



DENR MIMAROPA RECORDS SECTION  
**RECEIVED**  
04 JUL 2022  
IN - INING ☒ OUT - INING  
DATE NO.

June 29, 2022

**MEMORANDUM**

**FOR :** The Regional Executive Director\  
DENR, MIMAROPA Region

**ATT'N. :** The Chief, Legal Division  
The Chief, Enforcement Division

**FROM :** The In-Charge, PENRO, Oriental Mindoro

**SUBJECT :** **REQUEST FOR DISPOSITION OF CONFISCATED ONE (1) SIX  
WHEELER TRUCK WITH PLATE NO. VRA-871 THRU PUBLIC  
AUCTION**

Forwarded is the memorandum of CENRO Roxas dated June 1, 2022 requesting for disposition of confiscated one (1) six wheeler truck with plate no. VRA-871 through public auction.

Attached are the following documents regarding the matter:

1. Request for Disposition of Confiscated Conveyance signed by Nestor N. Cuasay, DMO/OIC, MSD, In-Charge, Office of the PENRO dated December 1, 2021
2. Request for Disposition of Confiscated Conveyances signed by Secretary Roy A. Cimatú dated November 10, 2021
3. Order of Finality signed by Henry A. Adornado, Regional Executive Director dated September 12, 2019
4. Confiscation Order signed by Oscar C. Dominquez, Regional Director dated October 22, 2015
5. Resolution of Motion for Reconsideration signed by Oscar C. Dominquez dated June 8, 2016
6. Regional Trial Court Order signed by Edralin C. Reyes, Presiding Judge dated September 13, 2018
7. Regional Trial Court Order signed by Edralin C. Reyes, Presiding Judge dated December 4, 2018

For information and disposition.

  
**ALMA G. GIBE**



DENRPENRO2207000008

12206000022





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: cenroroxasormindoro@denr.gov.ph

**MEMORANDUM**

**FOR** : The OIC, PENR Officer  
DENR, PENRO, Calapan City

**ATTN:** BIDS AND AWARDS COMMITTEE

**FROM** : CENR Officer  
Roxas, Oriental Mindoro

**SUBJECT** : **REQUEST FOR DISPOSITION OF CONFISCATED ONE (1) SIX-WHEELER TOPDOWN JEEPNEY WITH PLATE NO. VRA 871 THRU PUBLIC AUCTION**

**DATE** : June 1, 2022

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	JUN 03 2022
TIME:	

Please be informed that this office is requesting for Public Auction of the confiscated/apprehended one (1) unit six-wheeler topdown jeepney with Plate No. VRA 871 which is currently impounded at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro. Attached are the ORDER OF FINALITY dated September 12, 2019 and the Confiscation Order for the 145 pieces of lumber of Gmelina species with an aggregate volume of 3.499 cu.m. (1,483.7 bd. ft.) apprehended at San Mariano, Roxas, Oriental Mindoro duly signed by DENR-MIMAROPA REGION Regional Executive Director Henry A. Adornado, Ph.D.

On the other hand, the 145 pieces of lumber of Gmelina species cannot be disposed because the lumber already deteriorated.

For information and further instruction.

*[Signature]*  
ENGR. CAESAR E. QUEBEC





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

DEC 03 2021

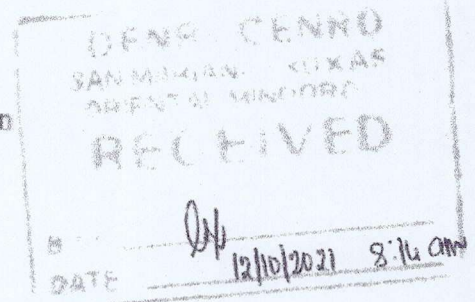
December 1, 2021

**MEMORANDUM**

**TO :** In-Charge, GSS/Property Custodian  
PENRO Oriental Mindoro

**FROM :** The PENRO  
Oriental Mindoro

**SUBJECT :** **REQUEST FOR DISPOSITION OF CONFISCATED  
CONVEYANCES**



Furnished is a copy of the Memorandum from the Secretary relative to the disposition of confiscated conveyances within area of jurisdiction.

Relative thereto, kindly take necessary action on the matter and inform the Regional Office of action/s taken relative to the disposition of conveyances listed on the attached Memorandum. Moreover, kindly facilitate the disposition immediately to save the economic value of such conveyances.

