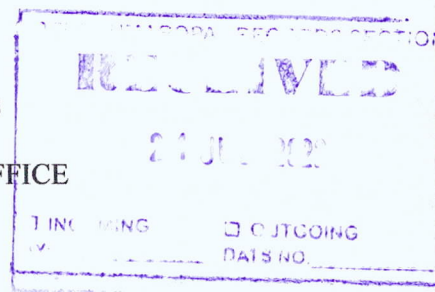




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph



July 08, 2022

MEMORANDUM

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

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING
ON THE APPREHENSION AND SEIZURE OF ONE (1) UNIT
MOTORCYCLE WITHOUT PLATE NUMBER WITH SIDECAR
(TOPDOWN) LOADED WITH ONE (1) PIECE OF BOAT KEEL
(KASKO) OF ANTIPOLLO SPECIES WITH A TOTAL VOLUME
OF 208.33 BOARD FEET WITHOUT LEGAL DOCUMENTS

Respectfully forwarded is the memorandum of CENRO Quezon, Palawan dated June 16, 2022 relative the above subject.

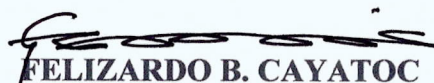
Per memorandum, the apprehension was made on April 16, 2022 at around 4:00 A.M. by the personnel of PNP Rizal Station at Sitio Calupisan, Barangay Punta Baja, Rizal, Palawan. The PNP team conducting monitoring activities intercepted a motorcycle with sidecar loaded with one (1) piece (208.33 board feet) Boat Keel (Kasko) made of Antipollo species with estimated fair market value of Php30,000.00 and Php6,041.57 respectively.

The involved persons were Mr. Lito Amar Ceriaco and Mr. Kernelio Ondem Lipsaw, both residents of Sitio Tagbiyao-biao, Barangay Punta Baja, Rizal, Palawan. Transport of lumbers without pertinent permits from DENR is a violation of Section 77 Presidential Decree No. 705, as amended. The PNP Rizal filed a criminal complaint before the Office of Provincial Prosecutor against the suspects on May 24, 2022 with NPS Docket No. IV-08-INV-22E-0557.

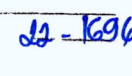
The apprehended items were hauled, turned-over and deposited at DENR CENRO Quezon, Rizal Station compound, located at Barangay Punta Baja, Rizal, Palawan under the custody of ECOMS II Michael V. Joven for safekeeping.

Notice of hearing dated May 5, 2022 was sent to all concerned parties in relation to DAO 1997-32. The administrative hearing was conducted on May 17, 2022 at DENR CENRO Quezon, Rizal Station, Rizal, Palawan.

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


FELIZARDO B. CAYATOC

Copy Furnished:
CENRO Quezon, Palawan
File/2022-012ACG/MES Doc. Ref. No. 2022-5951

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By _____
Date: 13 JUL 2022  22-1696



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

June 16, 2022

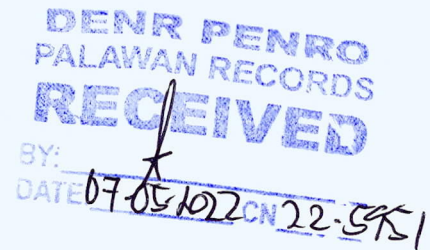
MEMORANDUM

FOR : The Regional Executive Director
DENR R IVB – MIMAROPA
1515 Roxas Blvd., Ermita, Manila

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

FROM : The Community Environment and
Natural Resources Officer

SUBJECT : **SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING
ON THE APPREHENSION AND SEIZURE OF ONE (1) UNIT
MOTORCYCLE WITHOUT PLATE NUMBER WITH SIDECAR
(TOPDWON) LOADED WITH ONE (1) PIECE OF BOAT KEEL
(KASKO) OF ANTIPOLLO SPECIES WITH A TOTAL VOLUME OF
208.33 BOARD FEETWITHOUT LEGAL DOCUMENTS.**



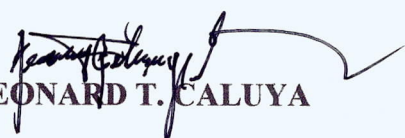
Forwarded herewith the memorandum dated June 6, 2022 of Forester David E. Gallema Jr. Hearing Officer containing the summary of minutes of Administrative Hearing and pertinent documents relative to the above cited-subject for violation of Section 77 of P.D. 705, as amended by EO 277 and RA 7161.

Attached hereto are the following, to wit:

1. Transcript of Administrative Hearing conducted dated May 17, 2022;
2. Notice of hearing to the respondents dated May 5, 2022;
3. Attendance sheet;
4. Turned-Over Receipt dated April 23, 2022;
5. Confiscation Receipt dated April 16, 2022;
6. Memorandum Report of ECOMS II Michael V. Joven dated April 26, 2022
re: scaling & inventory of lumber ;
7. Tally sheet of scaled lumber;
8. Seizure order;
9. Seizure receipt;
10. Certificate of custody;
11. Photos during administrative hearing;
12. Photo Copy of criminal complaint filed by Philippine National Police Rizal Station, Rizal, Palawan;
13. Pinag-samang Malayang Sinumpaang Salaysay ng Pag aresto at Reklamo (PNP-Rizal personnel).

For your information and further instruction.




LEONARD T. CALUYA



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
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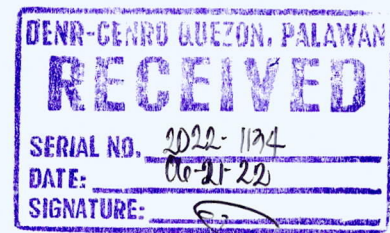
June 6, 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer

FROM : The Hearing Officer

SUBJECT : **MINUTES OF ADMINISTRATIVE HEARING ON THE
APPREHENSION AND SEIZURE OF ONE (1) UNIT
MOTORCYCLE WITHOUT PLATE NUMBER WITH SIDECAR
(TOPDWON) LOADED WITH ONE (1) PIECE OF BOAT KEEL
(KASKO) OF ANTIPOLLO SPECIES WITH A TOTAL VOLUME OF
208.33 BOARD FEET AT SITIO CALUPISAN, BRGY. PUNTA
BAJA, RIZAL, PALAWAN**



Submitted herewith the minutes of the Administrative Confiscation Proceedings together with pertinent documents anent the above-cited subject treated under DAO 97-32. The hearing was conducted on May 17, 2022 at DENR-CENRO Quezon-Rizal Station, Rizal, Palawan.

