109 shall **be released** to the owner.

This case has been filed and dismissed by Oriental Mindoro Provincial Prosecution Office with *NPS Docket No. N-07b-INQ-221-00069* for Violation of Sec.77 of PD 705 as amended.

Attached are the minutes of the Administrative Hearing and the necessary documents for your review and further instruction.


REYNALDO D. PUDIQUET
Hearing Officer



SUBJECT:

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

CENRO CASE NO. 2022- 19

VERSUS -

EDWIN TAMAYO TIANZON

: For Violation of Republic Act 9175

X- -----X

PRELIMINARY HEARING

Minutes of the Administrative Hearing undertaken on the above-mentioned case on October 4, 2022
at 10:50 am at CENRO-Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Hearing Officer

CATHERINE C. OLAVERIA
Legal Researcher

APPEARANCE:

EDWIN TAMAYO TIANZON

Petsa at Oras : October 4, 2022/10:50 am

HEARING OFFICER:

SA BISA NG KAPANGYARIHANG IPINAGKALOOB SA AKIN ALINSUNOD SA ITINADHANA NG SEKSYON 45 NG PRESIDENTIAL DECREE 705, REPUBLIC ACT 9175 AT DEPARTMENT ADMINISTRATIVE ORDER NO. 97-32, ANG PAGDINIG NA ITO AY KAUGNAY SA KASONG ADMINISTRATIBO SA SEC. 7 NG R.A. 9175 "PAGGAMIT NG CHAINSAW NG WALANG KAUKULANG PERMISO" AY MAGKAKAROON NGAYON NG PORMAL NA PAGDINIG. PINAPAKIUSAPAN ANG LAHAT NG NARIRITO NA MANAHIMIK LAMANG AT HUWAG MAKIALAM O MAMAGITAN NA MAARING MAKAAANTALA SA PAGDINIG AT ITO AY HINDI PINAHIHINTULUTAN. BUKOD DITO, GUSTO KONG IPABATID SA LAHAT NG NARIRITO NG MGA SAKSI AT SUSPEK SA NASABING KASO NA KAYO AY BINIBIGYAN NG TANGING PREBILIHINO NA GAMITIN ANG INYONG ABOGADO UPANG TAGAPAYO, ALINSUNOD SA TINADHANA NG BAGONG SALIGANG BATAS NG PILIPINAS.



SALAYSAY NI GINOONG EDWIN TAMAYO TIANZON

- Hearing Officer: Bago po tayo magsimula sa ating pagdinig sa oras na ito, maaari niyo po ba na ipakilala ang inyong sarili? Ang inyong edad at address?
- S. Tianzon: Ako si Edwin Tamayo Tianzon, kasalukuyang naninirahan sa So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro. Tatlongpu't pito (37) taong gulang.
- Hearing Officer: Meron po ba kayong abogado na kasama?
- S. Tianzon: Wala po.
- Hearing Officer: Okay lang ba sa inyo na wala kayong abogado dito sa administrative proceeding?
- S. Tianzon: Okay lang po.
- Hearing Officer: Noong September 3, 2022 sa ganap na ika-4 ng hapon kayo ay nahuli ng pulis na nagpuputol ng puno ng manga sa So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro.
- S. Tianzon: Hindi po ako nahuli. Pinasunod lang nila ako sa headquarters nila.
- Hearing Officer: Kaugnay nito, kayo ay nahaharap sa kasong administratibo at kriminal. Kayo ay pinadalhan ng Notice of Hearing para sa kasong administratibo. Nakasaad dito na maari kayo magbigay ng written explanation at inaanyayahan ang inyong presensya sa opisina ng DENR-CENRO para magpaliwanag at magbigay ng salaysay.
- Hearing Officer: Ano po ang inyong trabaho?
- S. Tianzon: Sa construction po.
- Hearing Officer: Noong oras at araw ng nasabing pangyayari, nasaan kayo at ano ang inyong ginagawa?
- S. Tianzon: Nasa bahay po ako kumakain. Tapos pumunta sila sa bahay at kinuha ang chainsaw, magsunod daw ako sa headquarters nila at magdala ng manok. Hindi naman sa area nakuha yung chainsaw. Ang sabi nila sakin vivideohan ako na nagpuputol ng manga. Hindi ko alam na pagdating ko ikukulong nila ako.
- Hearing Officer: Sino ang may-ari ng chainsaw?
- S. Tianzon: Si Randy Eusebio
- Hearing Officer: Meron bang rehistro ang inyong chainsaw?
- S. Tianzon: Meron po pero expired kaya hindi ko yun ginagamit.
- Hearing Officer: Naka pag hearing na ba kayo sa inyong kasong criminal?
- S. Tianzon: Hindi pa po.