For information and compliance.

*For the PENR Officer:*

**NESTOR N. CUASAY**  
DMO IV/OIC, MSD  
In-Charge, Office of the PENRO

CC: CENRO  
CENRO Socorro, Oriental Mindoro

OIC, CENRO  
CENRO Roxas, Oriental Mindoro

PENRO Tracking No.: 2111000211

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





## MEMORANDUM FROM THE SECRETARY

TO THE REGIONAL EXECUTIVE DIRECTOR  
DENR MIMAROPA Region

SUBJECT REQUEST FOR DISPOSITION OF CONFISCATED  
CONVEYANCES

DATE NOV 10 2021

Authority to dispose the following conveyances confiscated in favor of the government is hereby granted to the DENR MIMAROPA

cc: DENR - ROXAS

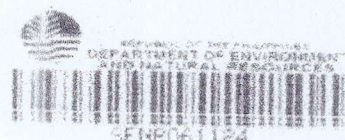
Description of Conveyance	Date of Confiscation Order	Date of Order of Finality
One (1) six-wheeler topdown jeepney with plate no. VRA 871	Ordered confiscated and forfeited in favor of the government by Regional Director Oscar Dominguez in 22 October 2015	Order dated 22 October 2015 became final and executory per Order of Finality dated 12 September 2019 issued by RED Henry Adornado
One (1) eight-wheeler truck (close van bearing plate no. RJV 348)	Ordered Confiscated and forfeited in favor of the government by Regional Executive Director Edgardo Galon in 03 September 2012	Order dated 03 September 2012 became final and executory per Order of Finality dated 27 June 2017 issued by Regional Director Natividad Bernardino
Fuso jeep with plate no. DZM 842, Rusi topdown tricycle	Ordered Confiscated and forfeited in favor of the government by Regional Director Oscar Dominguez in 03 August 2015	Order dated 03 August 2015 became final and executory per Order of Finality dated 22 October 2018 issued by RED Henry Adornado
One (1) unit motorcycle with side car bearing plate no. VF 8873	Ordered Confiscated and forfeited in favor of the government by Regional Director Natividad Bernardino in 27 June 2017	Order dated 27 June 2017 became final and executory per Order of Finality dated 28 March 2019 issued by RED Henry Adornado
One (1) unit motor launch (M/L ANNALIZA)	Ordered Confiscated and forfeited in favor of the government by Regional Director Oscar Dominguez in 28 October 2013	Order dated 28 October 2013 became final and executory per order of Finality dated 10 June 2019 issued by RED Henry Adornado

The Regional Executive Director is hereby instructed to comply with applicable laws, rules and regulations in the disposition of such conveyances

FOR STRICT COMPLIANCE

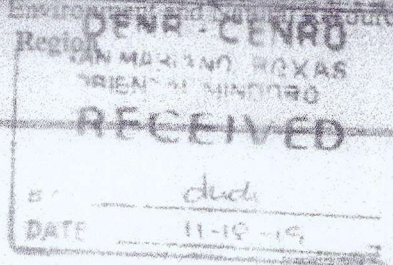
DENR MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
GENERAL OFFICE	
RECEIVED BY	<i>[Signature]</i>
DATE	NOV 10 2021
TIME	

*[Signature]*  
ROY A. CIMATU



GENP061184





SEP 12 2019

IN RE: CONFISCATION OF ONE (1) UNIT SIX-WHEELER TOPDOWN JEEPNEY WITH PLATE NO. VRA-871 AND ONE HUNDRED FORTY-FIVE (145) PIECES OF LUMBER OF Gmelina SPECIES HAVING AN AGGREGATE VOLUME OF 3.499 CU. M. (1,483.7 BD. FT.) APPREHENDED IN BARANGAY SAN MARIANO, ROXAS, ORIENTAL MINDORO

ORDER OF FINALITY

An Order was issued on October 22, 2015 signed by then Regional Director Oscar C. Dominguez confiscating a six-wheeler top down jeepney with plate number VRA-871 and 145 pieces of lumber of Gmelina species with an aggregate volume of 3,499 cu. m. (1,483.7 bd. ft.) apprehended in Brgy. San Mariano, Roxas, Oriental Mindoro.

