



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

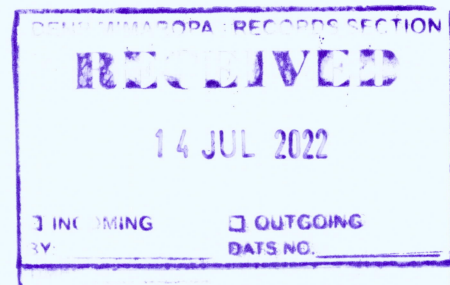
JUL 12 2022

**MEMORANDUM**

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

FROM : The OIC PENR Officer

SUBJECT : **RESOLUTION NO. 2022-029**



Respectfully forwarded herewith is the memorandum from CENR Officer Efren L. delos Reyes dated June 30, 2022 regarding the result of administrative adjudication on the apprehended one (1) unit of tricycle ( RUSI 125, Color Black, with Plate No. 3746VY and Engine Number 158FM11203030828) loaded with ten (10) sacks of charcoal at Barangay Bubog, San Jose, Occidental Mindoro.

For your information and record.

  
**ERNESTO L. TAÑADA**





Republic of the Philippines  
Department of Environment and Natural Resources

MIMAROPA Region

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

Brgy. Labangan, San Jose, Occidental Mindoro

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

Email: cenrosanjose@denr.gov.ph

JUN 30 2022

**MEMORANDUM**

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

**THRU** : The OIC-PENR Officer  
Mamburao, Occidental Mindoro

**FROM** : The CENR Officer

**SUBJECT** : **RESOLUTION NO. 2022-029**

Submitted herewith is the Resolution No. 2022-029 as a result of administrative adjudication on the apprehended one (1) unit tricycle RUSI 125, color Black, with Plate Number 3746VY with Engine Number 158FM112030828 operated by a certain Mr. Jonifer Sulit loaded with ten (10) sacks of charcoal at Brgy. Bubog, San Jose, Occidental last December 10, 2019.

For your information and record.

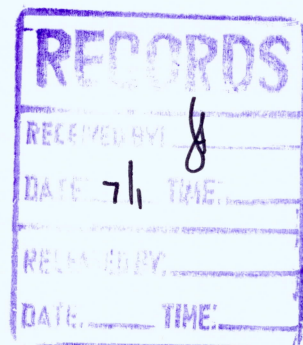
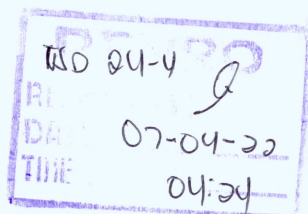
**EFREN L. DELOS REYES**

Cc:

PENRO

CENRO SJ Records

EMS File





**RE: APPREHENSION OF A CONVEYANCE – ONE (1) UNIT TRICYCLE, RUSI 125, COLOR BLACK, PLATE NUMBER 3746VY WITH ENGINE NUMBER 158FMI12030828 LOADED WITH TEN (10) SACKS OF UNDOCUMENTED CHARCOALS AT BRGY. BUBOG, SAN JOSE, OCCIDENTAL MINDORO ON DECEMBER 10, 2019 AT AROUND 8:07 IN THE EVENING.**

X-----X

**RESOLUTION No. 2022-029**

This pertains to the apprehension of One (1) Conveyance – tricycle, RUSI 125, color black, plate number 3746VY with engine number 158FMI12030828 loaded with ten (10) sacks of undocumented charcoals at Barangay Bubog, San Jose, Occidental Mindoro on December 10, 2019 at around 8:07 in the evening by means of monitoring and surveillance that was conducted to monitor the travelling of illegal forest products by the Personnel of Enforcement and Monitoring Section (EMS) DENR CENRO, San Jose, Occidental Mindoro.

