



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

DENR MIMAROPA RECORDS SECTION
RECEIVED
06 JUL 2022
☐ INCOMING ☐ OUTGOING
CASE NO. _____

JUL 04 2022

MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : **APPREHENSION REPORT OF UNDOCUMENTED FOREST PRODUCTS (10 PIECES OF GOOD LUMBER) WITH A TOTAL VOLUME OF 260 BOARD FEET AT SO, NATAO, BARANGAY MARIKIT, PALUAN, OCCIDENTAL MINDORO**

Respectfully forwarded herewith is the memorandum from CENR Officer Anastacio A., Santos regarding the apprehension of undocumented forest products at So. Natao, Barangay, Marikit, Paluan, Occidental Mindoro.

Both administrative and criminal cases were filed against Mr. Sonny Zoleta and Eddie Boy Balikadong Banter by the DENR and PNP respectively for violation of Section 77 of PD 705 as amended by RA 7161.

For your information and record .


ERNESTO E. TAÑADA

4. That transporting undocumented illegal forest products is a crime under Section 77 of PD 705 as amended by RA 7161.
5. That in the Administrative hearing conducted on June 3, 2022, the two accused stated that the owner of the apprehended Guijo lumber was unknown to them.
6. That the two accused were arrested and brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding.
7. That an Information was issued against the two accused on March 21, 2022. The case was docketed as Z-3611.

II. SUMMARY OF ADMINISTRATIVE PROCEEDINGS

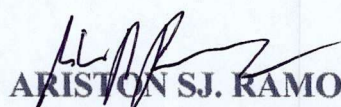
It appears that the accused were caught during the illegal logging operations by the joint force of DENR Enforcement and Monitoring Section, MAPSA Area and Paluan Municipal Police Station. They were caught transporting undocumented forest products which is in violation of Section 77 of PD 705 as amended by RA 7161.

Section 77 clearly states that transporting forest products without proper documents or permit from the proper authority is a violation under PD 705.

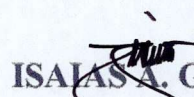
III. RECOMMENDATION

Based on the above statement of facts, administrative hearing and criminal case filed, it is hereby recommended that all forest products be forfeited in favor of the government.

Prepared by:


ARISTON S.J. RAMOS
Forester II/Chief, EMS

Noted by:


ISAIAS A. GUIMOD
Hearing Officer

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Abulaya Subhayan, Occidental Mindoro
APPREHENSION RECEIPT

CENRO Control No.: **CS0102-03-19-2022**
E-FMS No.:

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Status of the Person
SONNY ZOLETA DIATES	SO. ANDUYANAN, BRGY. ALIPAAY, PALUAN, OCC. MDO.	MARRIED	36	
EDDIEBOY BALIKADONG BANTER		MARRIED	20	

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, tools and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS												
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.					Estimated Value	Impounding Area
GOOD LUMBER	10		1	GULO	10	2	X	6	X	26	260.00 BD.FT	60 Php 15,600.00 DENR PENRO COMPOUND
TOTAL					10	260.00 BD.FT					Php 15,600.00	

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

Conveyance involved												
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.					Engine No.	Chassis No.	Accessories
	N/A									N/A		

If Animal												
Kind	Quantity					Gender				Color		
CARABAO	1					MALE						

Equipment Involved												
Type												

Implementation Involved												
Type												

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							
MARCH 19, 2022 4:00 AM	Occidental Mindoro	Paluan	Brgy. Marikit		Natao						Municipal Police Station	Violation of Sec 77 of PD 705

Is/ are hereby declaring under apprehension on the following FACTUAL reasons:
VIOLATION OF SECTION 77 OF PD 705

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 19th day of MARCH year 2022 at Sablayan, Occidental Mindoro.

APPREHENDING OFFICERS

(Signature over Printed Name)

3. PSSg Arden Mervin V. Bernardo
Position:PSSg
Address: PALUAN, OCC. MINDORO

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

1. Sonny Zoleta Diates
Address: BRGY. ALIPAORY, PALUAN, OCC.MDO

2. Eddie Boy Banter Balikadong
Address: BRGY. ALIPAORY, PALUAN, OCC.MDO

WITNESSES

(Signature over Printed Name)

1. NOEL Y. SALGADO
Position: FOREST RANGER
Address: MAMBURAO, OCCIDENTAL MINDORO

2. JOSEPH A. LANGANIBAN
Position: FOREST RANGER
Address: MAMBURAO, OCC. MINDORO

Signature over Printed Name

Signature over Printed Name

Remarks:

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
Community Environment and Natural Resources
Sablayan, Occidental Mindoro

SEIZURE RECEIPT

No. CSOT02-3-19-2022

The following apprehended items with Apprehension Receipt No. CSOT02-3-19-2022 are administrative seizure pursuant to Section 77 of PD 705.

