



DENR MIMAROPA RECORDS SECTION
RECEIVED
14 NOV 2022
☒ INCOMING ☐ OUTGOING
BY: _____ DATE NO. _____

November 7, 2022

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

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

SUBJECT : **REPORT ON THE APPREHENDED STIHL CHAINSAW AT
SO. RIVERSIDE, BRGY. BALUGO, MANSALAY, ORIENTAL
MINDORO**

Forwarded is a Memorandum from CENRO Roxas with enclosed pertinent documents relative to the above subject, such as:

1. Apprehension Receipt;
2. On-site Report;
3. Tally Sheet;
4. Certified Geo-tagged Photos;
5. Seizure Order;
6. Seizure Receipt;
7. Notice of Apprehension;
8. Notice of Administrative Hearing;
9. Result of Administrative Proceedings;
10. Minutes of Administrative Proceedings;
11. Custodial Receipt;
12. Certification from CENRO Roxas; and,
13. Pertinent documents from MPS Mansalay.

Please be informed that a criminal complaint was filed by the MPS Mansalay with Criminal Case No. M 22-3510 against identified offender for violation of R.A. No. 9175. Be informed further that the said apprehended item were under the custody of CENRO Roxas for safekeeping and proper disposition.

This office concurs with the recommendation of CENRO Roxas that the apprehended one (1) unit STIHL chainsaw with Serial No. 046398610 shall be forfeited in favor of the government and shall be disposed of in accordance with existing forestry laws, rules and regulations.

For further instructions.


ALMA E. GIBE

PENRO Tracking No.: 2209000171
FN: TSD/MES/Rick

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



DENRPENR02211000009



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: cenroroxas_orientalmin@yahoo.com

October 26, 2022

MEMORANDUM

FOR: The Regional Executive Director
DENR MIMAROPA Region
1515 DENR by the Bay Building
Roxas Boulevard, Ermita Manila

ATTN: The Chief Law Enforcement Division
The Chief Legal Division

THRU : In-Charge, The PENR Office
DENR, PENRO, Suqui, Calapan City

FROM: CENR Officer
Roxas, Oriental Mindoro

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	OCT 26 2022
TIME:	

SUBJECT: **REPORT ON THE APPREHENDED STIHL CHAINSAW AT SO.
RIVERSIDE BRGY. BALUGO, MANSALAY, ORIENTAL
MINDORO**

This is to inform that an apprehension was made on September 3, 2022 related to the above subject. The apprehended items are under court litigation with *Criminal Case No. M 22-3510* for Violation of R.A. 9175.

In connection with this, the office recommends that the STIHL Chainsaw **shall be forfeited** in favor of the government and **shall be disposed** in accordance with existing forestry laws, rules and regulations.

Attached are the necessary documents for your reference.

For information and further instruction.

For and in the absence of the CENR Officer:

[Signature]
REYNALDO D. PUDIQUET
Forester III/ Chief MES



APPREHENSION RECEIPT

CENRO Control No.: 2022-

E-FMS No:2022-175212-F82

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Date of Birth/Age	Participation	Status of the Person
Ariel Castro Guro	So. Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro		56 years old	Chainsaw Operator	Detained

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

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Volume /Unit of Measurement	Estimated Value	Impounding Area	Custodian
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	DENR CENRO Roxas	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

Minor Forest Products				
Kind	No. of Units	Unit of Measurement	Estimated Value	Custodian
N/A	N/A	N/A	N/A	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

Machine Involved					
Type	Make/ Model/ Year	Serial No.	Color/Markings	CR No.	OR No.
Chainsaw	STIHL	046398610	N/A	N/A	N/A

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian
N/A	N/A	N/A	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A



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

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Legal Basis for Apprehension
	Province	City/ Municipality	Barangay	Sitio		
September 3, 2022, 12:30 pm	Oriental Mindoro	Mansalay	Balugo	Riverside	PSSG. Alex Acosta Punzalan and PCPL Kevin Christopher C. Condes	Violation of RA 9175

Apprehension was done under the following circumstances:

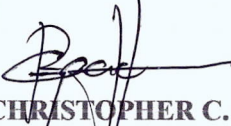
- The subject conveyance/machine (*chainsaw*) was used without necessary documents/ expired permit from the concerned agency.