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

Hearing Officer: Meron po ba kayong gustong sabihin o idagdag sa inyong salaysay?

S. Tianzon: Wala na po.

Hearing Officer : Maraming salamat po sa inyong pagunlak sa aming paanyaya nang pagdinig sa araw na ito at pasensya sa kaunting abala. Kami ay umaasa sa inyo na maging responsable sa ating kapaligiran. Ipagpaalam na din ninyo na ang DENR at talagang maghihigpit para mapursige ang pag iimplementa ng batas hindi lang sa Roxas kundi sa buong Pilipinas. Kaya ang pakiusap po namin sa inyo ay maging responsable tayo sa ating kalikasan. Salamat po ng marami.

Nagsasalaysay:

EDWIN TAMAYO TIANZON

Administrative Hearing adjourned: 11:07 am

Aking lalagdaan ang testimonyang ito ngayong ika -4 nang Oktubre taong 2022 sa DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

I HEREBY CERTIFY that this instrument consisting of 3 pages including this page are true and correct to the best of my knowledge and belief.

CATHERINE OLAVERIA
Legal Researcher/Recorder

SUBSCRIBED AND SWORN to before me this 4th day of October 2022 at DENR CENRO-Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Hearing Officer



SUBJECT:

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

CENRO CASE NO. 2022- 19

VERSUS -

EDWIN TAMAYO TIANZON

: For Violation of Republic Act 9175

X- -----X

PRELIMINARY HEARING

Minutes of the Administrative Hearing undertaken on the above-mentioned case on October 25, 2022 at 3:00 pm at CENRO-Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Hearing Officer

CATHERINE C. OLAVERIA
Legal Researcher

APPEARANCE:

RANDY EUSEBIO

Petsa at Oras : October 25, 2022/3:00 pm-3:25 pm

HEARING OFFICER:

SA BISA NG KAPANGYARIHANG IPINAGKALOOB SA AKIN ALINSUNOD SA ITINADHANA NG SEKSYON 45 NG PRESIDENTIAL DECREE 705, REPUBLIC ACT 9175 AT DEPARTMENT ADMINISTRATIVE ORDER NO. 97-32, ANG PAGDINIG NA ITO AY KAUGNAY SA KASONG ADMINISTRATIBO SA SEC. 7 NG R.A. 9175 "PAGGAMIT NG CHAINSAW NG WALANG KAUKULANG PERMISO" AY MAGKAKAROON NGAYON NG PORMAL NA PAGDINIG. PINAPAKIUSAPAN ANG LAHAT NG NARIRITO NA MANAHIMIK LAMANG AT HUWAG MAKIALAM O MAMAGITAN NA MAARING MAKAANTALA SA PAGDINIG AT ITO AY HINDI PINAHIHINTULUTAN. BUKOD DITO, GUSTO KONG IPABATID SA LAHAT NG NARIRITO NG MGA SAKSI AT SUSPEK SA NASABING KASO NA KAYO AY BINIBIGYAN NG TANGING PREBILIHINO NA GAMITIN ANG INYONG ABOGADO UPANG TAGAPAYO, ALINSUNOD SA TINADHANA NG BAGONG SALIGANG BATAS NG PILIPINAS.



SALAYSAY NI GINOONG RANDY EUSEBIO

Hearing Officer: Bago po tayo magsimula sa ating pagdinig sa oras na ito, maaari niyo po ba na ipakilala ang iyong sarili? Ang iyong edad at address?

S. Eusebio: Ako si Randy M. Eusebio, kasalukuyang naninirahan sa So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro. 58 taong gulang.

Hearing Officer: Meron po ba kayong abogado na kasama?

S. Eusebio: Wala po.

Hearing Officer: Okay lang ba sa inyo na wala kayong abogado dito sa administrative proceeding?

S. Eusebio: Okay lang po.

Hearing Officer: Noong September 3, 2022 sa ganap na ika-4 ng hapon, si Edwin Tianzon ay nahuli ng pulis na nagpuputol ng puno ng manga sa So. Iba, Brgy. Waygan, Mansalay, Oriental Mindoro. Sinabi ni Edwin na kayo daw ang may-ari ng chainsaw.