On February 05, 2016, a Motion for Reconsideration was filed by Samuel Fernandez and Ruben Cabase. Said motion was denied by then Regional Director Oscar C. Dominguez on June 08, 2016 for being filed out of time.

A Certification dated September 30, 2018 was issued by then Chief, Records Section in Concurrent Capacity Dennis B. Valdez, Supervising Administrative Officer of DENR-MIMAROPA Regional Office stating that no Notice of Appeal was filed on the denial of the Motion for Reconsideration, thus, pursuant to Section 7, No. 6 of DAO 97-32, the Orders dated June 27, 2017 and December 14, 2017 are deemed final and executory.

WHEREFORE, premises considered, the Orders dated October 22, 2015 and June 08, 2016 are declared **FINAL AND EXECUTORY**, the **CONFISCATED ITEMS** are **DEEMED PERMANENT PROPERTY** of the government, and after **ENTRY** of this Order into the books of account of PENRO Oriental Mindoro, the following are hereby **ORDERED**:

1. A copy of this Order shall be **FORWARDED** to the Office of the Secretary for the **DISPOSITION** of the confiscated one (1) unit top down jeepney with plate no. VRA-871, pursuant to Page 37, No. 3 of DAO 2016-17 or the *DENR Manual of Authorities on Technical Matters*, in relation to Section 12 of DAO 97-32; and
2. The PENRO is directed to **DISPOSE** of the 145 pieces of lumber of Gmelina species with an aggregate volume of 3.499 cu. m. (1,483.7 bd. ft.) pursuant to Page 37, No. 1 or No. 2, as the case may be, of DAO 2016-17 or the *DENR Manual of Authorities on Technical Matters*, in relation to Section 12 of DAO 97-32.

CERTIFIED XEROX COPY  
DATE: 12 SEP 2019

MARGIE U. OCHDA  
INVESTMENT PROMOTION DIVISION

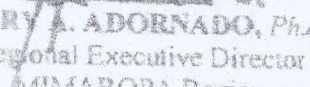
1515 L & S Building, Roxas Boulevard, Ermita, Manila 1000  
DENR VOIP (632) 2483367/2483468 local 2700/1  
Direct Line: (632) 4050157; Facsimile: (632) 4050146  
Email: denr.rcmmaropa@gmail.com



SO ORDERED

Manila, Philippines,

12 SEP 2019

  
HENRY A. ADORNADO, PhD  
Regional Executive Director  
MIMAROPA Region

Mr. Oliver B. Cade  
Mr. Rufus C. Cade  
Perry, Liza, Cagayan  
General Manager

Mr. Kenneth C. Cade  
Reg. San Antonio, Ilocos  
General Manager

Mr. Manuel P. Cade  
Reg. General Manager

PIERO C. Cade  
Reg. General Manager  
General Manager

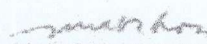
C. Cade  
Reg. General Manager  
General Manager

General Manager, Regional Office

Administrative Division  
Regional Office

Regional Office

CERTIFIED XEROX COPY  
DATE: 12 SEP 2019

  
MARGIE H. DECHA  
CRIMINAL ENFORCEMENT DIVISION



Department of Environment  
and Natural Resources  
MIMAROPA Region



Doc ID: 12663

1515 L & S Building, Roxas Boulevard, Ermita, Manila 1000  
DENR VOIP (632) 2483367/2483466 local 2700/1  
Direct Line: (632) 4050157; Facsimile: (632) 4050046  
Email: denr.dmmaropa@gmail.com



IN RE:

CONFISCATION OF ONE (1) SIX-WHEELER TOPDOWN JEEPNEY WITH PLATE NO. VRA 871 AND ONE HUNDRED FORTY-FIVE (145) PIECES OF LUMBER OF Gmelina SPECIES HAVING AN AGGREGATE VOLUME OF 3,499 CUBIC METERS (1,483.7 BOARD FEET) APPREHENDED IN BARANGAY SAN MARIANO, ROXAS, ORIENTAL MINDORO

### ORDER

Records show that on July 1, 2015 at around 10:30 in the evening, elements of the Philippine National Police (PNP) Roxas Municipal Police apprehended one (1) six-wheeler topdown jeepney with Plate No. VRA 871 loaded with one hundred forty-five (145) pcs. of lumber of Gmelina species having an aggregate volume of about 3,499 cu.m (1,483.7 bd ft), with an estimated fair market value of PHP 66,771.00; in Barangay San Mariano, Roxas, Oriental Mindoro. The driver of the conveyance was identified as Mr. Efreo R. Gado and its companion as Mr. Ruben Cabase, both residents of Brgy. Lisap, Bongabong, Oriental Mindoro. Said apprehended items were hauled and impounded at DENR-CENRO Roxas, Oriental Mindoro under the custody of Property Custodian Elexio C. Ujo for safekeeping. A Seizure Receipt dated July 3, 2015 and a Seizure Order dated July 6, 2015 were issued by CENRO Isagani V. Manalili.