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 5th day of September year 2022 at DENR-CENRO Brgy. San Mariano, Roxas, Oriental Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)


PSSG. ALEX ACOSTA PUNZALAN
MPS Mansalay
Mansalay, Oriental Mindoro


PCPL KEVIN CHRISTOPHER C. CONDES
MPS Mansalay
Mansalay, Oriental Mindoro

WITNESS
(Signature Over Printed Name)


MA. VICTORIA T. MONTELEJA
Forest Ranger

ATTESTED BY:


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit
DENR – CENRO
San Mariano, Roxas
Oriental Mindoro

Copy Received by:

Signature Over Printed Name

Date / Time: _____



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: cenroroxas_orientalmin@yahoo.com

TALLY SHEET

This is to certify that the apprehended conveyance/machine (*chainsaw*) is properly itemized and listed below, to wit:

No. of Pieces	Unit	Forest Products/ Machine	Marking	Estimated Market Value
1	unit	STIHL CHAINSAW	ACG	Php 15,000.00
		Total Amount		Php 15,000.00
—nothing follows—				

The following is counted and inspected in our presence this 5th day of September, 2022 at DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

Counted and inspected by:


MA. VICTORIA T. MONTELEJA
Forest Ranger

Attested by:


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit
DENR – CENRO
San Mariano, Roxas
Oriental Mindoro



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CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that these are the true pictures of the actual inspection of the confiscated one STIHL Chainsaw with Serial No. 046398610 at So, Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro. The subject conveyance/machine is currently under the custody of DENR CENRO-Roxas, Oriental Mindoro for safekeeping.

Signed this 5th day of September, 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

MA. VICTORIA T. MONTELEJA
Forest Ranger

SUBSCRIBED AND SWORN to before me this 5th day of September, 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.

REYNALDO B. PUDIQUET
Forester III / MES chief



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DENR-IV-B, MIMAROPA, Forest Protection
Supervision

CERTIFICATION

September 5, 2022

TO WHOM IT MAY CONCERN

THIS IS TO CERTIFY that there is one unit of STIHIL Chainsaw seized by member of Mansalay Municipal Police marked as ACG.

Said machine was intercepted at So. Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro.

This is to certify further that the machine has a market value of FIFTEEN THOUSAND pesos only (Php. 15,000.00).

Further certify that this office has not issued any certificate of registration or renewed the same.

This certification is issued in connection with the case filed against the respondent for violation of R.A. 9175.

Signed this 5th day of September, 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Forester III/Chief MES



SEIZURE ORDER

CENRO Control No.: 2022-
E-FMS No: 2022-175212- F82

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277, RA 9175 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products and machinery used are hereby ordered seized, to wit:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	DENR-CENRO compound	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo.

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

Machine Involved					
Type	Make/ Model/ Year	Serial No.	Color/Markings	CR No.	OR No.
Chainsaw	STIHL	046398610	N/A	N/A	N/A

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*
N/A	N/A	N/A	Dale Melchor Alagao Brgy. San Mariano, Roxas, Or.Mdo

**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
N/A	N/A	N/A	N/A	N/A	N/A



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Equipment Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
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
Ariel Castro Guro	So. Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro		56 years old	Chainsaw Operator	Detained

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		
	Oriental Mindoro	Mansalay	Balugo	Riverside	REYNALDO D. PUDIQUET	Violation of R.A. 9175

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
PSSG. Alex Acosta Punzalan	September 5, 2022	3:00 pm	DENR-CENRO
PCPL. Kevin Christopher C. Condes	September 5, 2022	3:00 pm	DENR-CENRO
Forest Ranger Oliver Noble	September 5, 2022	3:00 pm	DENR-CENRO

After thorough evaluation of the Apprehension Report dated September 5, 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 by the offender.

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

So ordered this 5th day of September year 2022 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro

REYNALDO D. PUDIQUET
Seizure Officer



SEIZURE RECEIPT

No. 25

The following apprehended items with Apprehension Receipt No. _____ is
administratively seized pursuant to Section 3 Of DAO 97-32

A. FOREST PRODUCTS

No. of Pieces	Unit	Forest Products/ Machine	Marking	Estimated Market Value
1	unit	STIHL CHAINSAW	ACG	Php 15,000.00
		Total Amount		Php 15,000.00
<i>—nothing follows—</i>				

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

NAME	ADDRESS	NATURE OF PARTICIPATION
1. Ariel Castro Guro.	So. Riverside, Brgy. Balugo, Mansalay, Or. Mdo	Chainsaw Operator

B. MACHINE

Name of Registration/Owner: Rey C. Mendoza
Address: N/A
Type of Machine: STIHL Chainsaw
Model: N/A
Serial No: 046398510
Certificate of Registration No. N/A
Estimated Fair Market Value: Php 15, 000.00



C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly described the physical appearance and condition of each items and estimate fair market value).

Note: The confiscated STIHL Chainsaw has an estimated market value of Php. 15,000.00.

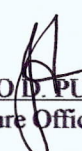
(State reasons or offense committed)

The items were apprehended by the elements of MPS Mansalay at So. Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro on September 3, 2022.