Please be informed that prior to the conduct of hearing, a notice of hearing was given to the respondents informing them of their privilege to exercise their right to hire a legal counsel of their own choice pursuant to the provisions of the New Constitution of the Philippines. However, despite the considerable period of time since the notice of hearing was served, this office did not received any notice or motion from the respondents to re-schedule the hearing due to non-hiring of lawyer.

Further informed that during the scheduled date of hearing, the respondents asserted to proceed the hearing even without the assistance of his own legal counsel.

I. FACTS OF THE CASE:

WHAT: Apprehension and seizure of one (1) piece of boat keel (*kasko*) of Antipollo species having a total volume of 208.33 board feet.

WHEN: On or about 4:00 AM of April 16, 2022

WHERE: Sitio Calupisan, Brgy. Punta Baja, Rizal, Palawan

WHO: Lito Amar Ceriaco and Kernelio Ondem Lipsaw, residents of Sitio Tagbiao-biao, Brgy. Punta Baja, Rizal, Palawan.

HOW: On the evening of April 15, 2022 PCPL Felix A. Ponciano Jr. and other members of PNP Rizal decided to establish their team in a known exit point of illegally transported lumbers particularly at Sitio Calupisan, Bgy Punta Baja, Rizal. On the early morning of April 16, 2022 at around 4:00 they intercepted a motorcycle with sidecar locally known as "Topdown" loaded with undocumented Bayog lumbers driven by a certain Tirso Layucan Jamil. Due to lack of permit presented by the respondents, they declared arrest and apprehension. They brought the suspect together with the apprehended items at PNP Rizal Station for further investigation and proper disposition.

II. PRESENTATION OF PARTIES INVOLVED (*Apprehending Officers and Respondents*):

1. During the hearing, Apprehending Officer PCpl. Felix A. Ponciano Jr., narrated that on the evening of April 15, 2022 he and other members of PNP Rizal have decided to establish their team in a known exit point of illegally transported lumbers at Sitio Calupisan, Bgy Punta Baja, Rizal, Palawan. At around 4:00 in the morning of April 16, 2022, they almost simultaneously intercepted five (5) topdown loaded with undocumented lumbers. One of the topdowns was driven by a certain Kernelio Ondem Lipsaw together with Lito Amar Ceriaco, owner of topdown.

During on-site investigation, the suspects were not able to present any legal documents to justify their possession and transport of lumbers. Immediately, the PNP Rizal inform the suspects of their violation and their constitutional rights under Miranda Doctrine.

Subsequently, they declared arrest and apprehension. They brought the suspects together with the apprehended items to PNP Rizal Station for further investigation and proper disposition.

2. In the same hearing, Mr. Lito Amar Ceriaco, owner of topdown accepted and admitted the violation he had committed. Mr. Ceriaco explained that they are on their way to deliver a piece of kasko to a certain Michael at Sitio Base, Punta Baja when they are intercepted by the PNP. He further explained that they are just hired to haul and deliver the said lumbers. Mr. Ceriaco did not clearly disclosed the source of lumbers and to whom the lumbers have to be delivered.
3. Moreover, Kernelio Ondem Lipsaw narrated that he was just requested by Mr. Ceriaco to drive the topdown. He has no idea that the kasko which is supposed to be delivered to Base, Punta Baja has no permit. He further explained that his main job really is to collect resins.

III. APPLICABLE LAWS AND POLICIES:

1. *Section 77 of PD 705 as amended or Revised Forestry Code of the Philippines " Cutting, Gathering and/or collecting Timber or other Forest Products Without License- any person who shall cut, gather, collect, remove 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 existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code; Provided, that in the case of partnerships, associations, or corporations, the officers who ordered the cutting, gathering, collection or possession shall be liable, and if such officers are aliens, they shall, in addition to the penalty, be deported without further proceedings on the part of the Commission on Immigration and Deportation.

2. Department Administrative Order No. 97-32 dated 1997 Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyances used in the commission of crimes.

IV. FINDINGS/EVALUATION

1. The transport and possession of forest product (1 piece of kasko of Apitong species having a total volume of 208.33 board feet) is not covered by appropriate DENR documents/permit, hence a patent violation of Section 77 of PD 705 as further amended.
2. In view of the above statements and facts presented, it was found out that there were sufficient and convincing evidences to support the finding of probable cause to charge **LITO AMAR CERIACO** and **KERNELIO ONDEM LIPSAW** for violation of Section 77 of PD 705 as further amended by E.O. 277 and R.A. 7161.
3. Mr. **LITO AMAR CERIACO** who is one of the responents is the owner of the motorcycle with sidecar (topdown).

V. RECOMMENDATION

1. In view of the above findings and evaluation, it is recommended that the one (1) unit motorcycle with sidecar and one (1) piece of boat keel (**kasko**) of Antipolo species having a total volume of 208.33 board feet be confiscated in favor of the government in addition to the filling of case against the above-mentioned offender for violation of Section 77 of PD 705 as further amended by E.O. 277 and

Note: Please be informed that the criminal case against **LITO AMAR CERIACO** and **KERNELIO ONDEM LIPSAW** for violation of Section 77 of PD 705 as further amended has already been filed before the Office of the Provincial Prosecutor with **NPS Docket No. IV-08-INV-22E-0557**.

For his information and further evaluation/instruction.


