



July 14, 2022

**MEMORANDUM**

**FOR** : The Regional Executive Director  
MIMAROPA Region

**FROM** : The In-Charge, Office of the PENRO  
Oriental Mindoro

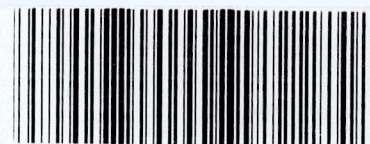
**SUBJECT** : **SUBMISSION OF ORDER ISSUED BY PRESIDING JUDGE  
ERWIN Y. DIMAYACYAC RELATIVE TO THE  
APPREHENDED CONVEYANCE WITH PLATE NUMBER  
BF58241**

Enclosed is the report of CENRO Socorro regarding the Court Order issued by Presiding Judge Hon. Erwin Y. Dimayacyac relative to the confiscation of conveyance bearing Plate Number BF58241 loaded with nine (9) pieces Mahogany lumbers apprehended in So. Lansones, Brgy. Calingag, Pinamalayan, Oriental Mindoro.

Please be informed that said apprehended conveyance loaded forest products have been judicially confiscated in favor of the government and shall be disposed of in accordance with existing DENR rules and regulations.

For information and reference.

  
**TSD CHIEF ALMA E. GIBE**  
In-Charge, PENRO Oriental Mindoro



DENRPENRO2207000038



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

June 29, 2022

**MEMORANDUM**

**FOR** : The Regional Executive Director  
1515 & S Bldg. Roxas Boulevard, Ermita, Manila

**THRU** : The PENR Officer  
Calapan City, Oriental Mindoro

**FROM** : The CENR Officer

**SUBJECT** : **SUBMISSION OF ORDER ISSUED BY PRESIDING JUDGE OF BRANCH 42, ERWIN Y. DIMAYACYAC RELATIVE TO THE APPREHENDED ONE (1) UNIT MOTORCYCLE WITH SIDECAR WITH PLATE NO. BF58241 LOADED WITH NINE (9) PCS. OF MAHOGANY LUMBERS HAVING EQUIVALENT VOLUME OF 126.58 BDFT AT SO. LANSONES, BRGY. CALINGAG, PINAMALAYAN, ORIENTAL MINDORO**

|  |                    |
|--|--------------------|
| <b>DENR-MIMAROPA REGION</b>                            |                    |
| PROVINCIAL ENVIRONMENT AND NATURAL<br>RESOURCES OFFICE |                    |
| ORIENTAL MINDORO                                       |                    |
| PENR TRACKING NO.                                      |                    |
| RECEIVED BY:   | <i>[Signature]</i> |
| DATE:  | <b>JUL 01 2022</b> |
| TIME:  |                    |

Forwarded herewith the Order issued by Presiding Judge, Erwin Y. Dimayacyac regarding the apprehended vehicle loaded with lumbers on January 11, 2022 by this office.

The court finds the accused guilty beyond reasonable doubt for violation of section 3 of PD 953 and requiring them to pay a fine of P 5, 000.00 pesos each. Likewise, the vehicle and its load shall be disposed in accordance with DENR rules and regulations.

Attached is the Order issued by Presiding Judge, Erwin Y. Dimayacyac.

For information, record and/or further instruction'(s).

*[Signature]*  
**RODEL M. BOYLES**



Republic of the Philippines  
**Regional Trial Court**  
Fourth Judicial Region  
**Branch 42**  
Pinamalayan, Mindoro Oriental  
e-mail address: [rtc1pin042@judiciary.gov.ph](mailto:rtc1pin042@judiciary.gov.ph)  
contact number: 043-7382186

PEOPLE OF THE PHILIPPINES,  
Plaintiff,

*versus*

Criminal Case No. CR22-11846  
For: Violation of PD 705

OMAR M. FORMALEJO and  
GILBERT F. LIWANAGAN,  
Accused.

x-----x

**ORDER**

This case was called for pre-trial. Attached on record is a Plea Bargaining Proposal filed by both accused through counsel. The prosecution gave its consent last April 12, 2022 for violation of section 3 of PD 953. Both parties agreed that both accused would withdraw their plea of not guilty and would plead guilty to a lesser offense for violation of section 3 of PD 953. The agreement of both parties was submitted to this Court for approval. Considering that their agreement is not against public policy, the same is hereby granted.

The previous plea of not guilty of both accused were withdrawn per motion of Atty. Gaudencio Sadicon. Accused were re-arraigned under the same Information qualified for violation of section 3 of PD 953 with the assistance of their counsel *de parte*, Atty. Sadicon by reading to them in a language and dialect known and understood by them, and accused entered a plea of not guilty. Finding the voluntariness of the plea of guilt of both accused, they should be convicted.

WHEREFORE, this Court finds both accused guilty beyond reasonable doubt for violation of section 3 of PD 953. They are hereby directed to pay a fine of ₱5,000 each. The lumber subject of this case be disposed in the manner provided by law. The tricycle used in gathering and transporting the lumber likewise be disposed under the DENR's rules and regulations.

**SO ORDERED.**

Pinamalayan, Oriental Mindoro, the Philippines.  
June 15, 2022

  
ERWIN Y. DIMAYACYAC  
Presiding Judge

 EYD/vangz#4