The same items are under the custody of DENR-CENRO San Mariano, Roxas, Oriental Mindoro. Further, these apprehended items are now deposited at DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

That the undersigned hereby acknowledge that the above listed item is now under 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. 25 this 5th day of September 2022 at DENR-CENRO Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Seizure Officer



September 5, 2022

MEMORANDUM

FOR : The CENR Officer
Roxas, Oriental Mindoro

THRU : The Chief, Monitoring and Enforcement Section

FROM : The Enforcement Team

SUBJECT : **SUBMISSION OF ON-SITE REPORT FOR THE APPREHENDED STIHL CHAINSAW AT SO. RIVERSIDE, BARANGAY BALUGO, MANSALAY, ORIENTAL MINDORO**

BASIC INFORMATION GATHERED:

1. Time of Apprehension - On or about 12:30 pm
Date of Apprehension - September 3, 2022
Place of Apprehension - So. Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro
 2. Full Name of Alleged Offender - Ariel Castro Guro
 3. Name of accompanying or providing assistance to the apprehending officers
PSSG. Alex Acosta Punzalan
PCPL Kevin Christopher C. Condes
MPS Mansalay
 4. Circumstances that lead to the apprehension - Elements of MPS Mansalay led by Police Major Roel G. Gabito received an information that there was a person cutting a coconut tree using a chainsaw in Brgy. Balugo, Mansalay. They immediately proceeded to the scene and caught the accused in the act of cutting coconut tree. Upon verification the chainsaw has no any legal documents.
 5. Name of Local Government - NONE
- Officials present and/or
Witnessing the apprehension



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6. Preliminary description of - STIHL Chainsaw
lumber/flitches/machine/equipment
items being apprehended
7. Origin of forest product/machinery - Brgy. Balugo, Mansalay
Oriental Mindoro
8. Consignor/s and consignee - N/A.
9. Other data or information, comments and recommendations:

Elements of MPS Mansalay led by Police Major Roel G. Gabito received an information that there was a person cutting a coconut tree using a chainsaw at Brgy. Balugo, Mansalay. Upon verification the chainsaw has no any legal documents. The elements of Bulalacao MPS confiscated the 300 sacks of wood charcoal.

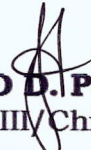
Subsequently, the personnel of MPS Mansalay led by Police Major Roel G. Gabito coordinated with Forester Reynaldo Pudiquet of CENRO Roxas office requesting for technical assistance to the apprehended forest product/machine/conveyance. Pursuant to the facts and circumstances, an apprehension receipt was immediately prepared cognizant to the STIHL Chainsaw.

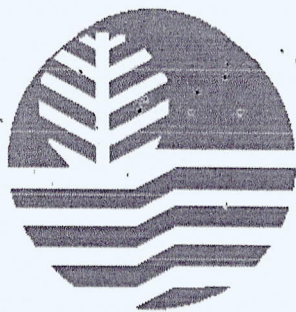
The subject forest product was turned-over under the custody of DENR CENRO compound San Mariano, Roxas, Oriental Mindoro for safekeeping.

For information, record and further instruction.


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit

SUBSCRIBED AND SWORN to before me this 5th day of September, 2022 at DENR-CENRO Office San Mariano, Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Forester III/ Chief MES



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
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PAGBIBIGAY-ALAM SA PAGDINIG

September 5, 2022

SA KINAUKULAN:

ARIEL CASTRO GURO

Ipinapaalam po ng mga kawani o tauhan ng Kapaligiran at Likas Yaman (DENR) na nakatalaga sa Barangay San Mariano, Roxas, Silangang Mindoro na ang Municipal Police Station ng Mansalay ay nakahuli/nakasamsam ng isang STIHL chainsaw sa Sitio Riverside, Barangay Balugo, Mansalay, Silangang Mindoro humigit kumulang ika 12:30 ng hapon noong September 3, 2022. Ito ay ginamit sa pagputol ng punong niyog. Ito ay kasalukuyang nakadeposito at nasa pag-iingat ng DENR-CENRO, Barangay San Mariano, Bayan ng Roxas, Silangang Mindoro.

Alinsunod sa P.D. 705 at R.A. 9175, kayo ay aming inaanyayahan sa September **12, 2022** sa gaganaping pagdinig na isasagawa ng aming tanggapan na matatagpuan sa Barangay San Mariano, Roxas, Silangang Mindoro sa ganap na **9:00 ng umaga** sa nasabing lugar. Ang nabanggit na pagdinig ay ipinatutupad sa ilalim ng Department Administrative Order 97-32 na nagbibigay ng pagkakataon sa may-ari na magpakita ng mga kinakailangang katibayan/dokumento na kung saan ang mga nabanggit na mga nahuling produkto, makinarya o kagamitan ay hindi tuluyang masamsam o makumpiska sa panig ng pamahalaan.

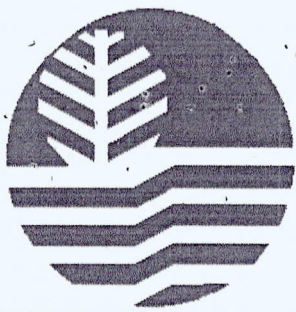
Inaasahan po na lahat ng ito ay bibigyan ng kaukulang pansin at lubos na pahalagahan.