Pursuant to Section 7 of DAO 97-32, an Administrative Hearing was conducted on July 7, 2015 at around 9 o'clock in the morning, which was presided by Forester Ebenezer C. Palmeiro, at CENRO Roxas, Oriental Mindoro.

During the hearing, Mr. Efreo R. Gado admitted that he was the driver and owner of the conveyance used to transport the forest products while Mr. Ruben Cabase claimed that he was the recipient of the forest products in behalf of the owner, Mr. Samuel Fernandez who was in Cavite at the time of apprehension. They both claimed that they were intercepted as they were heading to the house of Mr. Samuel Fernandez in Barangay San Mariano, Roxas, Oriental Mindoro. Accordingly, the forest products originated from Brgy. Bulalacao, Roxas, Oriental Mindoro.

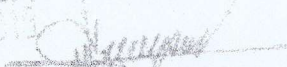
Per Affidavit dated July 3, 2015 of Apprehending Officer PCS Arnel R. Vicente, duly subscribed by Police Senior Inspector Joel Paningbatan of Roxas Municipal Police Station (MPS), he stated that on July 1, 2015, they were patrolling, together with Barangay Captain Ramil Enmons, along the National Highway of San Mariano, Roxas, Oriental Mindoro. That on or about 10:30 in the evening, they intercepted a public utility Jeep with Plate No. VRA-871 loaded with sawn lumber and asked the driver to present any permit or clearance to support the transportation of said forest products. The driver failed to present any document for the transport thereof.

Per Joint Affidavit of Witnesses dated July 8, 2015 of Reynaldo Padiquet and Amceto Abalos, duly certified by CENRO Isagani V. Manalili, they stated that they received a call from PSI Paningbatan, Chief of Police of MPS Roxas informing them of an apprehension of one (1) unit of public utility Jeep with Plate No. VRA-871 loaded with illegally transported forest products. Then on July 3, 2015 at about 5:00 in the afternoon, the said conveyance and forest products were brought to DENR-CENRO Roxas for turn-over by the apprehending officers to CENRO Manalili. The affiants sealed and documented the said forest products and per initial investigation they identified the driver and helper/recipient as Messrs. Efreo Gado and Ruben Cabase, respectively, both residents of Brgy. Lisap, Bongabong, Oriental Mindoro.

It was officially reported to this Office that the same conveyance, the six-wheeler topdown jeep with Plate No. VRA 871, has been previously apprehended and Mr. Gado was also a respondent in Criminal Case No. 2174 before the Regional Trial Court Branch 43, Roxas, Oriental Mindoro.

CERTIFIED XEROX COPY

DATE:            2015





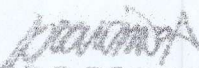
However, the conveyance was released on August 9, 2014 by the PNP in compliance to a court order issued by the Judge-Designate.

After a careful review of the submitted documents, there is an existence of a prima facie case that warrants the filing of a Criminal Complaint against Messrs. Eiren R. Gado, Ruben Cabase and Samuel Fernandez, driver, helper and owner of forest products, respectively, including the registered owner of the subject topdown jeepney, Mr. Nolito D. Maning for violation of Sec. 77 of PD 705, as amended. This Office concurs with the recommendation of the Hearing Officer for the confiscation of the apprehended items in favor of the government.

**WHEREFORE, FOREGOING PREMISES CONSIDERED,** the apprehended One hundred forty-five (145) pcs. of lumber of Gmelina species having an aggregate volume of 3.499 cu.m. (148) 7 bd.ft.) with an estimated fair market value of PNP 66,771.00 and one (1) unit six-wheeler topdown jeepney bearing Plate No. VRA 871, are hereby **ORDERED CONFISCATED** in favor of the government to be disposed of in accordance with existing DENR laws, rules and regulations governing the matter. The CENRO concerned is directed to submit regular updates as to the progress of the court case.