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

1. That on December 10, 2019, around 8:07 in the evening, based on a monitoring and surveillance that was conducted to monitor the travelling of illegal forest products by the Personnel of Enforcement and Monitoring Section (EMS) DENR-CENRO, San Jose, Occidental Mindoro which yielded to the arrest of the suspect while travelling in possession of undocumented charcoals, when asked if he has documents for the transport of the charcoals, he admitted that these charcoals have no documents coming from the office of the DENR CENRO, San Jose, Occidental Mindoro. Upon interrogation the suspect's identity is known as Jonifer Sulit residing at Brgy. Bagong Sikat, San Jose, Occidental Mindoro. *(Please see attached spot report and geo-tag photos)*
2. That the team apprehended One (1) Conveyance – tricycle, RUSI 125, color black, and plate number 3746VY with engine number 158FMI12030828 loaded with ten (10) sacks of undocumented charcoal. These undocumented minor forest products and conveyance were in the office of DENR CENRO, San Jose Occidental Mindoro, for temporary safekeeping. *(Please see attached spot report and apprehension receipt.)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2019-F296 was issued by the apprehending officer headed by Forest Technician II Loren Kaye Garcia. *(please see attached apprehension receipt)*
4. That after verifying the existence of a prima facie case against the offender, the Seizure Officer DMO IV Wilfredo A. Aben issued the Seizure Order with CENRO Control Number 2019-F2965 to the One (1) Conveyance – tricycle, RUSI 125, color black, and plate number 3746VY with engine number 158FMI12030828 loaded with ten (10) sacks of undocumented charcoal. *( please see attached seizure order)*
5. That a notice of Administrative Hearing was received by Mr. Jonifer Sulit and it was scheduled on July 6, 2020 at 1:00 in the afternoon. *(please see attached Notice of Administrative Hearing)*
6. That, an Administrative Hearing was held as scheduled on July 6, 2020 at 1:00 in the afternoon. *(Please see transcript of stenographic notes of the administrative hearing)*

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

1. Whether or not the APPREHENDED ten (10) sacks of undocumented charcoal a minor forest products will be confiscated in favor of the government.



2. **Whether or not the APPREHENDED** One (1) Conveyance, motorcycle, RUSI 125, color black, and plate number 3746VY with engine number 158FMI12030828, **be confiscated in favor of the government.**

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

**Under the following Provision's to wit.**

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

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

xxx

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

xxx

Department Administrative Order No. 97-32

**Sec.2 Par. e. FOREST PRODUCTS:** Refers to timber, including lumber, pulpwood, firewood, bark, tree top, resin, gum, wood, oil, honey, beeswax, nipa, rattan, **charcoal**, or other forest growth, such as but not limited to grass, shrub, flowering plants in forest lands and others.

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

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

3. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the ten (10) sacks of undocumented charcoal and One (1) Conveyance – tricycle, RUSI 125, color black, and plate number 3746VY with engine number 158FMI12030828 **shall be confiscated in favour of the government since those lumbars are product of an illegal act.**

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

**Wherefore**, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) and DENR Administrative Order 97-32, Sec 1 Par E and Sec 2, Par C. the following are hereby recommended:

1. Theapprehended ten (10) sacks of undocumented charcoal and One (1) Conveyance – tricycle, RUSI 125, color black, and plate number 3746VY with engine number 158FMI12030828 **shall be confiscated in favour of the government since those lumbars are products of an illegal act.**

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

Prepared by:

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

Noted by:

  
**EFREN L. DELOS REYES**  
CENR Office





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

DENR-IVB-CENRO SJO: (Enforcement and Monitoring Section) Supervision

EMAIL FOR TRANSMISSION

December 11, 2019

FOR: THE REGIONAL EXECUTIVE DIRECTOR  
DENR, MIMAROPA REGIONAL OFFICE  
ERMITA, MANILA

THRU: ARD FOR TECHNICAL SERVICES  
DENR, MIMAROPA REGIONAL OFFICE  
ERMITA, MANILA

FROM: CENRO SAN JOSE  
OCCIDENTAL MINDORO

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PLEASE BE INFORMED THAT THE ENFORCEMENT AND MONITORING SECTION PERSONNEL OF CENRO SAN JOSE HAD APPREHENDED ONE (1) UNIT OF TRICYCLE RUSI 125- COLOR BLACK – ENGINE NO. 157FMI 12030828 – WITH PLATE NO. 3746VY, LOADED WITH TEN (10) SACKS OF CHARCOAL IN BARANGAY BUBOG, SAN JOSE, OCCIDENTAL MINDORO LAST DECEMBER 10, 2019 AT AROUND 8:07 IN THE EVENING.