DAVID E. GALLEMA, JR.
Hearing Officer



PEOPLE OF THE PHILIPPINES

CENRO Admin Case No. **QZN AC-2022-05-011**

Plaintiff,

-versus -

-for-

LITO AMAR CERIACO
KERNELIO ONDEM LIPSAW

Violation of Sec. 77 (formerly Sec. 68 of
PD 705 as amended by EO 277 series of
of 1987 and RA 7161)

Respondent.

X-----X

TRANSCRIPT OF ADMINISTRATIVE HEARING
(Katitikan ng Pagdinig Administratibo)

Katitikan ng ginawang pagdinig sa nahuling topdown na may kargang mga kahoy na walang kaukulang dokumento na ginanap noong May 17, 2022 sa ganap na 1:00 ng hapon sa DENR CENRO, Quezon, Rizal Station, Rizal, Palawan.

DAVID E. GALLEMA, JR.

Hearing Officer

CATHERINE F. REGIS

Stenographer

Mga dumalo

David E. Gallema, Jr.
Catherine F. Regis
Lito Amar Ceriaco
Kernelio Ondem Lipsaw
PcpL Felix A. Poncian Jr.

Katungkulan/Tanggapan/Tirahan

Chief, MES/Hearing Officer –CENRO Quezon, Pal.
FR/Stenographer – CENRO Quezon, Palawan
Bgy. Punta-baja, Rizal, Palawan (Owner Topdown)
Bgy. Punta-baja, Rizal, Palawan (Driver)
Bgy. Punta-baja, Rizal, Palawan (Apprehending
Officer /PNP personnel)

Paunawa: Bago pormal na pinasimulan ang pagdinig ay isang maikling panalangin muna ang isinagawa kasunod ang pagbanggit/pagtawag sa pangalan ng mga dumalo.

Hearing Officer: Sa bisa ng Seksyon 45 ng PD 705 na nag-gawad sa akin ng kapangyarihan na magsagawa ng ganitong uri ng pagdinig alinsunod sa mga probisyon ng DAO 97-32, ang pagdinig sa nasamsam na top down na may kargang kahoy na may kabuoang bulto na 208.33 board feet noong April 16, 2022 sa Purok Calupisan, Bgy. Punta-baja, Rizal, Palawan na walang kaukulang dokumento na nahuli ng PNP-Rizal Personnel ay promal na pong sisimulan. Kayo (respondedents) ay nabigyan ng sapat na panahon mula ng isilbi sa inyo ang pabatid, at kayo rin ay naabisuhan na mayroon kayong karapatan na kumuha ng inyong sariling abogado alinsunod sa ating saligang batas para gumabay sa inyo sa pagdinig na ito.

Ganunpaman, wala kaming natanggap na abiso o motion galing sa inyo upang ipagpaliban ang pagdinig na ito dahil wala kayong nahanap na abogado. Sa gayon, itutuloy po ba natin ang pag dinig na ito kahit wala kayong abogado?

Respondents : Opo, itutuloy.

H.O : Sa pagpapatuloy, ako po ay maglalalatag ng ilang patnubay upang maisagawa natin ng matiwasay ang pagdinig na ito. Hinihiling ko ang katahimikan sa lahat na nagsipagdalo. Mahigpit na ipinagbabawal ang anumang gawain na makakagambala sa daloy ng pagdinig na ito at ang paggamit ng masasama at hindi kanais-nais na mga salita. Ang mga ipinatawag ay mabibigyan ng sapat na oras upang maglahad at maipaliwanag ang kanyang panig. Kung kayat, kung sino lang ang tinatanung ay siya lamang ang sasagot. Maliwanag po ba?

Attendees : Opo.

H.O. : Sa mga ipinatawag ngayong umaga (respondents), mayroon ba kayong dalang mga dokumento may kaugnayan sa mga nahuling produktong gubat na gusto niyong ipresenta sa pagdinig na ito?

Respondents : Wala po.

H.O : Sa umagang ito narito po ang ating apprehending officer na nag mula sa PNP Rizal. Sa pagkakataong ito maari po ba kayong tumayo sir, itaas ang iyong kanang kamay magpakilala at mangangakong magsasabi ng pawang katotohanan lamang?

PNP-Poncian Jr. : Ako po si Pcpl Felix Ponciano Jr. nasa hustong gulang kasalukuyang nag tatratabahao sa PNP-Rizal, Palawan at nangangakong mag sasabi ng pawang katotohanan lamang.

H.O : Thank you sir, maari mo po bang isalaysay sa amin ang mga pangyayare noong time na nahuli niyo sila?

PNP-Poncian Jr. : Gabi ng April 15, 2022 kasama ng aking kasamahan ay nagstay po kami sa area gabi palang po kami nag-aantay po doon at inabangan po talaga namin, doon na nga po kami nagpalipas ng gabi. Bandang 4:00 ng madaling araw ng April 16, 2022 ay lumabas na po sila, sunod-sunod po silang lumabas, lima (5) po silang naka topdown na may kargang kahoy. Nooong time na nakita po namin sila ay agad po naming pinahinto at nag pakilala po kami na kawani ng PNP-Rizal at binasahan po namin ng mga karapatan nila at pinaalam sa kanila kong bakit namin sila hinuli. Ang sunod po ay dinala na namin ang top down na may kargang kahoy sa aming station at doon ay pinag patuloy namin ang iba bang katanungan sa kanila.

H.O : Ibig sabihin ay doon na kayo natulog sa area sir at halos sabay-sabay niyo silang Nahuli?

PNP-Poncian Jr. : Yes po.

H.O : May karagdagan pa po kayo sir?

PNP-Poncian Jr. : Wala na po.

H.O : Thank you sir. Ngayon ay dadako na tayo kay Mr Lito, maari po ba kayong tumayo sir, itaas ang iyong kanang kamay magpakilala sabihin ang iyong pag kakakilanlan at mangangakong magsasabi ng pawang katotohanan lamang?

L. Ceriaco : Ako po si Lito Amar Ceriaco, 52 years old, nakatira sa Tagbiao-biao, Bgy. Punta-baja, Rizal, Palawan mangangakong magsasabi ng pawang katotohanan lamang.