A. FOREST PRODUCTS

MAJOR FOREST PRODUCTS

Kind	Item	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.						Estimated Value
GOOD LUMBER	1		GULO	10	2	X	6	X	26	260.00 BD.FT	Php 15,600.00
TOTAL				10	260.00 BD.FT						Php 15,600.00

Note: Please use another sheet if necessary.

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

1. SONNY ZOLETA DIATES, BRGY. ALIPAAY, PALUAN, OCC. MDO
2. EDDIE BOY BALIKADONG BANTER, BRGY. ALIPAAY, PALUAN, OCC. MDO.

B.

Name of Registered Owner: N/A Address: _____
Type of Vehicle: _____ Model: _____ With Plate # _____
Engine/Motor Serial No. _____ Chassis Serial No. _____
Certificate of Registration No.: _____ Field Office: _____

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each and estimated value/ Names/ Address of possession/owner).

These items are apprehended at Brgy. Manlit Paluan, Occ. Mdo. on March 19, 2022

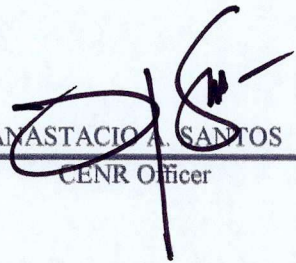
Due to _____ and the same items are
(State reason/s or offense committed)

Delivered to DENR CENRO Coordinating Office on March 19, 2022.

Further, these apprehended items are now deposited at DENR PENRO COMPOUND for safe keeping.

That the undersigned hereby acknowledge that the above listed item(s) are now under ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the purpose of

Therefore issue this Seizure Receipt No.


ANASTACIO A. SANTOS
CENR Officer

IN RE: _____

CENRO Control No.: MCO	CSOT02-03-19-2022
E-FMS No:	

FACTS

MAJOR FOREST PRODUCTS													
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.							Estimated Value
GOOD LUMBER	1			Guijo	10	2	X	6	X	26	260.00	BD.FT	Php 15,600.00
TOTAL					10. Pcs ,						260.00	BD.FT	Php 15,600.00

[illegible][illegible]

If Animal								
Kind	Quantity						Gender	Color
carabao							male	

Equipment Involved			
Type			

Implementation Involved			
Type			

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		
MARCH 19, 2022 (4:00 AM)	Occidental Mindoro	PALUAN	MARIKIT		NATAD	MPS- PALUAN	Violation of Sec 77 of PD 705

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

Name	Address	Civil Status	Age	Participation	Status of the Person
SONNY ZOLETA DIATES	BRGY. ALIPAOGY, PALUAN, OCC. MDO.	MARRIED	36		
EDDIE BOY BALIKADONG		MARRIED	20		

After thorough evaluation of the Apprehension Report dated 2022 Submitted by _____ 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 DENR laws and regulations have been violated and that the offender is probably guilty of _____.

The specific violations committed are as follows:

- SECTION 77, P.D 705
- _____
- _____

So ordered this 19th day of March, year 2022 At Sablayan, Occidental Mindoro.

ANASTACIO A. SANTOS
CENR OFFICER
SEIZURE OFFICER

Copy furnished: _____

C. EQUIPMENT AND OTHER IMPLEMENTS (Briefly describe the physical appearance and
These items are apprehended at Brgy. Marikit, Paluan, Occ. Mindoro on March 19, 2022.



DENR SBY: REU (Regulation Enforcement Unit)
Supervision

ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

THIS IS TO ACKNOWLEDGE TO RECEIPT from

DENR- CENR Office

Sablayan, Occidental Mindoro

No. of Pieces	Dimension	Species	Remarks/Bd. Ft.
8	2x6x26	Guinoo specic	208 bd ft - \$ 9,360.
2	2x7x26	Guinoo specic	60.66 bd ft - \$ 2,730.
1 (one)	living body of	Male Carabao with	
X	X	marking on left thigh	\$ 22,000.00
TOTAL:			TOTAL \$ 34,090.00

Received this 19th day of March 2022 at
Paluan, Municipal Police Station, Paluan, Occidental Mindoro

Received by:

ALDO
NOEL V. SALGADO
Forest Ranger

JOSEPH A. PANGANIEN
Forest Ranger

NAME

Witnessed by:

JOSE AGUSTIN M. MAHUSAY III



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE 4B
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
PALUAN MUNICIPAL POLICE STATION
Paluan, Occidental Mindoro



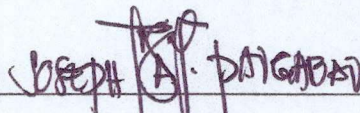
TURN-OVER OF PERSONS AND PHYSICAL EVIDENCE

March 19, 2022

This is to certify that the listed pieces of Evidence confiscated on March 19, 2022 about 4:00 o'clock in the morning at Sitio Natao, Barangay Marikit, Paluan, Occidental Mindoro for **Violation of P.D. 705** were turned over by this station to the DENR-CENRO ~~Coordinating~~ Office Sablayan, ~~Mamurao~~, Occidental Mindoro for further disposition and appropriate complaint as to wit:

1. **One (1) living body of Male Carabao with Marking on left Thigh .**
2. **Eight (8) pcs. 2x6x26 cut Lumber of Guijo Specie**
3. **Two (2) pcs. 2x7x26 cut lumber of Guijo Specie.**

This further certify that all Physical Evidence found and inventoried are properly listed and recorded.

Received By: 

Time/Date : 1:15 PM March 19, 2022

Turned over By: PSSg Anden Nervin V Bernardo

Time/Date : _____

Witnessed By: _____



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE 4B
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
PALUAN MUNICIPAL POLICE STATION
Paluan, Occidental Mindoro



MEMORANDUM

FOR : Officer In-Charge
FROM : Investigator-On-Case
SUBJECT : **Spot Report on Violation of P.D 705**
DATE : March 19, 2022

-
1. WHAT: Violation of PD 705 (Illegal Logging)
 2. WHERE: Sitio Natao, Barangay Marikit, Paluan, Occidental Mindoro
 3. WHEN: About 4:00 AM of March 19, 2022
 4. WHO: Suspects: **Sonny Zoleta Diates**, male, 44 years old, married, Laborer; and **Eddie Boy Balikadong Banter**, male, 20 years old, married, laborer; both residents of Sitio Anduyan, Barangay Alipaoy, Paluan, Occidental Mindoro.
 5. **WHY/HOW:** On the above mentioned date, time and place intel personnel of this station led by PSSg Arden Mervin V Bernardo conducted monitoring and validation of information regarding Illegal Logging activity that resulted to the apprehension of the above named suspects while having in their possession and control of undocumented **Ten (10) pieces 2x6x36** cut lumber of **Guijo specie** of about **Three Hundred Sixty (360) board ft.** approximately amounting to **Sixteen Thousand Two Hundred Pesos (Php16,200.00)**. Suspects after being informed of their rights together with the confiscated pieces of evidence were taken into the custody of this station for documentation and investigation.
 6. **REMARKS:** A Case of Violation of PD 705 (Illegal) Logging) is being prepared by the Investigator-on-Case PEMS Agustin L Mahusay III with CP# 09659106784.


DENNIS C. TARIGA
Police Lieutenant

ADMINISTRATIVE ADJUDICATION

For Violation of P.D. 705

Administrative Case No. : 2022-06-03-13

ANG ADMINISTRATIBONG PAGDINIG AY GINANAP NGAYONG IKA-03 NG HUNYO 2022 SA GANAP NA IKA- 9:15 NG UMAGA SA TANGGAPAN NG DENR-CENRO SABLAYAN OFFICE, SABLAYAN OCCIDENTAL MINDORO SA LAYUNING MABIGYAN NG LINAW ANG ILANG BAGAY TUNGKOL SA NAHULI NG PALUAN MUNICIPAL POLICE NA ISANG KALABAW NA MAY HILANG 360 BD.FT. NA GUIJO.

PAALALA:

Ginoong Sonny Z. Diates., kayo po ay inimbitahan na dumalo sa pagdinig na ito upang marinig ang inyong panig ukol sa pagkakahuli ng 10 piraso ng Guijo at isang kalabaw na nahuli ng grupo ng Paluan Municipal Police.

Sa ilalim ng saligang batas karapatan ninyo na sumagot o manahimik lamang sa mga katanungan sa inyo. Ang inyong mga sasabihin o isasagot ay maaaring gamitin pabor o laban sa inyo sa anumang hukuman. Maaari rin kayong kumuha ng inyong abogado upang magbigay gabay legal sa inyo. Kung wala naman kayong kakayahan, bibigyan kayo ng estado sa pamamagitan ng request sa Public Attorney's Office (PAO).