THE SAID CONVEYANCE WITH THE FOREST PRODUCTS WAS DRIVEN BY A CERTAIN JONIFER SULIT, HENCE, SAID CONVEYANCE AND FOREST PRODUCTS ARE SUBJECTED TO APPREHENSION.

SAID CONVEYANCE AND FOREST PRODUCTS IS NOW IMPOUNDED AT DENR-CENRO OFFICE COMPOUND.

FOR HIS INFORMATION AND RECORD.

OIC, WILFREDO A. ABEN

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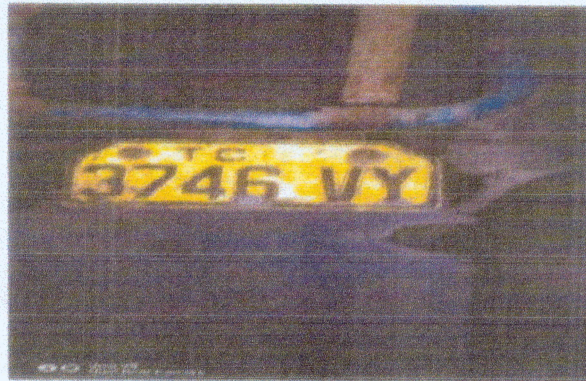
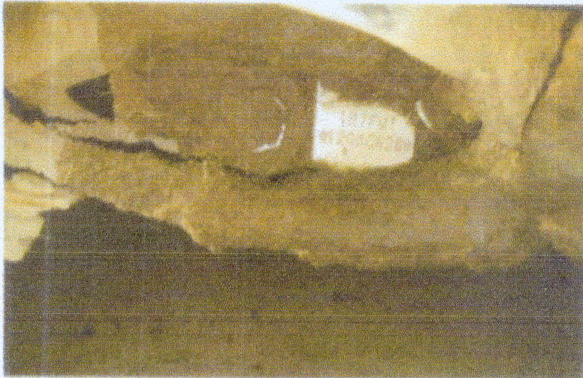
SENDER:





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

## PHOTO DOCUMENTATION









SPECIFICATION OF PAYMENT		
	Pesos	Cts
Full Cash	5,300	
1.25		
Black		
(Palingat)		
Silang Valipino		
Total P	5,300	
Cash	5,300	
Total P	5,300	

# RAMAS-UYPITCHING SONS, INC.

Purok 6A Bagong Silang San Roque 2 San Jose, Occidental Mindoro  
VAT Reg. TIN 000-271-045-113

## Collection Receipt

A No 60003

Customer No. \_\_\_\_\_ Date March 27, 2015  
RECEIVED from Mr./Mrs. Junior P. Sult with TIN HN  
and address at Pek. Tagumpay B. Brgy. Pagnad engaged in the business  
style of HN Sikat-Larawan the sum of Five  
Thousand Three Hundred Pesos Only pesos (P 5,300)  
In partial/full payment for Meat

### NOTE:

1. Payment subject to validation by RUSI, Authorized Signature, in case of any discrepancy this confirmed and approved duplicate shall prevail.
2. Checks and Drafts accepted subject to final payment.