H.O : Ano po ang karga ng top down mo sir?

L. Ceriaco : Casco po sir pang bangka po.

H.O : Saan dadalhin?

L. Ceriaco : Sa aplaya po sa base.

H.O : Kanino po iyon?

L. Ceriaco : Kay Michael po hindi ko po alam ang apelyedo.

H.O : Saan po galing iyong kahoy kuya?

L. Ceriaco : Sa Tagbiao-biao po.

H.O : Sino pong nag tistis?

L. Ceriaco : Hindi po namin alam sir kasi gabi yan sila nag-aakyat magsabi nalang sa amin na may hahakutin na kahoy.

H.O : Ilang besis na po kayo naghakot ng kahoy sir?

L. Ceriaco : Iyan palang po.

H.O : Mag kakasama ba kayong lima?

L. Ceriaco : Hindi po sir nagkasabay-sabay lang po kami lumabas.

H.O : Gaano kalawak ang kaalaman mo tungkol sa ganitong usapin, alam mo ba na bawal iyong paghakot ng kahoy na walang permit?

L. Ceriaco : Ang alam ko po bawal mag labas ng kahoy ng walang paalam nabasa ko po sa Barangay na may tamang proseso.

H.O : Mali po sir, dapat may dala kang dokumento para kapag may nagsita sa inyo may ipapakita po kayo. Mas mainam na mag apply po kayo ng permit kung pwedi po kunan, wag po kayong maniniwala sa nagsasabi na magpaalam lang dahil kapag nahuli po kayo kawawa po kayo.

L. Ceriaco : Opo sir, salamat talaga nalaman ko ngayon.

H.O : Ano po bang hanap buhay mo talaga?

L. Ceriaco : Wala din po magandang hanap buhay sir.

H.O : May gusto kapang sabihin sir?

L. Ceriaco : Wala na po.

H.O : Dito naman tayo kay Mr Kernilio, maari po ba kayong tumayo sir, itaas ang iyong kanang kamay magpakilala sabihin ang iyong pagkakakilanlan at mangangakong mag sasabi ng pawang katotohanan lamang?

K. Lipsaw : Ako po si Kernelio Ondem Lipsaw, 19 years old, isang katutubo, nakatira Sa Tagbiao-biao, Bgy. Punta-baja, Rizal, Palawan. mangangakong mag sasabi ng pawang katutuhanan lamang.

H.O : Bakit ka napasama dito?

K. Lipsaw : Kasi po walang driver si uncle sabi niya hali ka dito ikaw mag drive ng top down ko kaya nag drive po ako.

H.O : Anong sinagot mo?

K. Lipsaw : Sabi ko sige po.

H.O : Hindi kana nag tanong kung ano may permit ba iyong karga niyo?

K. Lipsaw : Hindi na po.

H.O : Anong trabaho mo?

K. Lipsaw : Nag babagtik lang po.

H.O : Gaano kalawak ang kaalaman mo tungkol sa mga kahoy?

K. Lipsaw : Wala pa po akong kaalam-alam dyan kasi bago palang po ako dyan.

H.O : Hindi kaba nagtaka na madaling araw kayo nagbyahe?

K. Lipsaw : Hindi na po.

H.O : Hindi mo ba nakilala iyong mga nag tistis ng kahoy?

K. Lipsaw : Hindi po.

H.O : May gusto kapa bang sabihin?

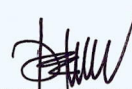
K. Lipsaw : Wala na po.

H.O : Gusto ko lang bigyang diin na ang pagdinig na ito ay nakatuon lamang sa nahuling top down na may kargang kahoy, dito ay tinitingnan kung may kaukulang permit/papeles o wala ang nasamsam, gagawa po tayo ng mga recommendation batay na rin sa mga pahayag ng magkabilang panig at sa mga dokumentong ipinasa ng mga apprehending officers. Ito po ay ipapadala sa DENR Regional Office para sa kaukulang aksyon at disposisyon. Yamang wala na akong maitatanong, dito ko na tinatapos ang pagdinig sa umagang ito. Maraming salamat po sa inyong kooperasyon..

The hearing ended at 2:00 AM

I HERE BY CERTIFY that the above statements are true and correct to the best of my knowledge & belief.


CATHERINE F. REGIS
 Forest Ranger/ Stenographer


DAVID E. GALLEMA, JR.
 Chief, MBS/Hearing Officer



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

May 5, 2022

MR. LITO AMAR CERIACO

Sitio Tagbiao-biao

Bgy. Punta-baja, Rizal, Palawan

Ginoong Ceriaco,

Isang Makakalikasang Pagbati!

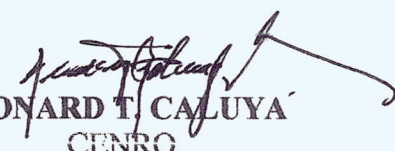
Ang sulat na ito ay tungkol sa isang (1) unit na topdown na may kargang kahoy na nahuli ng PNP-Rizal sa Purok Calupisan, Brgy. Punta-baja, Rizal, Palawan noong April 16, 2022.

Kaugnay po nito, kayo ay aming inaanyayahan na dumalo sa gaganaping Administrative Hearing dito sa tanggapan ng DENR - CENRO Quezon, Rizal Station, Rizal, Palawan sa May 17, 2022 ganap na ika 1:00 ng hapon upang magpaliwanag at marinig ang inyong panig. Kayo rin ay pinapayuhan na kumuha ng iyong abogado na gagabay sa inyo sa naturang pagdinig at mag dala din ng mga dokumento na kinakailangan sa pagdinig. Ang hindi po ninyo pag tugon sa aming imbitasyon ay nangangahulugan na inyo pong ipinapaubaya ang inyong karapatan na marinig ang inyong panig. Ang mga dokumento na sa aming pag-iingat may kaugnayan sa pag kahuli ng isang (1) unit na topdown na may kargang kahoy at testimonya ng PNP-Rizal ay gagamitin naming basehan upang gumawa ng legal na aksyon laban sa inyo.