Hearing Officer: Kaugnay nito, si Edwin ay nahaharap sa kasong administratibo at kriminal. Kayo ay pinadalhan ng Notice of Hearing para sa kasong administratibo. Nakasaad dito na maari kayo magbigay ng written explanation at inaanyayahan ang inyong presensya sa opisina ng DENR-CENRO para magpaliwanag at magbigay ng salaysay bilang may-ari ng chainsaw.

Hearing Officer: Ano po ang inyong trabaho?

S. Eusebio: Sa ngayon po ay wala ako trabaho dahil may sakit po ako. Dati po ay farmer ako.

Hearing Officer: Noong oras at araw ng nasabing pangyayari, nasaan kayo at ano ang inyong ginagawa?

S. Eusebio: Nasa Romblon ako.

Hearing Officer: Kayo ba ang may-ari ng chainsaw?

S. Eusebio: Hindi po.

Hearing Officer: Sa pagkakaalam nyo po sino ang may-ari ng ginamit ni Edwin na chainsaw?

S. Eusebio: Si Ian Joseph Salas.

Hearing Officer: Paano po nyo nalaman na kanya yun?

S. Eusebio: Hiniram ko kay Ian Josep yung chainsaw na yun.

Hearing Officer: Paano napunta kay Edwin ang chainsaw?



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

- S. Eusebio: Noong nahiram ko kay Ian Josep ang chainsaw sinabi ko na bibilhin ko ito kapag naayos ang rehistro dahil nalaman ko na expire ang rehistro. Sabi ko kay Edwin pagbalik ko galing Romblon tsaka ko aasikasuhan ang pagpaparehistro at wag muna nya gamitin.
- Hearing Officer: Ano ang relasyon ninyo kay Edwin?
- S. Eusebio: Sya ay aking pamangkin sa second cousin. Sya din ay aking chainsaw operator.
- Hearing Officer: Nagpaalam po ba sya sa inyo na gagamitin ang chainsaw?
- S. Eusebio: Hindi po dahil nasa Romblon ako.
- Hearing Officer: Nagputol po ba sya ng manga?
- S. Eusebio: Hindi ko po nakita na nagputol sya ng manga. Nabalitaan ko na lang na nahuli sya ng pulis.
- Hearing Officer: Meron po ba kayong gustong sabihin o idagdag sa inyong salaysay?
- S. Eusebio: Kung sakaling lumalala ang sitwasyon na ito sa korte na lang po ako magpapaliwanag. Yung araw nay un, nagpunta ang pulis sa bahay hinanap ang operator ng chainsaw. Natagpuan po nila si Edwin sa bahay ko na kumakain ng tanghalian. Ang sabi ng pulis pumunta ng istasyon at dalhin rehistro ng chainsaw at magdala ng manok para makuha yung chainsaw. Nung pumunta sila sa headquarter hindi na nila pinakawalan si Edwin. Pagkatapos sinama pa nila yung aking manugang pero sya ay nagreklamo dahil hindi naman daw sya nakita na nagchachainsaw bakit daw sya huhulihin. Pag alis at pag uwi ng manugang ko dinala si Edwin sa manggahan at pinaandar ang chainsaw at sya ay vinideohan sa aktong pag puputol ng puno.
- Hearing Officer : Maraming salamat po sa inyong pagunlak sa aming paanyaya nang pagdinig sa araw na ito at pasensya sa kaunting abala. Kami ay umaasa sa inyo na maging responsable sa ating kapaligiran. Ipagpaalam na din ninyo na ang DENR at talagang maghihigpit para mapursige ang pag iimplementa ng batas hindi lang sa Roxas kundi sa buong Pilipinas. Kaya ang pakiusap po namin sa inyo ay maging responsable tayo sa ating kalikasan. Salamat po ng marami.

Nagsasalaysay:


RANDY EUSEBIO



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

Administrative Hearing adjourned: 3:25 pm

Aking lalagdaan ang testimonyang ito ngayong ika -25 nang Oktubre taong 2022 sa DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

I HEREBY CERTIFY that this instrument consisting of 4 pages including this page are true and correct to the best of my knowledge and belief.