[Signature]  
Collector

[Signature]  
Cashier

Authorized Signature

BIR Authority to Print No. 2AU0001238516

Date Issued: 05-14-14 Valid Until: 05-13-19 400 Bkts. (50x2)

A50001-A70000

DB IMPRINTA & ENT. TIN: 118-719-744-000 East Balabag, Valencia, Neg. Or. Printer's Accreditation No. 079MP20130000000004 Date Issued: 12-12-13

THIS COLLECTION RECEIPT SHALL BE VALID FOR FIVE (5) YEARS FROM THE DATE OF ATP. "THIS DOCUMENT IS NOT VALID FOR CLAIM OF INPUT TAXES"



0950445969

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

APPREHENSION RECEIPT

CENRO Control No.:	2019 - F296
E-FMS No:	2019-175110 - F296

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
JONIFER SOUT	BAGONGSIKAT	M	38	DRIVER	HEALTHY
	SAN JOSE				
	OCC. MINDORO				

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

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
CHARCOAL		10	300 x 10 = 3,000	DENR - CENRO

Conveyance involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
	Rusi	3746UY	BLACK			157FK1		
	125					125		



If Animal			
Kind	Quantity	Gender	Color

Equipment Involved	
Type	Quantity

Implements Involved	
Type	Quantity

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

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
DECEMBER 10, 2019 8:07 PM	OCIDENTAL MINDORO	SAN JOSE	BUBOG		DENR PERSONNEL	NO PERMIT

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

- NO PERMIT PRESENTED DURING THE APPREHENSION.
- \_\_\_\_\_
- \_\_\_\_\_

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 10 day of DECEMBER year 2019 at DENR-CENRO SAN JOSE, OCC. MINDORO.



APPREHENDING OFFICER  
(Signature over Printed Name)

1. LOREN KAYE GANIZ  
Position: Forest technician II  
Address: STJM

3. REY FERRER BARRACA  
Position: F.P.O  
Address: STJM

2. EDNOR C. GABASIN  
Position: F.P.O  
Address: STJM

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

WITNESSES:

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

1. UNITOR SUIT  
Position: DRIVER  
Address: BAGONG STRAT  
SAN JOSE, OCC. MINDORO

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

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

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

Copy Received by:

\_\_\_\_\_  
Signature over Printed Name

\_\_\_\_\_  
Date/Time

Remarks:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## SEIZURE ORDER

CENRO Control No.: 2019-F296  
E-FMS No: 2019-175110-F296

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

## FACTS

### 1. Forest Products:

[illegible]

## Conveyance Involved

Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.



Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*

\*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

Equipment Involved				
Type	Quantity	Details	Estimated Value	Custodian

Implements Involved			
Type	Quantity	Details	Custodian

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

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		

Examination Conducted by Seizure Officer:

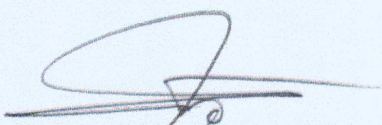
Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			



After thorough evaluation of the Apprehension Report dated \_\_\_\_\_ and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

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

So ordered this \_\_\_\_\_ at Brgy. Labangan, San Jose, Occidental Mindoro.

  
**WILFREDO A. ABEN**  
Seizure Officer/  
Hearing Officer

Copy furnished:

\_\_\_\_\_





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

June 30, 2020

### NOTICE OF ADMINISTRATIVE HEARING

**MR. JONIFER SULIT**  
Brgy. Bagong Sikat,  
San Jose, Occidental Mindoro

**Ginoong Sulit,**

Isang maka-KALIKASANG pagbati!

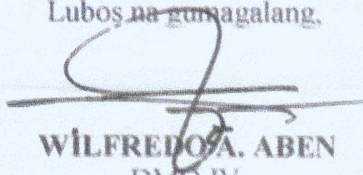
Ito po ay may kaugnayan sa pangyayari noong ika-10 ng Disyembre, 2020 humigit kumulang alas 8:00 ng gabi kung saan ang inyong sasakyan na isang (1) RUSI 125 na may Plate Number 3746VY, kulay Itim at may kargang 10 sakong uling na nahuli ng mga tauhan ng DENR sa Brgy. Bubog, San Jose, Occidental Mindoro.