1.TANONG: Naiintindihan mo ba ang iyong karapatan?

SAGOT: Opo.

2. TANONG: Ikaw ba ay handang magsabi ng katotohanan at pawang katotohanan lamang?

SAGOT: Opo.

3. TANONG: Kung ganon maaari na po ba tayong magpatuloy sa pagdinig kahit wala po kayong kasamang abogado?

SAGOT: Opo.

4. TANONG: Kayo po ba ay nakakaintindi ng tagalog?

SAGOT: Opo.

5. TANONG: Kayo po ba ay marunong magbasa at magsulat?

SAGOT: Hindi po.

6. TANONG: Maaari mo bang ipakilala ang inyong sarili?

SAGOT: Opo, ako po si Sonny Z. Diates., 44 taong gulang, may asawa at anak at permanenteng nakatira sa So. Anduyan, Brgy. Alipaoy, Paluan, Occidental Mindoro.

7. TANONG: Ano po ang inyong ikinabubuhay?

SAGOT: Nakikiarawan lang po.

8. TANONG: Bukod po doon?

SAGOT: Wala na po.

9. TANONG: Alam po ba ninyo kung bakit po kayo naririto ngayon sa aming tanggapan?

SAGOT: Opo.

10. TANONG: Noong March 19, taong kasalukuyan kayo po ay nahulihan ng 10 pirasong
Guijo, tama po ba?

SAGOT: Opo.

11. TANONG: Maari po bang malaman kung kanino po ang mga nasabing kahoy?

SAGOT: Sa akin po, iyon po ay pangbahay.

12. TANONG: Saan po ninyo nakuha ang 10 pirasong kahoy?

SAGOT: Nabili ko po.

13. TANONG: Saan po ninyo nabili?

SAGOT: (Hindi sumagot)

14. TANONG: Sa palengke po ba or sa kakilala ninyo ito binili?

SAGOT: (Hindi sumagot)

15. TANONG: Sabi po ninyo gagamitin po ninyo itong pangbahay, alam po ba ninyo na
na hindi po pinapayagan ang pagbabiyahe ng kahoy na walang kaukulang
papeles mula sa aming opisina?

SAGOT: Hindi po.

16. TANONG: Ito pong kalabaw na ginamit po ninyo, sino po ang may-ari?

SAGOT: Si Eddie Boy Banter po.

17. TANONG: Nakulong po ba kayo?

SAGOT: Opo, 3 araw po, nagpiyansa lang po ako.

18. TANONG: Sino po ang nagpiyansa po sa inyo?

SAGOT: Iyong matanda po.

19. TANONG: May gusto ka bang sabihin o idagdag sa iyong salaysay?

SAGOT: Wala na po

20. TANONG: Kung sakaling ipapatawag ka naming muli, kung kulang pa ang mga sinalaysay mo sa amin ay handa kabang bumalik upang makipagtulungan sa amin?

SAGOT: Opo.

21 . TANONG: Handa po ba kayong lagdaan itong isinalaysay po ninyo sa amin?

SAGOT: Opo

Sinumpaan at nilagdaan ngayong ika-03 ng Hunyo taong 2022 sa ganap na ika-9:25 ng umaga sa tanggapan ng DENR-CENRO Sablayan, Occidental Mindoro.



SONNY Z. DIATES
Nagsalaysay

SAKSI:

Hearing Officer:


ECCLESIA E. GAMINO
Legal Researcher


ISAIAS A. GUIMOD
Deputy CENR Officer


ARISTON S.J. RAMOS
FI/Chief, EMS

ADMINISTRATIVE ADJUDICATION

For Violation of P.D. 705

Administrative Case No. : 2022-06-03-14

ANG ADMINISTRATIBONG PAGDINIG AY GINANAP NGAYONG IKA-03 NG HUNYO 2022 SA GANAP NA IKA- 9:30 NG UMAGA SA TANGGAPAN NG DENR-CENRO SABLAYAN OFFICE, SABLAYAN OCCIDENTAL MINDORO SA LAYUNING MABIGYAN NG LINAW ANG ILANG BAGAY TUNGKOL SA NAHULI NG PALUAN MUNICIPAL POLICE NA ISANG KALABAW NA MAY HILANG 360 BD.FT. NA GUIJO.

PAALALA:

Ginoong Eddie Boy Banter, kayo po ay inimbitahan na dumalo sa pagdinig na ito upang marinig ang inyong panig ukol sa pagkakahuli ng 10 piraso ng Guijo at isang kalabaw na nahuli ng grupo ng Paluan Municipal Police.