Maraming salamat po.


Ariel C Guro

Sumasainyo,


REYNALDO D. PUDIQUET
Forester III/Chief MES



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Department of Environment and Natural Resources
MIMAROPA Region
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PAGBIBIGAY-ALAM SA PAGDINIG

October 4, 2022

SA KINAUKULAN:

REY MENDOZA

Ipinapaalam po ng mga kawani o tauhan ng Kapaligiran at Likas Yaman (DENR) na nakatalaga sa Barangay San Mariano, Roxas, Silangang Mindoro na ang Municipal Police Station ng Mansalay ay nakahuli/nakasamsam ng isang STIHL chainsaw sa Sitio Riverside, Barangay Balugo, Mansalay, Silangang Mindoro humigit kumulang ika 12:30 ng hapon noong September 3, 2022. Ito ay ginamit sa pagputol ng punong niyog. Ito ay kasalukuyang nakadeposito at nasa pag-iingat ng DENR-CENRO, Barangay San Mariano, Bayan ng Roxas, Silangang Mindoro.

Alinsunod sa R.A. 9175, Presidential Decree No. 705 at ng Executive Order No. 277, kayo ay inaanyayahan sa **October 10, 2022** sa gaganaping pagdinig na isasagawa ng aming tanggapan na matatagpuan sa Barangay San Mariano, Roxas, Silangang Mindoro sa ganap na **9:00 ng umaga** sa nasabing lugar. Ang nabanggit na pagdinig ay ipinatutupad sa ilalim ng Department Administrative Order 97-32 na nagbibigay ng pagkakataon sa may-ari na magpakita ng mga kinakailangang katibayan/dokumento na kung saan ang mga nabanggit na mga nahuling produkto, makinarya o kagamitan ay hindi tuluyang masamsam o makumpiska sa panig ng pamahalaan.

Inaasahan po na lahat ng ito ay bibigyan ng kaukulang pansin at lubos na pahalagahan.

Maraming salamat po.

Sumasainyo,


REYNALDO D. PUDIQUET
Forester III/Chief MES



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Department of Environment and Natural Resources
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CUSTODIAL RECEIPT

I hereby acknowledge to have received from the apprehending officers (DENR-CENRO PERSONNEL) the following items listed below, to wit;

1 unit of STIHL Chainsaw

As custodian, I will protect from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the DENR or his duly authorized representative or any Court of Justice of the Philippines.

Done this 5th day of September 2022 at DENR-CENRO San Mariano Roxas, Oriental Mindoro.

Custodian:


DALE MELCHOR ALAGAO
Property Custodian



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
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September 5, 2022

NOTICE OF APPREHENSION

This is to inform the public that the Oriental Mindoro MPS Mansalay led by Police Major Roel G. Gabito, apprehended on 3rd day of September 2022 on or about 12:30 pm the following forest products/conveyance/equipment:

No. of Pieces	Unit	Forest Products/ Machine	Marking	Estimated Market Value
1	unit	STIHL CHAINSAW	ACG	Php 15,000.00
		Total Amount		Php 15,000.00
<i>—nothing follows—</i>				

At So. Riverside, Barangay Balugo, Mansalay, Oriental Mindoro, the same having found to be without the necessary legal documents, hence, violates R.A. 9175, as amended.

The subject forest products/equipment/conveyance is properly impounded under the custody of DENR-CENRO compound San Mariano, Roxas, Oriental Mindoro


REYNALDO S. PUDIQUET
FORESTER III
(Position)

DENR-CENRO Roxas
(Agency)



October 18, 2022

MEMORANDUM

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

THRU : In-Charge, The PENR Office
Suqui, Calapan City,
Oriental Mindoro

FROM : Hearing Officer

SUBJECT : **SUBMISSION OF THE RESULT OF ADMINISTRATIVE PROCEEDINGS ON MACHINERY/EQUIPMENT APPREHENDED AT SO. RIVERSIDE, BRGY. BALUGO, MANSALAY, ORIENTAL MINDORO**

Attached is the transcript of the Minutes of the Administrative Hearing undertaken on the case *Department of Environment and Natural Resources –versus- Ariel Castro Guro* for violation of R.A. 9175 as amended. Please be informed that Administrative Hearing was conducted last October 3 and 10, 2022 in accordance with Item 2, Section 7 of DAO 97-32 which was attended by respondent, with the following observations:

1. Based on the spot report of the Municipal Police of Mansalay, they received a tip from Barangay Intelligence Network (BIN) that there was a person cutting a coconut tree using a chainsaw at Brgy. Balugo, Mansalay, Oriental Mindoro.
2. MPS Mansalay went to the area to verify the information. They saw Ariel Guro in the act of cutting coconut tree.
3. MPS Mansalay asked him if he has a permit for cutting the coconut tree and registration for the use of chainsaw. He responded that he has only permit for the cutting of coconut tree but no certificate of registration for chainsaw.
4. An administrative hearing was conducted after the turn-over of the documents from the Municipal Police of Mansalay.
5. During the administrative hearing, Ariel Guro admitted that he cut the coconut tree. He only did it because his neighbor asked for his help. According to his neighbor, the coconut tree poses danger to his house due to the incoming storm.
6. As for Rey Mendoza, the owner of chainsaw, he did not allow Ariel Guro to use the chainsaw since he knew that the certificate of registration was expired. He failed to renew the registration of chainsaw due to pandemic.
7. The subject chainsaw was turned-over by the apprehending officers to the nearest authorized Seizure Officer pursuant to Section 3 of DAO 97-32.



FINDINGS AND RECOMMENDATIONS:

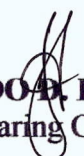
The undersigned after having reviewed the documents at hand and the statements of the respondent, and the Administrative Hearing conducted, determines that the STIHIL Chainsaw has no legal documents or papers from the DENR to warrant the use of the same. This act is in violation of R.A. 9175.

In view of the foregoing these are the findings and recommendations of the hearing officer:

ARIEL GURO respondent for CENRO Case No. 2022- 18 violated R.A. 9175. The STIHIL CHAINSAW **shall be forfeited** in favor of the government and **shall be forfeited** in favor of the government.

This case has been filed at Regional Trial Court with Criminal Case No. M-22-3510 for violation of R.A. 9175.

Attached are the minutes of the Administrative Hearing and the necessary documents for your review and further instruction.


REYNALDO D. PUDIQUET
Hearing Officer



SUBJECT:

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

CENRO CASE NO. 2022- 18

VERSUS -

ARIEL CASTRO GURO

: For Violation of Republic Act 9175

X- -----X

PRELIMINARY HEARING

Minutes of the Administrative Hearing undertaken on the above-mentioned case on October 3, 2022 at 8:30 am at CENRO-Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Hearing Officer

CATHERINE C. OLAVERIA
Legal Researcher/Recorder

APPEARANCE:

ARIEL CASTRO GURO

Petsa at Oras : Octobe 3, 2022/8:30 am

HEARING OFFICER:

SA BISA NG KAPANGYARIHANG IPINAGKALOOB SA AKIN ALINSUNOD SA ITINADHANA NG SEKSYON 45 NG PRESIDENTIAL DECREE 705, REPUBLIC ACT 9175 AT DEPARTMENT ADMINISTRATIVE ORDER NO. 97-32, ANG PAGDINIG NA ITO AY KAUGNAY SA KASONG ADMINISTRATIBO SA SEC. 7 NG R.A. 9175 "PAGGAMIT NG CHAINSAW NG WALANG KAUKULANG PERMISO" AY MAGKAKAROON NGAYON NG PORMAL NA PAGDINIG. PINAPAKIUSAPAN ANG LAHAT NG NARIRITO NA MANAHIMIK LAMANG AT HUWAG MAKIALAM O MAMAGITAN NA MAARING MAKAAANTALA SA PAGDINIG AT ITO AY HINDI PINAHIHINTULUTAN. BUKOD DITO, GUSTO KONG IPABATID SA LAHAT NG NARIRITO NG MGA SAKSI AT SUSPEK SA NASABING KASO NA KAYO AY BINIBIGYAN NG TANGING PREBILIHIYO NA GAMITIN ANG INYONG ABOGADO UPANG TAGAPAYO, ALINSUNOD SA TINADHANA NG BAGONG SALIGANG BATAS NG PILIPINAS.



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: cenroroxas_orientalmin@yahoo.com

SALAYSAY NI GINOONG ARIEL CASTRO GURO

Hearing Officer: Bago po tayo magsimula sa ating pagdinig sa oras na ito, maaari niyo po ba na ipakilala ang inyong sarili? Ang inyong pangalan edad at address?

S. Guro: Ako si Ariel C. Guro, kasalukuyang naninirahan sa So. Riverside Brgy. Balugo, Mansalay, Oriental Mindoro. Limampu't anim (56) na taong gulang.

Hearing Officer: Meron po ba kayong abogado na kasama?

S. Guro: Wala po.

Hearing Officer: Okay lang ba sa inyo na wala kayong abogado dito sa administrative proceeding?

S. Guro: Okay lang po.

Hearing Officer: Noong Setyembre 3, 2022 sa ganap na ika-12:30 ng hapon sa So. Riverside Barangay Balugo, Mansalay, Silangang Mindoro, ang pulis ng Mansalay ay nakatanggap ng tip na merong nagpuputol ng puno ng niyog gamit ang isang chainsaw. Ito ay kaagad nilang pinuntahan at kayo ay nakita sa aktong pagpuputol ng puno ng niyog. Nang kayo ay tanungin kung kayo ay may permit, wala kayong maipakita para sa rehistro ng chainsaw.