**SO ORDERED.**

Manila, Philippines,

  
**OSCAR C. DOMINGUEZ**

Regional Director  
DENR Region IV-B

Mr. Eiren R. Gado  
Hrg. Corp. Bengabang  
Oriental Mindoro

Mr. Ruben Cabase  
Hrg. Corp. Bengabang  
Oriental Mindoro

Mr. Samuel Fernandez  
Hrg. Corp. Bengabang  
Oriental Mindoro

Pst. Jost Domingoben  
Chief of Police  
Municipal Police Station  
Bongabang, Oriental Mindoro

Mr. Nolito D. Maning

(P/Supt. Dennis J. Palla  
Regional Director  
Police Regional Office MIMAROPA  
Camp Efigenio C. Navarro, Brgy. Sujan,  
Calapan City, Oriental Mindoro

Lt. Gen. Ricardo R. Visaya  
South Luzon Command  
Camp Chillerio Makar  
Marikina City, Quezon

Vice Admiral Alexander S. Lopez  
Western Command  
Camp General Artemio G. Ricarte  
Puerto Princesa City, Palawan

Cof. Roderico M. Porcino  
Commander, 201<sup>st</sup> "Kabalikat" Infantry Brigade  
Camp General Mateo Cayangin  
Cagay, Batangas

Lt. Col. Edwin D. Labawanan  
Commander, 201<sup>st</sup> Infantry Brigade (Hautas Kapayangan)  
Headquarters Brgy. Pagsanjan  
Marikina, Oriental Mindoro



Department of Environment and Natural Resources  
REGION IV-B

**CERTIFIED XEROX COPY**  
DATE: \_\_\_\_\_





ANNEX "C"

DENR Case No. M-4-16-F

IN RE: MOTION FOR RECONSIDERATION  
RE: CONFISCATION ORDER DATED  
OCTOBER 22, 2015 OF 3.499 cu.m.  
OF GMELINA SPECIES AND  
JEEPNEY BEARING PLATE NO. VRA-  
871

X-----X

RESOLUTION

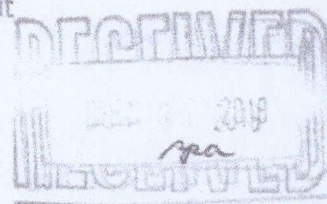
For resolution is the Motion for Reconsideration dated February 5, 2016 filed by Samuel Fernandez, owner of the confiscated gmelina species with an aggregate volume of 3.499 cu.m. and jeepney with Plate No. VRA-871 apprehended in Brgy. San Mariano, Roxas, Oriental Mindoro on July 1, 2015, on the Confiscation Order dated October 22, 2015 issued by this Office, the dispositive portion of which reads:

**"WHEREFORE, FOREGOING PREMISES CONSIDERED,** the apprehended One Hundred Forty Five (145) pcs. of lumber of Gmelina species having an aggregate volume of 3.499 cu.m. (1,483.7 bd. Ft.) with an estimated fair market value of PhP 66,771.00 and one (1) unit six wheeler topdown jeepney bearing Plate No. VRA-871, are hereby **ORDERED CONFISCATED** in favor of the government to be disposed of in accordance with existing DENR Laws, rules and regulations governing the matter. The CENRO concerned is directed to submit regular updates as to the progress of the court case.

**SO ORDERED."**

After a careful evaluation of the Motion, it was found out that the same was filed out of time. In DAO 97-32, Section 7 thereof provides the period within which to file a Motion for Reconsideration.

A party aggrieved by the original decision may file only one (1) motion for reconsideration within a non-extendible period of fifteen (15) calendar days from receipt of the decision.





Based on record, the movant received the Confiscation Order on December 8, 2015 contrary to his allegation that he only knew of it on December 17, 2015 when he was advised by CENRO personnel to file at once his Motion for Reconsideration. His Motion for Reconsideration was dated January 8, 2016 and was notarized on February 5, 2016.

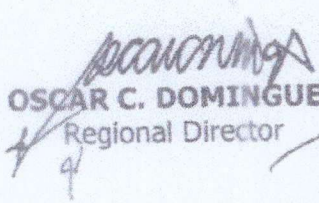
Assuming for the sake of argument that he only knew of the Confiscation Order on December 17, 2015, the movant had until January 4, 2016 to file said motion considering that January 1 is a holiday and January 2 and 3 fell on Saturday and Sunday, respectively. Hence, his Motion was filed out of time.