Sa ilalim ng saligang batas karapatan ninyo na sumagot o manahimik lamang sa mga katanungan sa inyo. Ang inyong mga sasabihin o isasagot ay maaaring gamitin pabor o laban sa inyo sa anumang hukuman. Maaari rin kayong kumuha ng inyong abogado upang magbigay gabay legal sa inyo. Kung wala naman kayong kakayahan, bibigyan kayo ng estado sa pamamagitan ng request sa Public Attorney's Office (PAO).

1.TANONG: Naiintindihan mo ba ang iyong karapatan?

SAGOT: Opo.

2. TANONG: Ikaw ba ay handang magsabi ng katotohanan at pawang katotohanan lamang?

SAGOT: Opo.

3. TANONG: Kung ganon maaari na po ba tayong magpatuloy sa pagdinig kahit wala po kayong kasamang abogado?

SAGOT: Opo.

4. TANONG: Kayo po ba ay nakakaintindi ng tagalog?

SAGOT: Opo.

5. TANONG: Kayo po ba ay marunong magbasa at magsulat?

SAGOT: Hindi po.

6. TANONG: Maaari mo bang ipakilala ang inyong sarili?

SAGOT: Opo, ako po si Eddie Boy Banter., 37 taong gulang, may asawa at anak at permanenteng nakatira sa So. Anduyan, Brgy. Alipaoy, Paluan, Occidental Mindoro.

7. TANONG: Ano po ang inyong ikinabubuhay?

SAGOT: Nakikiarawan lang po.

8. TANONG: Bukod po doon?

SAGOT: Wala na po.

9. TANONG: Alam po ba ninyo kung bakit po kayo naririto ngayon sa aming tanggapan?

SAGOT: Opo.

10. TANONG: Noong March 19, taong kasalukuyan kasama po ba ninyo si Ginoong Sonny

Diates noong kayo po ay nahulihan ng 10 pirasong Guijo?

SAGOT: Opo.

11. TANONG: Saan po galing ang kahoy?

SAGOT: Sa bundok po, iyon po ay pangbahay.

12. TANONG: Ito po ba ay binili ninyo or kayo po ang namutol?

SAGOT: Kinuha lang po namin sa mga tira-tira po, sinimot lang po namin.

13. TANONG: Ibigsabihin po noong nakita po ninyo putol na po?

SAGOT: Opo.

14. TANONG: Kilala po ba ninyo kung sino po ang nagpuputol doon?

SAGOT: Hindi po.

15. TANONG: Alam po ba ninyo na hindi po pinapayagan ang pagbabiyahe ng kahoy na

walang kaukulang papeles mula sa aming opisina?

SAGOT: Hindi po

16. TANONG: Sino po ang nakahuli sa inyo?

SAGOT: Si sir Jojo po?

17. TANONG: Mga taga DENR po ba?

SAGOT: Hindi po mga Police po.

18. TANONG: Nakulong po ba kayo?

SAGOT: Opo.

19. TANONG: Ilang araw po?

SAGOT: 3 araw po.

20. TANONG: Sino po ang nagpiyansa sa inyo?

SAGOT: Pinag-ipunan lang po ng mga kasamahan.

21. TANONG: Sino po ang may-ari ng kalabaw?

SAGOT: Sa akin po.

22. TANONG: May gusto ka bang sabihin o idagdag sa iyong salaysay?

SAGOT: Wala na po

23. TANONG: Kung sakaling ipapatawag ka naming muli, kung kulang pa ang mga sinalaysay mo sa amin ay handa kabang bumalik upang makipagtulungan sa amin?

SAGOT: Opo.

24. TANONG: Handa po ba kayong lagdaan itong isinalaysay po ninyo sa amin?

SAGOT: Opo

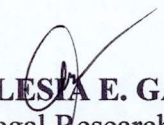
Sinunpaan at nilagdaan ngayong ika-03 ng Hunyo taong 2022 sa ganap na ika-9:45 ng umaga sa tanggapan ng DENR-CENRO Sablayan, Occidental Mindoro.



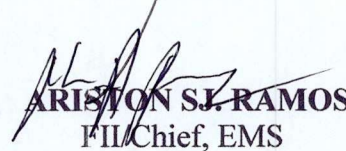
EDDIE BOY BANTER
Nagsalaysay

SAKSI:

Hearing Officer:


ECCLESIA E. GAMINO
Legal Researcher


ISAIAS A. GUIMOD
Deputy CENR Officer


ARISTON S.J. RAMOS
PII Chief, EMS