S. Guro: Expired na po ang chainsaw ng walong buwan.

Hearing Officer: Kaugnay nito, kayo ay nahaharap sa kasong administratibo at kriminal. Kayo ay pinadalhan ng Notice of Hearing para sa kasong administratibo noong September 5, 2022. Nakasaad dito na maari kayo magbigay ng written explanation at inaanyayahan ang inyong presensya sa opisina ng DENR-CENRO para magpaliwanag at magbigay ng salaysay.

Hearing Officer: Ano po ang inyong trabaho?

S. Guro: Wala po, sa bukid lang. Naga extra lang ako dun sa may-ari ng chainsaw. Doon po ako nakatira sa lupa ng may-ari ng chainsaw.

Hearing Officer: Noong oras at araw ng nasabing pangyayari, nasaan kayo at ano ang inyong ginagawa?

S. Guro: Nadoon nga po ako, piniputol po ang niyog na may-ari ng puno.

Hearing Officer: Ano po ang pangalan ng nagpuputol sa inyo ng niyog?

S. Guro: Pato Famisanpo. Yung aking kapitbahay ko po.

Hearing Officer: Ano po ang pangalan ng may-ari ng chainsaw?

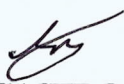
S. Guro: Rey Mendoza. Yung chainsaw ay nandun nakalagay sa bahay na tinutuluyan ko. Hindi po yun ginagamit dahil expired na ang rehistro pero dahil may bagyo napilitan akong gamitin dahil sabi nung aking kapitbahay delikado daw at baka bumagsak ang puno.



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Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
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Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

- Hearing Officer: Maari nyo bang isalaysay ang nangyaring paghuli sa inyo?
- S. Guro: Hinuli po ako ng pulis alas otso ng umaga. Dumating sila habang nakita akong nagpuputol ng niyog. Tinanong nila kung may permit ako sa chainsaw pero expired na ng walong buwan.
- Hearing Officer: Alam nyo ba na ipinagbabawal ang paggamit ng chainsaw ng walang rehistro?
- S. Guro: Alam ko naman po.
- Hearing Officer: Meron po ba kayong gustong sabihin o idagdag sa inyong salaysay?
- S. Guro: Wala na po.
- Hearing Officer : Maraming salamat po sa inyong pagunlak sa aming paanyaya nang pagdinig sa araw na ito at pasensya sa kaunting abala. Kami ay umaasa sa inyo na maging responsable sa ating kapaligiran. Ipagpaalam na din ninyo na ang DENR at talagang maghihigpit para mapursige ang pag iimplementa ng batas hindi lang sa Roxas kundi sa buong Pilipinas. Kaya ang pakiusap po namin sa inyo ay maging responsable tayo sa ating kalikasan. Salamat po ng marami.

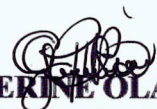
Nagsasalaysay:


ARIEL CASTRO GURO

Administrative Hearing adjourned: 8:40 am

Aking lalagdaan ang testimonyang ito ngayong ika -3 nang Oktubre taong 2022 sa DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

I HEREBY CERTIFY that this instrument consisting of 3 pages including this page are true and correct to the best of my knowledge and belief.


CATHERINE OLAVERIA
Legal Researcher/Recorder

SUBSCRIBED AND SWORN to before me this 3rd day of October 2022 at DENR CENRO-Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Hearing Officer



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
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SUBJECT:

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

CENRO CASE NO. 2022- 18

VERSUS -

ARIEL CASTRO GURO

: For Violation of Republic Act 9175

X-----X

PRELIMINARY HEARING

Minutes of the Administrative Hearing undertaken on the above-mentioned case on October 10, 2022 at 9:00 am at CENRO-Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Hearing Officer

CATHERINE C. OLAVERIA
Legal Researcher/Recorder

APPEARANCE:

REY MENDOZA

Petsa at Oras : Octobe 10, 2022/9:00 am

HEARING OFFICER:

SA BISA NG KAPANGYARIHANG IPINAGKALOOB SA AKIN ALINSUNOD SA ITINADHANA NG SEKSYON 45 NG PRESIDENTIAL DECREE 705, REPUBLIC ACT 9175 AT DEPARTMENT ADMINISTRATIVE ORDER NO. 97-32, ANG PAGDINIG NA ITO AY KAUGNAY SA KASONG ADMINISTRATIBO SA SEC. 7 NG R.A. 9175 "PAGGAMIT NG CHAINSAW NG WALANG KAUKULANG PERMISO" AY MAGKAKAROON NGAYON NG PORMAL NA PAGDINIG. PINAPAKIUSAPAN ANG LAHAT NG NARIRITO NA MANAHIMIK LAMANG AT HUWAG MAKIALAM O MAMAGITAN NA MAARING MAKAANTALA SA PAGDINIG AT ITO AY HINDI PINAHIHINTULUTAN. BUKOD DITO, GUSTO KONG IPABATID SA LAHAT NG NARIRITO NG MGA SAKSI AT SUSPEK SA NASABING KASO NA KAYO AY BINIBIGYAN NG TANGING PREBILIHINO NA GAMITIN ANG INYONG ABOGADO UPANG TAGAPAYO, ALINSUNOD SA TINADHANA NG BAGONG SALIGANG BATAS NG PILIPINAS.