Kami po ay lubos na umaasa na nabigyan namin kayo ng wasto at maayos na impormasyon/paanyaya at pinapayuhan po kayo na gumamit ng Face Mask sa naturang pagdinig.

Gumagalang,




LEONARD T. CALUYA
CENRO



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

May 5, 2022

MR. KERNELIO ONDEM LIPSAW

Sitio Tagbiao-biao

Bgy. Punta-baja, Rizal, Palawan

Ginoong Lipsaw,

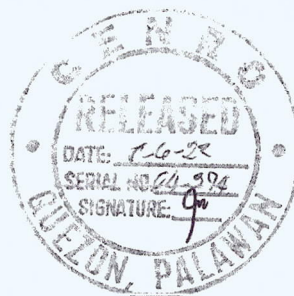
Isang Makakalikasang Pagbati!

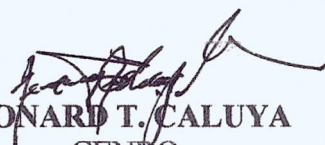
Ang sulat na ito ay tungkol sa isang (1) unit na topdown na may kargang kahoy na nahuli ng PNP-Rizal sa Purok Calupisan, Brgy. Punta-baja, Rizal, Palawan noong April 16, 2022.

Kaugnay po nito, kayo ay aming inaanyayahan na dumalo sa gaganaping Administrative Hearing dito sa tanggapan ng DENR - CENRO Quezon, Rizal Station, Rizal, Palawan sa May 17, 2022 ganap na ika 1:00 ng hapon upang magpaliwanag at marinig ang inyong panig. Kayo rin ay pinapayuhan na kumuha ng iyang abogado na gagabay sa inyo sa naturang pagdinig at mag dala din ng mga dokumento na kinakailangan sa pagdinig. Ang hindi po ninyo pag tugon sa aming imbitasyon ay nangangahulugan na inyo pong ipinapaubaya ang inyong karapatan na marinig ang inyong panig. Ang mga dokumento na sa aming pag-iingat may kaugnayan sa pag kahuli ng isang (1) unit na topdown na may kargang kahoy at testimonya ng PNP-Rizal ay gagamitin naming basehan upang gumawa ng legal na aksyon laban sa inyo.

Kami po ay lubos na umaasa na nabigyan namin kayo ng wasto at maayos na impormasyon/paanyaya at pinapayuhan po kayo na gumamit ng Face Mask sa naturang pagdinig.

Gumagalang,




LEONARD T. CALUYA
CENRO



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

ADMINISTRATIVE HEARING

DENR-CENRO Quezon, Rizal Station, Rizal, Palawan.

Date: MAY 17, 2022

ATTENDANCE

NAME	ADDRESS	POSITION	SEX	AGE	CONTACT NO.	SIGNATURE
TERSO LAYUCAN JAMIL	SO. Tagbiao - C100, Rizal, Pal.		M	53		TERSO LAYUCAN
BADIN M JAMIL						BADIN
BORING A. RANTI	SO. TAGBIAO - BIAO, RIZAL, PAL	CADC-MEMBER	M	48		
Ernie Ranti			M	28		ER
RPL REX A. PONGMAN JR.	RIZAL PALAWAN		M	37	09993470408	
DANIEL E. GALERA JR.	CENRO QUEZON	FI/H.O.	M	44		
CATHERINE F. REGIS	CENRO QUEZON	FR	F	27		
LITO A CERJACO	Tagbiao BIAO	Mag-arj ng tagbiao	M	52		
Kernilio Lepsaw	Tagbiao BIAO	Driver	M	19		K. L



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
PALAWAN POLICE PROVINCIAL OFFICE
RIZAL MUNICIPAL POLICE STATION
Brgy. Punta Baja, Rizal, Palawan



April 23, 2022

TURNED-OVER RECEIPT

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT the following confiscated/seized items apprehended on April 16, 2022 approximately 04:00 AM at Purok Calupisan, Brgy. Punta Baja, Rizal, Palawan to one **Lito Amar Ceriaco**, 51 years old, married, laborer, Antiqueño, born on October 20, 1971 at Aborlan, Palawan and presently residing at Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan and **Kernelio Ondem Lipsaw**, 20 years old, single, laborer, native Palau-an, born on November 12, 2002 at Rizal, Palawan and presently residing at Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan who were caught in the act of possession, control and custody of fresh cut lumbers on board his motorcycle with side car (Top down) without any legal documents presented which is a clear violation of PD 705 were respectfully turned over to the DENR-Rizal Station, to wit:

1. **1- unit motor vehicle (Top down) EURO Color blue, no plate number and with chassis number LF3PCK501HB8;**
2. **1-pc 4x25x25 - boat hull of unknown species with estimated 208.33 board feet and with estimated market value of Php 29.00 per Board feet and with approximate total Market Value of Php 6,041.57**

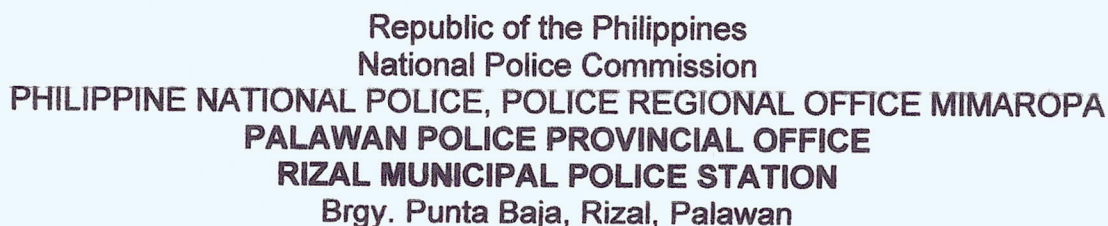
xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx**Nothing Follows**xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Turned-over by:


PSMS Francis Dionne DT Francisco
Investigator On-Case
Rizal MPS

Turned-over to:


Michael V. Joven
ECOMS-II, TL Rizal Station
DENR



April 16, 2022

CONFISCATION RECEIPT

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that one **Lito Amar Ceriaco**, 51 years old, married, laborer, Antiqueño, born on October 20, 1971 at Aborlan, Palawan and presently residing at Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan and **Kernelio Ondem Lipsaw**, 20 years old, single, laborer, native Palau-an, born on November 12, 2002 at Rizal, Palawan and presently residing at Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan were apprehended by the PNP personnel of Rizal MPS approximately 04:00 A.M of April 16, 2022 at Purok Calupisan, Brgy. Punta Baja, Rizal, Palawan who were caught in the act of possession, control and custody fresh cut lumbers on board his motorcycle with side car (Top down) without any legal documents presented which is a clear violation of PD 705 and now under temporary custody of Rizal Municipal Police Station for proper disposition were as follows;

1. **1- unit motor vehicle (Top down) EURO Color blue, no plate number and with chassis number LF3PCK501HB8;**
2. **1-pc 4x25x25 - boat hull of unknown species with estimated 208.33 board feet and with estimated market value of Php 29.00 per Board feet and with approximate total Market Value of Php 6,041.57**

xxxxxxxxxxxxxxxxxxxxxxxxxxxxNothingfollowsxx

Refused to Sign
Mr. Lito Amar Ceriaco
Respondent

Pat Mark Joseph A Achacoso
Apprehending Officer

Refused to Sign
Mr. Kernelio Ondem Lipsaw
Respondent



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

April 26, 2022

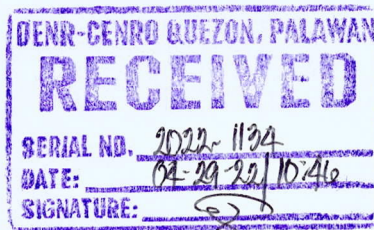
MEMORANDUM

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

THRU : The Chief, MES

FROM : Michael V. Joven
ECOMS II

SUBJECT : **REPORT ON SCALED LUMBERS APPREHENDED BY
RIZAL MUNICIPAL POLICE OFFICERS AT BRGY.
PUNTA BAJA, RIZAL, PALAWAN**

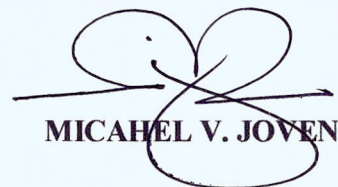


As per letter request of Police Major Juromel Fiel Rojo Officer In-charge of Rizal Municipal Police Station, Rizal, Palawan dated April 23, 2022 for the scaling of sown lumbers apprehended at Brgy. Punta Baja, Rizal, Palawan.

Immediately the personnel of Monitoring and Enforcement Section proceed to the area to conduct actual scaling of apprehended sown lumbers together with PNP-Rizal personnel. There is 1 piece of boat keel (*kasco*) Antipolo species with a total volume of 208.33 board feet. (*pls. see attached tally sheet*). The said apprehended forest product is hauled and being custody to the Rizal-MPS and turned-over to DENR CENRO-Quezon, Rizal Station compound for safekeeping and proper disposition.

Attached with this is the Tally sheets, Turned-over receipt and Geo-tagged photos.

For his information and further instruction.

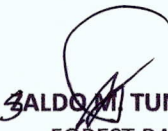

MICHAEL V. JOVEN

**TALLY SHEET OF SCALED LUMBERS APPREHENDED BY PNP-RMPS
PERSONNEL AT BRGY. PUNTA BAJA, RIZAL, PALAWAN**

SPECIES	Quantity	Unit	DIMENSION			Volume (Bd.ft.)
			T	W	L	
Antipolo	1	pcs	4	25	25	208.33
	1	TOTAL				208.33

Scaled by:


ESMAEL N. SONON
FOREST RANGER


SALDO M. TUMANONG
FOREST RANGER

Prepared by:


MICHAEL V. JOVEN
ECOMS II/In-Charge Rizal Station



SEIZURE ORDER

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 ordered seized, to Wit:

FACTS

1. Forest Products

Kind	Item:	Source/Origin of Forest Products	Species	Pieces	Volume/Unit of Measurement	Estimated fair market Value	Impounding Area	Custodian
Lumber	Lumber	Brgy. Punta-baja, Rizal, Palawan	Antipolo	1	208.33 board feet	Php 6,041.57	DENR-CENRO Quezon, Rizal Station, Rizal, Palawan	ECOMS II. Michael V. Joven

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated fair market value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance Involved					
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.
Motorcycle	EURO	N/A	blue	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No. /BodyNo.	Chassis No.	Accessories	Estimated Fair Market Value	Custodian
Defaced	LF3PCK501HB8	N/A	Php 30,000.00	ECOMS II. Michael V. Joven

*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	Estimated Fair Market
N/A	N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Custodian	Estimated Fair Market Value
N/A	N/A	N/A	N/A	N/A

Impiements Involved				
Type	Quantity	Details	Custodian	Estimated Fair Market Value
N/A	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
Mr. Lito Amar Ceriaco	Brgy. Punta-baja, Rizal, Palawan	Married	52	Owner	Released
Mr. Kernelio Ondem Lipsaw	Brgy. Punta-baja, Rizal, Palawan	Single	19	Driver	Released

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		
May 5, 2022 1:00 PM	Palawan	Rizal	Punta-baja	N/A	David E. Gallema, Jr.	Apprehension Receipt, pursuant to DAO 97-32

Examination Conducted by Seizure Officer:

Persons Examined (Apprehending Officer & Witnesses)	Date	Time	Place
Pat. Mark Joseph Abis Achacoso	May 5, 2022	1:00 PM	Bgy. Punta-baja, Rizal Palawan
PcpL Felix A. Poncian Jr.	May 5 ,2022	1:30 PM	Bgy. Punta-baja, Rizal Palawan

After thorough evaluation of the Apprehension Report dated April 16, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offenders is probably guilty thereof.

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

So, ordered this 5th day of May year 2022 at Brgy. Punta-baja, Rizal, Palawan.