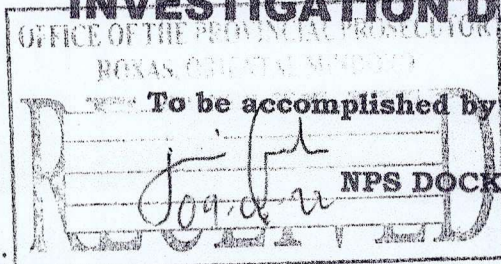

CATHERINE OLAVERIA
Legal Researcher/Recorder

SUBSCRIBED AND SWORN to before me this 25th day of October 2022 at DENR CENRO-Roxas, Oriental Mindoro.


REYNALDO PUDIQUET
Hearing Officer

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
National Prosecution Service
ORIENTAL MINDORO PROVINCIAL PROSECUTION OFFICE
Roxas, Oriental Mindoro

INVESTIGATION DATA FORM



DATE RECEIVED:

(Stamped and initialed):

Time Received: 9:45 am

Receiving Staff: Jamie Rose F. Copado

NPS DOCKET NO.:

11-076-NQ-22I-00069

Assigned to: _____

Date Assigned: _____

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

COMPLAINANT/S: Name, Sex, Age, Address:

MANSALAY MPS, Mansalay, Oriental Mindoro.

RESPONDENT/S: Name, Sex, Age & Address:

EDWIN TAMAYO TIANZON, male, of legal age
and a resident of Sitio Iba, Brgy. Waygan,
Mansalay, Oriental Mindoro.

OFFENSE/S COMMITTED/LAW/s VIOLATED:

"Violation of R.A. 9175"

WITNESS/ES: Name & Address:

PCpl Kevin Christopher C Condes, Mansalay MPS,
Mansalay, Oriental Mindoro

PCpl Marc Russel S Evangelista, Mansalay MPS,
Mansalay, Oriental Mindoro

DATE & TIME OF COMMISSION:

September 3, 2022 at about 4:20 P.M.

PLACE OF COMMISSION:

Sitio Iba, Brgy. Waygan, Mansalay, Oriental
Mindoro

1. Has a similar complaint been filed before any office? *
2. Is this complaint in the nature of a counter-charge? *
3. Is this complaint related to another case before this office? *

YES _____ NO _____, If yes, indicate details below:

YES _____ NO _____, If yes, indicate details below:

YES _____ NO _____, If yes, indicate details below:

I.S./NPS Docket No.: _____

Handling Prosecutor: _____

CERTIFICATION

I CERTIFY, under oath, that all the information on this sheet are true and correct to the best of my knowledge and belief, that if I should thereafter learn that a similar action has been filed and/or is pending, I shall report that fact to this Honorable Office within five (5) days from knowledge thereof.

PSSg Rogie A Olidan
(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this September 5, 2022 in Mansalay, Oriental Mindoro.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
National Prosecution Service
OFFICE OF THE PROVINCIAL PROSECUTOR
ORIENTAL MINDORO

-o0o-

PNP-MANSALAY, ORIENTAL MINDRO,
Represented by PSSg Rogie Olidan,
Complainant,

NPS DOCKET NUMBER:
IV-07b-INQ-22I-00068

-versus-

-for-

ARIEL CASTRO GURO (arrested),
Respondent,

VIOLATION OF RA 9175

x-----x

PNP-MANSALAY, ORIENTAL MINDRO,
Represented by PSSg Rogie Olidan,
Complainant,

NPS DOCKET NUMBER:
IV-07b-INQ-22I-00069

-versus-

-for-

EDWIN TAMAYO TIANZON (arrested),
Respondent,

VIOLATION OF RA 9175

x-----x

JOINT RESOLUTION
(INQUEST)

THIS refers to the inquest proceeding conducted by the undersigned prosecutor pursuant to existing rules involving the above-named respondent presently under the custody of the PNP-Mansalay, Mansalay, Oriental Mindoro.

Respondent not having opted for a regular preliminary investigation of the case against them, nor had executed a waiver pursuant to Art 125 of the Revised Penal Code, the determination of probable cause proceeded on the basis of the evidence at hand and submitted by the complaining police officers.

After going over the facts and evidences on record, the undersigned finds sufficient ground to indict both **ARIEL CASTRO GURO** and **EDWIN TAMAYO TIANZON** for the crime of **VIOLATION OF RA 9175** or the **Chainsaw Act of 2002** and that they should be held for trial.

WHEREFORE, the undersigned respectfully recommends the filing of separate Information for **VIOLATION OF RA 9175** or the **Chainsaw Act of 2002** against **ARIEL CASTRO GURO** and **EDWIN TAMAYO TIANZON** at the proper court.