SALAYSAY NI GINOONG REY MENDOZA

- Hearing Officer: Bago po tayo magsimula sa ating pagdinig sa oras na ito, maaari niyo po ba na ipakilala ang iyong sarili? Ang iyong pangalan edad at address?
- S. Mendoza: Ako si Rey Mendoza, kasalukuyang naninirahan sa Brgy. Balugo, Mansalay, Oriental Mindoro. 68 na taong gulang.
- Hearing Officer: Meron po ba kayong abogado na kasama?
- S. Mendoza: Wala po.
- Hearing Officer: Okay lang ba sa inyo na wala kayong abogado dito sa administrative proceeding?
- S. Mendoza: Okay lang po.
- Hearing Officer: Noong Setyembre 3, 2022 sa ganap na ika-12:30 ng hapon sa Barangay Balugo, Mansalay, Silangang Mindoro, ang pulis ng Mansalay ay nakatanggap ng tip na merong nagpuputol ng puno ng niyog gamit ang isang chainsaw. Ito ay kaagad nilang pinuntahan at si Ariel Guro ay nakita sa aktong pagpuputol ng puno ng niyog. Sinabi ni Ariel na kayo ang may-ari ng chainsaw.
- S. Mendoza: 8:30 sya nahuli. Expired na yung permit nung chainsaw.
- Hearing Officer: Kaugnay nito si Ariel Guro ay nahaharap sa kasong administratibo at kriminal. Kayo ay pinadalhan ng Notice of Hearing bilang may-ari ng chainsaw. Nakasaad dito na maari kayo magbigay ng written explanation at inaanyayahan ang inyong presensya sa opisina ng DENR-CENRO para magpaliwanag at magbigay ng salaysay.
- Hearing Officer: Ano po ang inyong trabaho?
- S. Mendoza: Wala po.
- Hearing Officer: Noong oras at araw ng nasabing pangyayari, nasaan kayo at ano ang inyong ginagawa?
- S. Mendoza: Nasa bahay ako. Tapos inaasikaso ko yung aking niyog. Tapos hinahanap ng chainsaw operator ko na si Ariel Guro yung permit ng chainsaw dahil may pulis nga daw. Sinabi ko sa kanya na expired na yung permit. Hindi naman yun ginagamit.
- Hearing Officer: Bakit nya ginamit ang chainsaw nyo?
- S. Mendoza: Pinakiusapan daw sya na putulin ang niyog dahil may bagyo. Hindi ko na pinapagamit sa kanya yung chainsaw. Hindi ko alam na magpuputol sya ng niyog. Palibhasa kapitbahay nya yung nagpuputol at nakiusap. Sinabi na emergency dahil may bagyo at baka bumagsak yung puno ng niyog dun sa bahay nila. Nandun sa hulo yung chainsaw ko at nasa pangangalaga ni Ariel. Hindi ko alam na ginamit nya yung chainsaw ko. Hindi ko pa napaparenew ang chainsaw ulit dahil sa pandemic kaya hindi ko muna yun ginagamit.



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Community Environment and Natural Resources Office
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Email: cenroroxas_orientalmin@yahoo.com

Hearing Officer: Meron po ba kayong gustong sabihin o idagdag sa inyong salaysay?

S. Mendoza: Wala na.

Hearing Officer : Maraming salamat po sa inyong pagunlak sa aming paanyaya nang pagdinig sa araw na ito at pasensya sa kaunting abala. Kami ay umaasa sa inyo na maging responsable sa ating kapaligiran. Ipagpaalam na din ninyo na ang DENR at talagang maghihigpit para mapursige ang pag iimplementa ng batas hindi lang sa Roxas kundi sa buong Pilipinas. Kaya ang pakiusap po namin sa inyo ay maging responsable tayo sa ating kalikasan. Salamat po ng marami.

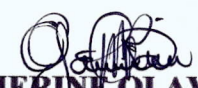
Nagsasalaysay:


REY MENDOZA

Administrative Hearing adjourned: 9:10 am

Aking lalagdaan ang testimonyang ito ngayong ika -10 nang Oktubre taong 2022 sa DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

I HEREBY CERTIFY that this instrument consisting of 3 pages including this page are true and correct to the best of my knowledge and belief.