Assuming further that the Motion was filed on time, still there is no cogent reason to reverse or revise the assailed Order. It is a settled rule that "a Motion for reconsideration which does not make out a new matter sufficiently persuasive to induce modification of judgment, will be denied (PCIB vs. Escolin, 67 SCRA 202)."

**WHEREFORE**, premises considered, the Motion for Reconsideration filed by Samuel Fernandez is hereby **DENIED**.

**SO ORDERED.**

Manila, Philippines 08 JUN 2016

  
**OSCAR C. DOMINGUEZ**  
Regional Director

MY

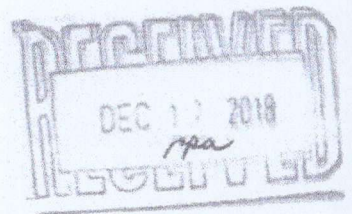
Cc:

Samuel Fernandez

CENRO

PENRO

- San Mariano, Roxas, Oriental Mindoro
- Roxas, Oriental Mindoro
- Calapan, Oriental Mindoro





FOURTH JUDICIAL REION  
ORIENTAL MINDORO  
BRANCH XLIII  
Roxas

PEOPLE OF THE PHILIPPINES,  
Plaintiff,

CRIM. CASE NO. R-2174

- versus -

- for -

EFREN GADO y RIVAS, LARRY  
And GUYON UNOG y BADE,  
Accused.

VIOLATION OF PD 705 AS  
AMENDED BY EO 277

x ----- -x

**ORDER**

Considering the non-compliance of the present Platoon Leader, PSI Christian Marquez to bring before this Court the object evidence in this case specifically the 49 pieces of Lauan and Karontingan species, the motion of the counsel for the accused, Atty. Monique Morales of the Public Attorney's Office, for the *Provisional Dismissal* of the instant case with the conformity thereto of Pros. Humilito Dolor, the same is hereby granted.

Further, Atty. Monique Morales manifested that herein accused are amenable to the *Provisional Dismissal* of the case against them, and they are willing to affix their respective signature at the back of the Information to show their acquiescence thereon.

**ACCORDINGLY**, the case of *Violation of PD 705 As Amended by EO 277* against **Efren Gado y Rivas and Guyon Unog y Bade** is hereby ordered **DISMISSED PROVISIONALLY** for non-compliance of the police officer in submitting the object evidence which is the corpus delicti in this case and without the presence of said object evidence, prosecution of this case would be futile. Also, send copy of this Order to the Provincial Director as well as the Regional Director of the PNP, Camp Suqui, Calapan City, Oriental Mindoro.

The OIC Clerk of Court of this Court is hereby ordered to release the respective bail bond posted by Delfrado Canja, Jr. and Rosalinda Lainez for the temporary liberty of accused Efren Gado y Rivas and Guyon Unog y Bade in the amount of **Twenty-Five (Php25,000.00) Pesos** each upon presentation of *Official Receipts* Nos. 3935611B and 3935612B dated June 19, 2014.

**SO ORDERED.**

Roxas, Oriental Mindoro.  
September 13, 2018.

HON. EDRALIN C. REYES



Republic of the Philippines  
**REGIONAL TRIAL COURT**  
FOURTH JUDICIAL REGION  
ORIENTAL MINDORO  
**BRANCH XLIII**  
Roxas

**PEOPLE OF THE PHILIPPINES,**

Plaintiff,

**CRIM. CASE NO. R-2174**

- versus -

- for -

**EFREN GADO, ET. AL.**

Accused.

**VIOLATION OF PD 705**

X

X

**ORDER**

Before this Court is an *Ex-Parte Motion To Release Vehicle* filed by the movant-owner, Lucita B. Gado, on November 27, 2018. Considering that the instant case is already dismissed as per Order dated September 13, 2018, the said motion is hereby **GRANTED.**

**ACCORDINGLY,** the motor vehicle involved in this case is therefore ordered released to the above-named movant.

**SO ORDERED.**

Roxas, Oriental Mindoro.

December 4, 2018.

**HON. EDRALIN C. REYES**

Presiding Judge

ECR/lmf