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

Dahil dito, kayo po ay aming inaanyayahan dito sa aming tanggapan sa **ika-6 ng Hulyo, 2020 ganap na ika 1:00 ng hapon** para sa isang pagdinig at maipaliwanag ang iyong pamig.

Maraming salamat po.

Lubos na gumagalang,

  
**WILFREDO A. ABEN**  
DMO IV

Hearing Officer/ Seizure Officer

*Analyn S.*  
**ANALYN P. SULIT**  
**JULY 2, 2020**

Brgy. Labangan, San Jose, Occidental Mindoro  
Tel. Number (043) 457-0236, Email Address: [denrcenro\\_sanjose@yahoo.com](mailto:denrcenro_sanjose@yahoo.com)



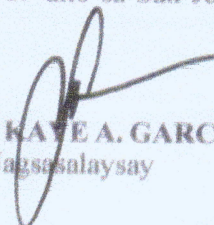
REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF OCCIDENTAL MINDORO ) S.S  
MUNICIPALITY OF SAN JOSE )  
X \_\_\_\_\_ X

### PINAGSAMANG SINUMPAANG SALAYSAY

KAMI, **LOREN KAYE A. GARCIA, EDNOR LEGASPI JR., at REYMART BARRACA**, mga Pilipino, may mga asawa at naninirahan sa San Jose, Occidental Mindoro matapos makapanumpa alinsunod sa batas ay nagsalaysay ng mga sumusunod:

1. Na, kami ay mga empleyado ng DENR-CENRO San Jose, Occidental Mindoro na nakatalaga sa Enforcement and Monitoring Section;
2. Na, noong ika-10 ng Disyembre 2019, 8:07 PM, kami ay nakahuli ng isang Tricycle Rusi 125 na may mga kargang uling sa kahabaan ng Brgy. Bubog, San Jose, Occidental Mindoro;
3. Na, ang isang Tricycle Rusi 125, kulay Itim, na may Engine No. 158FMI 12030828 at may plakang 3746vy na may kargang sampung (10) sakong uling ay minamaneho ni Jonifer Sulit;
4. Na, amin po silang hinuli sa kadahilanang wala silang maipakitang mga legal na dokumento o permit;
5. Na, amin pong dinala ang mga nasabing sasakyan sa tanggapan ng DENR-CENRO San Jose, Occidental Mindoro para sa pansamantalang pagimpound at para sa pangangalaga;
6. Na, sa pamamagitan ng salaysay na ito upang mapatunayan ng lahat na nakasaad sa itaas para sa kaalaman ng lahat ng kinauukulan.

BILANG PATOTOO, kami ay lalagda ngayong ika- 11 ng Disyembre 2019 dito sa San Jose, Occidental Mindoro.

  
**LOREN KAYE A. GARCIA**  
Nagsasalaysay

**EDNOR LEGASPI JR.**  
Nagsasalaysay

**REYMART BARRACA.**  
Nagsasalaysay

**SUBSCRIBE AND SWORN TO** before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019 in San Jose, Occidental Mindoro. I further certify that I have personally examined and I am fully satisfied that he voluntarily executed and understood his statement.





Department of the Environment and Natural Resources  
MIMAROPA Region  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

ATTENDANCE  
July 6, 2020

RE: APPREHENSION OF ONE (1) UNIT RUSI 125 LOADED WITH TEN (10) SACKS OF CHARCOAL WHICH WAS APPREHENDED BY PERSONNEL OF DENR-CENRO SAN JOSE AT BRGY. BUBOG, SAN JOSE, OCCIDENTAL MINDORO.

NAME	ADDRESS	GENDER	AGE	PARTICIPATION	SIGNATURE
✓ Junifer P. Sulit	✓ Bagong Sikat	✓ lalaki	✓ 39	driver	✓
Angeth Sagath	DENR	F	34	stenographer	
Wilfredo Kben	DENR	M		H.O	