SO RESOLVED.

Pinamalayan for Roxas, Oriental Mindoro
September 06, 2022

WITH THE PRIOR WRITTEN AUTHORITY FROM THE
PROVINCIAL PROSECUTOR HUMILITO A. DOLOR
UNDER OPP MEMO NO. 19-1 DATED JUNE 17, 2019

PNP-Man
Republic of the Philippines
REGIONAL TRIAL COURT
Fourth Judicial Region
ORIENTAL MINDORO
Branch XLIII
Roxas

36 SEP 2022

4:10 P.M.

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIM CASE NO M-22-3509

versus

for

EDWIN TAMAYO TIANZON,
Accused.

VIOLATION OF RA 9175
(Chainsaw Act of 2002)

X-----X

INFORMATION

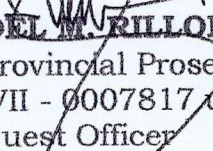
THE UNDERSIGNED Associate Provincial Prosecutor of Oriental Mindoro, under oath accuses **EDWIN TAMAYO TIANZON** of Sitio Iba, Barangay Waygan, Mansalay, Oriental Mindoro of the crime of Violation of RA 9175 otherwise known as the Chainsaw Act of 2002, committed as follows:

That on or about the 03rd day of September 2022 at around 4:20 o'clock in the afternoon more or less at Barangay Waygan, municipality of Mansalay, province of Oriental Mindoro, Philippines, a place within the jurisdiction of this Honorable Court, the above-named accused EDWIN TAMAYO TIANZON, without any corresponding license or permit from the proper government agency did, then and there willfully, unlawfully, feloniously have in his possession control and custody a unit of CHAINSAW branded as OREGON marked as "ETT", with serial number 173418109 and without any legal authority, used the same to cut trees or timber in violation of the above-cited law, to the damage of the Republic.

CONTRARY TO LAW

Pinamalayan for Roxas, Oriental Mindoro
September 06, 2022

WITH THE PRIOR WRITTEN AUTHORITY FROM THE
PROVINCIAL PROSECUTOR HUMILITO A. DOLOR
UNDER OPP MEMO NO. 19-1 DATED JUNE 17, 2019


MART NOEL M. RILLORTA
Associate Provincial Prosecutor
MCLE COMPLIANCE VII - 0007817 until 04-14-2025
Inquest Officer

WITNESSES:

- | | | |
|--|---|--|
| 1. PLT ARISTOTLE ERMENO | : | MPS Mansalay,
Or Mindoro |
| 2. DALE MELCHOR ALAGAO
(Chainsaw custodian CENRO) | : | CENRO, San Mariano Roxas
Oriental Mindoro |
| 3. REYNALDO PUDIQUET | : | CENRO San Mariano, Roxas
Oriental Mindoro |
| 4. PCPL MARC RUSSEL EVANGELISTA | : | MPS Mansalay,
Oriental Mindoro |
| 5. PCPL KEVIN CHRISTOPHER CONDES | : | MPS mansalay, Or Mindoro |
| 6. REY FIRMANES | : | CENRO-DENR Roxas,
Or Mindoro |
| 7. MA VICTORIA MONTELEJA | : | CENRO-DENR,Roxas,
Oriental Mindoro |

And OTHERS RESERVED . . .

EXHIBITS:

- A/SS of PCPL EVANGELEISTA
- B/SS of PCPL CONDES
- C/SCANNED COPY SPOT REPORT
- D/REQUEST FOR TURN OVER OF SEIZED PROPERTY
- E/APPREHENSION RECEIPT
- F/TALLY SHEET
- G/DENR CERTIFICATION
- H/COMPUTER GENERATED PHOTOGRAPHS
- ① ONE UNIT OF CHAINSAW (OREGON) MARKED "ETT" WITH SN 173418109 (under the custody of Dale melchor Alagao of CENRO-DENR)

And OTHERS RESERVED . . .

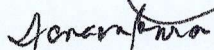
CERTIFICATION

I hereby certify that the foregoing information is filed pursuant to Section 7, Rule 112 of the 1985 Rules of Criminal procedure as amended, the accused not havng opted to avail of his right to preliminary investigation and not having executed a waiver pursuant to Article 125 of the Revised Penal Code.