DAVID E. GALLEMA, JR.
SEIZURE OFFICER



SEIZURE RECEIPT
No. CENRO-QZN-SR-2022-05-0015

The following apprehended items with Apprehension Receipt are administrative seizure pursuant to Section 3 of DAO 97-32

A. FOREST PRODUCTS

Species	No. of Pieces	Dimension/Finish Products	Volume (Bd/Ft)	Estimated Value
Antipolo	1		208.33	Php 6,041.57
Total	1		208.33	Php 6,041.57

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

NAME	ADDRESS	NATURE OF PARTICIPATION
Mr. Lito Amar Ceriaco	Purok Tagbiao-biao, Brgy. Punta-baja, Rizal, Palawan	Owner
Mr. Kernelio Ondem Lipsaw	Purok Tagbiao-biao, Brgy. Punta-baja, Rizal, Palawan	Driver

B. CONVEYANCE

Name of Registration/Owner: LITO AMAR CERIACO
Address: Purok Tagbiao-biao, Brgy. Punta-baja, Rizal, Palawan
Type of Vehicle: Motorcycle (top down)
Model: Euro
Color: Blue
Engine/Motor Serial No. : Defaced
Chassis Serial No. : LF3PCK501HB8
Plate No.: N/A
Estimated Fair Market Value: Php 30,000.00

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each item and estimate fair market value). N/A

The items was apprehended by PNP-Rizal personnel at Purok Calupisan, Bgy. Punta-baja, Rizal, Palawan on April 16, 2022 for illegal transport of forest product without legal documents which is violation of section 77 of PD 705 as amended.

The subject forest products are under the custody of ECOMS II. **Michael V. Joven** of DENR-CENRO Quezon, Rizal Station, Bgy. Punta-baja, Rizal, Palawan. Further, these apprehended items are now deposited at DENR-CENRO Quezon, Rizal Station, Rizal, Palawan.

That the undersigned hereby acknowledge that the above listed item(s) are 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. **CENRO-QZN-SR-2022-05-0015** this **May 5, 2022** at DENR-CENRO Quezon, Rizal Station, Rizal, Palawan.


DAVID E. GALLEMA, JR.
Seizure Officer



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

April 26, 2022

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the apprehended One (1) unit Motorcycle (*Topdown*) without plate number driven by **Mr. Lito Amar Ceriaco** accompanied by **Mr. Kernelio Ondem Lipsaw**, loaded with One (1) piece boat keel (*kasco*) Antipolo spieces with a total volume of 208.33 board feet which was apprehended at , Bgy. Punta Baja, Rizal, Palawan, last April 16, 2022, has been turn-over at DENR-CENRO Quezon, compound for safekeeping and proper disposition in accordance with DAO 97-32.

The forest products and conveyance were under the custody of the undersigned ECOMS II Michael V. Joven of DENR-CENRO, Quezon, Rizal Station, Rizal, Palawan.


MICHAEL V. JOVEN
ECOMS II/In-Charge, Rizal Station

Photos taken during administrative hearing conducted at Rizal Station, Rizal, Palawan.
Regarding on the apprehending 5 units topdown loaded with forest products without legal documents. Apprehended by PNP-Rizal Personnel last April 16, 2022 at Bgy. Punta-baja, Rizal, Palawan.



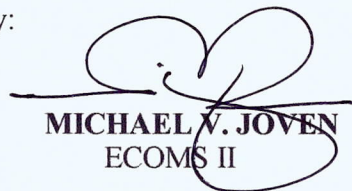


Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
Contact No.: 0917-160-4920
Email: cenroquezon@denr.gov.ph



Geo-tagged photos of apprehended One (1) boat keel (*Kasco*)208.33 board feet of Antipolo species apprehended by PNP Rizal personnel at Barangay Punta Baja, Rizal, Palawan.

Prepared by:


MICHAEL V. JOVEN
ECOMS II

Republic of the Philippines
DEPARTMENT OF JUSTICE
OFFICE OF THE PROVINCIAL PROSECUTOR
PROVINCE OF PALAWAN
City of Puerto Princesa

PROVINCIAL PROSECUTION OFFICE
PALAWAN

RECEIVED
MAY 27 2022

TIME:

BY:

NPS Docket No. IV-01-INV - 21E-0557

NPS#

PEOPLE OF THE PHILIPPINES
Plaintiff

Lito Amar Ceriaco
Kernelio Ondem Lipsaw
Accused

For
"Violation of PD 705"

x-----x

COMPLAINT

The undersigned investigator of Rizal Municipal Police Station hereby accuses the suspect **Lito Amar Ceriaco** and **Kernelio Ondem Lipsaw** for Violation of PD 705, committed as follows:

That on 16th day of April 2022 more or less 04:00 in the morning the above-named suspect did, then and there using his motorcycle with side car (top down) willfully, unlawfully and feloniously found in his possession, control and custody piece of fresh cut lumber of Antipolo specie without legal documents presented.

CONTRARY TO LAW.

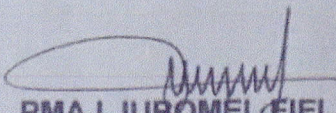
May 24, 2022, Rizal, Palawan

PSMS FRANCIS DIONNE DT FRANCISCO PNP
Investigator, Rizal MPS

EXHIBITS:

1. Affidavit of arrest and complaint
2. Photograph of confiscated/seized lumbers
3. Geo-tagged photos from DENR
4. Tally sheet from DENR
5. Confiscation receipt
6. Recapitulation from DENR
7. Others

SUBSCRIBED AND SWORN to before me this 24th day of May 2022 at Brgy. Punta Baja, Rizal, Palawan, Palawan.