I further certify that this information is being filed with the prior authority of the Provincial Prosecutor


MART NOEL M RILLORTA
Associate provincial prosecutor

SUBSCRIBED AND SWORN TO before me this _____ of
September 2022 at Pinamalayan, Oriental Mindoro


Pst ROSALINDA C MASABURA

RECOMMENDED BAIL PHP 80,000.00

Republika ng Pilipinas)
Lalawigan ng Silangang Mindoro) S.S.
Bayan ng Mansalay)
x-----x

SINUMPAANG SALAYSAY
(Arresting/ Seizing Officer)

AKO, PCpi KEVIN CHRISTOPHER C CONDES, nasa wastong gulang, may asawa, kawani ng Pambansang Pulisya ng Pilipinas at kasalukuyang nakatalaga sa Mansalay MPS, Mansalay, Silangang Mindoro, matapos mabatid ang aking mga karapatan ng naaayon sa ating Saligang Batas ay malaya at kusang-loob na nagbibigay ng salaysay na gaya ng mga sumusunod:

1. Na, noong ika-3 ng Setyembre 2022, humigit kumulang ika-4:20 ng hapon, habang ako ay naka duty sa aming himpilan ng Mansalay MPS nang makatanggap ang aming himpilan ng tawag mula sa aming BIN at ipinababatid na mayroong nilalagaring puno ng mangga gamit ang isang chainsaw sa Sitio Iba, Brgy. Waygan, Mansalay, Silangang Mindoro.

2. Na, kami ay kaagad na inatasan ng aming Acting Chief of Police na si **PMAJ ROEL G GABITO** na puntahan ang nasabing lugar sa pangunguna ng aming Deputy COP na si **PLT ARISTOTLE S ERMENO** para alamin at iverify ang nasabing report na natanggap ng aming himpilan.

3. Na, noong ang oras **ika-4:20** ng hapon ng Setyembre 3, 2022 nang aming marating ang nasabing lugar at doon ay mayroon kaming nakita na isang lalaki na aktong naglalagari ng puno ng manga. Na, kaagad naming itong nilapitan para kausapin at para na rin magsagawa ng pangunang imbestigasyon.

4. Na, sa puntong iyon ay nagsimula namang mag-video si PCpl Evangelista gamit ang aming ARD Boblov Elikliv HD80 na aming ginagamit sa aming bawat operasyon alinsunod na rin sa A.M. No. 21-06-08-SC (Rules on the Use of Body-Worn Cameras in the Execution of Warrants.)

5. Na, noong ako ay makalapit na sa kaniya ay akin siyang tinanong ng kaniyang pangalan at siya ay nagpakilalang si Edwin Tamayo Tianzon, nasa wastong gulang at nakatira sa Sitio Iba, Brgy. Waygan, Mansalay, Silangang Mindoro. Na, doon ko siya sinimulang tanungin kung mayroon bang rehistro ang kaniyang ginagamit na chainsaw, ngunit wala itong maipakitang kahit anumang dokumento para sa nasabing chainsaw.

6. Na, dahil sa siya ay walang maipakitang legal na dokumento ng nasabing chainsaw ay malinaw na paglabag ito sa R.A. 9176 (Chainsaw Act) kung kaya't noong ang oras ika-4:21 ng hapon ng Setyembre 3, 2022 ay akin siyang inaresto at pinaalalahanan ko siya ng kaniyang mga karapatan bilang taong arestado (Miranda rights) alinsunod sa itinakda ng Saligang Batas ng Pilipinas gayun din ay akin siyang pinaalalahanan patungkol sa Anti-Torture Law at noong siya ay aking tanungin tumango ito bilang tugon. Na aking kinumpiska ang nasabing Oregon chainsaw na may serial number na 173418109 na siyang ginamit ni Edwin Tianzon sa paglalagari ng puno.

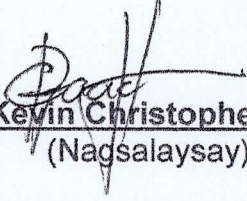
7. Na, amin namang dinala si Edwin Tianzon sa aming himpilan kasama ang aking nakumpiskang chainsaw para sumailalim sa dsokumentasyon na kalaunan ang nakumpiska kong Oregon chainsaw na may serial number na 173418109 ay aking minarkahan ng **ETT**.



8. Na, noong Setyembre 5, 2022 ay itinum-over sa CENRO DENR sa Brgy. San Mariano, Roxas, Silangang Mindoro ang nasabing chainsaw para sa safekeeping.


NA SA KATUNAYAN ng lahat ng ito, ako ay lumagda ng aking buong pangalan sa ibaba nito ngayong ika-5 ng Setyembre 2022 dito sa Mansalay, Silangang Mindoro upang sampahan ng hablang Violation of R.A. 9175 si Edwin Tamayo Tianzon.

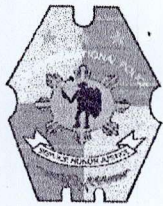
WAKAS NG SALAYSAY.


PCpl Kevin Christopher Condes
(Nagsalaysay)

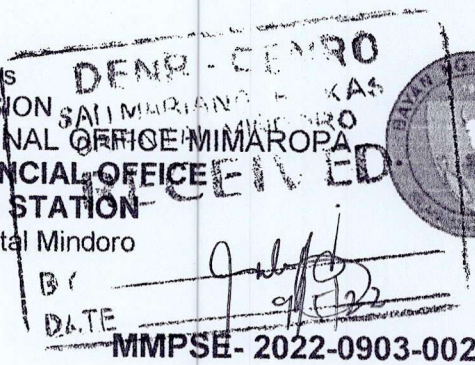
JURAT/CERTIFICATION

SUBSCRIBED AND SWORN to before me this 5th day of September 2022 in Mansalay, Oriental Mindoro, Philippines, I HEREBY CERTIFY that I have personally examined the affiants and I am fully satisfied that the affiants voluntarily executed his affidavit and he knew well and understood all the contents of his statements.


ROEL G GABITO
Police Major
Administering Officer



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
MANSALAY MUNICIPAL POLICE STATION
Barangay Poblacion, Mansalay, Oriental Mindoro



MEMORANDUM

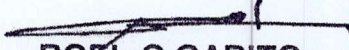
FOR : Provincial Director
Oriental Mindoro PPO
Barangay Cacawan, Pinamalayan, Oriental Mindoro
(Attn: Chiefs, PIDMU, PIU & POMU)

FROM : Acting Chief of Police

SUBJECT : **Report on Violation of R.A. 9175**

DATE : September 3, 2022

1. What: Violation of R.A. 9175
2. Where: Sitio Iba, Brgy. Waygan, Mansalay, Oriental Mindoro.
3. When: 4:20 P.M. of September 3, 2022
4. Who: The suspect identified as Edwin Tamayo Tianzon (Arrested) male, 37 years old, chainsaw operator and a resident of said place.
5. How: On September 3, 2022 at around 4:00 P.M., this station received a cellphone call from our BIN and informing that there was a person cutting a mango tree using a chainsaw in Sitio Iba, Brgy. Waygan this municipality. Immediately, elements of Mansalay MPS led by PLT ARISTOTLE S ERMENO, DCOP under the direct supervision of PMAJ ROEL G GABITO, ACOP proceeded on the said place. Upon arrival thereat, the responding team caught in the act the arrested suspect cutting a mango tree. Upon verification, the team found out that the said chainsaw Oregon with serial number 173418109 has no permit from DENR which resulted in the confiscation of said chainsaw.
6. The arrested suspect was apprised by his constitutional rights and brought to this station together with the confiscated chainsaw for documentation. The investigator on case is PSSg Rogie A Olidan with CP # 09550118303.
7. For information and progress report to follow.


ROEL G GABITO
Police Major



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
MANSALAY MUNICIPAL POLICE STATION
Barangay Poblacion, Mansalay, Oriental Mindoro

DENR CENRO
SAN MARIANO ROXAS
ORIENTAL MINDORO
RECEIVED



September 5, 2022

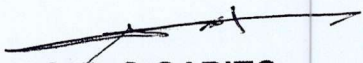
The Chief of CENRO

Department of Environment and Natural Resources
San Mariano, Roxas, Oriental Mindoro

Sir:

Respectfully turn-over to your office for proper disposition and safekeeping the one (1) unit of Oregon chainsaw with serial number 173418109 marked as **ETT** used by **Edwin Tamayo Tianzon**, (Arrested), 37 years old, chainsaw operator and a resident of Sitio Iba, Brgy. Waygan, Mansalay, Oriental Mindoro, and was confiscated by the elements of this Station during Anti-Illegal Logging operation in Sitio Iba, Brgy. Waygan, Mansalay, Oriental Mindoro on September 3, 2022.

Please acknowledge receipt.


ROEL G GABITO
Police Major
Acting Chief of Police