PMAJ JUROMEL FIEL ROJO

Person administering oath by virtue of
sec. 50 of RA 6975 as amended by RA 8551

REPUBLIKA NG PILIPINAS)
LALAWIGAN NG PALAWAN) S.S.
BAYAN NG DR. JOSE P. RIZAL)

**PINAG-SAMANG MALAYANG SINUMPAANG SALAYSAY NG PAG
ARESTO AT REKLAMO**

Kami sina **PCpl Felix Arevalo Ponciano Jr.** at **Pat. Mark Joseph Abis Achacoso** kapwa nasa hustong gulang, kawani ng Pambansang Pulisya ng Pilipinas at kasalukuyang nakatalaga sa Rizal Municipal Police Station, Rizal, Palawan matapos makapanumpa ng ayon sa itinadhana ng ating Bagong Saligang Batas ay nagsasalaysay ng mga sumusunod:

1. Na, noong ika- 16 ng Abril 2022 sa ganap na alas 04:00 ng umaga habang kasalukuyang naka duty kami sa opisina ng Rizal Municipal Police Station ay naka tanggap kami ng impormasyon na may kasalukuyang may-nagakarga at mag-tatransport ng mga ilegal na kahoy sa bundok ng Purok Calupisan, Brgy. Punta Baja, Rizal, Palawan.

2. Na agad naming ipina-alam sa aming hepe ng pulisya ng Rizal Municipal Police Station na si **PMAJ JUROMEL FIEL ROJO** ang nasabing impormasyon, pagkatapos ay agad syang bumuo ng grupo para agarang magsagawa ng operasyong pulis hingil sa pagkakarga at pagtatransport ng mga ilegal na kahoy sa nasabing lugar.

3. Nang marating namin ang lugar ay nakita namin at naabutan ang limang motorsiklong may side car (topdown) at may mga kanya-kanyang sakay na iba't ibang sukat at uri ng kahoy. Agad kaming nagpakilalang mga Pulis ng Rizal Municipal Police Station. Tinanong namin ang kanilang mga pangalan at kung may kaukulang permit sila sa nasabing mga kahoy na nakasakay sa kanilang mga topdown. Ngunit wala silang maipakitang kahit anong legal na dokumento/permit.

4. Na nalaman namin na ang mga pangalan nila ay sina **Ernie Luday Ranti**, 28 taong gulang, may-asawa, laborer, native Palau-an, ipinanganak noong June 10, 1993 sa Rizal, Palawan at kasalukuyang nakatira sa Sitio Bungo, Brgy. Punta Baja, Rizal, Palawan, **Boring Inoc Ranti**, 48 taong gulang, may-asawa, laborer, native Palau-an at kasalukuyang nakatira sa Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan, **Tirso Layucan Jamil**, 58 taong gulang, may-asawa, laborer, Native Palau-an at kasalukuyang nakatira sa Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan, **Lito Amar Ceriaco**, 51 taong gulang, may-asawa, laborer, Antiqueño, ipinanganak noong October 20, 1971 sa Aborlan, Palawan at kasalukuyang nakatira sa Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan and **Kernelio Ondem Lipsaw**, 20 taong gulang, binata, laborer, native Palau-an, ipinanganak noong November 12, 2002 sa Rizal, Palawan at kasalukuyang nakatira sa Purok Tabiao-biao, Brgy. Punta Baja, Rizal,

MAY KARUGTONG NA SALAYSAY SINA PCpl Ponciano Jr. At Pat Achacoso:

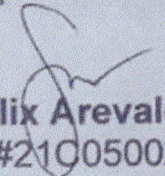
KARUGTONG NA SALAYSAY NINA PCpl Ponciano Jr. At Pat Achacoso:

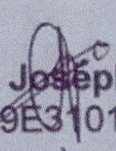
Palawan at **Badin Marciano Jamil**, 26 taong gulang, may-asawa, laborer, Native Palau-an, ipinanganak noong July 25, 1996 sa Rizal, Palawan at kasalukuyang nakatira sa Purok Tabiao-biao, Brgy. Punta Baja, Rizal, Palawan.

5. Nang wala silang maipakitang kaukulang legal na dokumento ni ano-man sa kanilang ginawang pagkarga at pagtatransport ng mga kahoy kami (**PCpl Felix Arevalo Ponciano Jr. at Pat. Mark Joseph Abis Achacoso**) ay agad namin silang inaresto humigit kumulang 4:00 ng umaga sa nasabing araw at ipinaalam sa kanila ang kanilang pagkakamali/illegal na ginawa na dahilan ng pag-aresto habang ipina-paalam sa kanila ang kanilang mga karapatan ayon sa RA 7438 sa salitang kanilang nauunawaan.

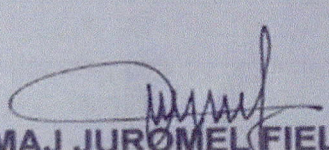
6. Nang amin ng ma-aresto ang mga nasabing suspek at makumpiska ang mga kahoy na namay iba't ibang sukat at uri sakay ng mga topdown ay agad naming silang dinala sa Himpilan ng Pulisya para ma-kustodiya kasama ng mga nakumpiskang kahoy at topdown para sumailalim sa imbestigasyon at tamang desposisyon.

7. Na, pansamantala ay wala na kaming masasabi pang iba at kung meron man ay sa korte na lamang namin sasabihin at ginawa namin ang salaysay na ito upang patunayan na ang mga nakalahad sa itaas ay totoo bilang patunay sa lahat ng ito, kami ay kusang loob na lumagda sa ibaba na hindi pinilit tinakot o binigyan ng anumang pabuya ng sinoman.


PCpl Felix Arevalo Ponciano Jr.
PNP ID #21C0500235
(Nagsalaysay)


Pat. Mark Joseph A Achacoso
PNP ID#19E310102
(Nagsalaysay)

SINUMPAAN AT PINATOTOHANAN sa harap ko ngayong ika-24 ng Mayo 2022 dito sa bayan ng Dr. Jose P. Rizal. Pinatutunayan ko na ang mga nagsalaysay ay aking nasiyasat at ako ay may sapat na paniniwala na sila ay kusang-loob at malayang nagsalaysay.


PMAJ JUROMEL FIEL ROJO

Person administering an oath by virtue of sec.
50 of RA 6975 as amended by RA