CATHERINE OLAVERIA
Legal Researcher/Recorder

SUBSCRIBED AND SWORN to before me this 10th day of October 2022 at DENR CENRO-Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Hearing Officer

Republika ng Pilipinas)
Lalawigan ng Silangang Mindoro) S.S.
Bayan ng Mansalay)
x-----x

SINUMPAANG SALAYSAY
(Arresting/ Seizing Officer)

AKO, PSSg ALEX ACOSTA PUNZALAN, nasa wastong gulang, may asawa, kawani ng Pambansang Pulisya ng Pilipinas at kasalukuyang nakatalaga sa Mansalay MPS, Mansalay, Silangang Mindoro, matapos mabatid ang aking mga karapatan ng naaayon sa ating Saligang Batas ay malaya at kusang-loob na nagbibigay ng salaysay na gaya ng mga sumusunod:

1. Na, noong ika-3 ng Setyembre 2022, humigit kumulang ika-11:30 ng umaga, habang ako ay naka duty sa aming himpilan ng Mansalay MPS nang makatanggap ang aming himpilan ng tawag mula sa aming BIN at ipinababatid na mayroong nilalagaring puno ng niyog gamit ang isang chainsaw sa loob ng bakuran ni Jimson Soriano sa Sitio Riverside, Brgy. Balugo, Mansalay, Silangang Mindoro.

2. Na, kami ay kaagad na inatasan ng aming Acting Chief of Police na si **PMAJ ROEL G GABITO** na puntahan ang nasabing lugar sa pangunguna ng aming Deputy COP na si **PLT ARISTOTLE S ERMENO** para alamin ang katotohanan ng nasabing report.

3. Na, noong ang oras **ika-12:20** ng hapon nang aming marating ang nasabing bahay ni Jimson Soriano at doon ay aming naaktuhan ang isang lalaking nagpuputol ng puno ng niyog gamit ang isang chainsaw at amin itong nilapitan at kinausap at doon ay nagsimula namang mag-video ang aking kasamahan na si PCpl Kevin Christopher C Condes gamit ang aming ARD na Samsung A12 alinsunod sa A.M. No. 21-06-08-SC (Rules on the Use of Body-Worn Cameras in the Execution of Warrants.)

4. Na, amin siyang nakilala na si **ARIEL CASTRO GURO**, nasa wastong gulang, chainsaw operator at nakatira sa Sitio Riverside, Brgy. Balugo, Mansalay, Silangang Mindoro. At akin siyang hinanapan ng kaukulang dokumento hinggil sa pagpuputol nito ng niyog at mayroon naman itong naipakitang papeles hinggil sa pagputol ng niyog at noong akin naman siyang hanapan ng kaukulang dokumento/rehistro ng gamit niyang Chainsaw na STIHL na may serial number na 046398610 ay wala itong maipakitang anumang dokumentong magpapatunay na rehistrado ang kaniyang ginamit na chainsaw. Na, sa puntong iyon, noong ang oras **ika-12:30** ng hapon ding iyon siya ay aking inaresto dahil sa paglabag niya sa **R.A. 9175** at aking binasahan ng kaniyang mga karapatan alinsunod sa itinakda ng Saligang Batas ng Pilipinas at siya ay pinaliwanagan ko rin ng Anti-Torture Law at tinanong ko siya kung kaniyang nauunawaan at naiintindihan ang kaniyang mga karapatan siya ay tumango bilang tugon.

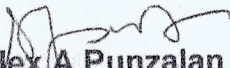
5. Na aking kinumpiska ang STIHL chainsaw na kaniyang ginamit sa pagpuputol ng puno at kalaunan ay aming dinala sa aming himpilan itong si Oliver Raymundo gayun din ang nakumpiskang Stihl Chainsaw para madokumentuhan.

6. Na, kalaunan ang nasabing STIHL chainsaw na may serial number na 046398610 na aking nakumpiska kay Ariel Castro Guro ay aking minarkahan ng **ACG**.

7. Na, noong Setyembre 5, 2022 ay iturn-over sa opisina ng CENRO, Brgy. San Mariano, Roxas ang nasabing STIHL chainsaw na may serial number na 046398610 na aking nakumpiska kay Ariel Castro Guro.

NA SA KATUNAYAN ng lahat ng ito, ako ay lumagda ng aking buong pangalan sa ibaba nito ngayong ika-5 ng Setyembre 2022 dito sa Mansalay, Silangang Mindoro upang sampahan ng hablang Violation of R.A. 9175 si Ariel Castro Guro.

WAKAS NG SALAYSAY.


PSSg Alex A Punzalan
(Nagsalaysay)

JURAT/CERTIFICATION

SUBSCRIBED AND SWORN to before me this 5th day of September 2022 in Mansalay, Oriental Mindoro, Philippines, I HEREBY CERTIFY that I have personally examined the affiants and I am fully satisfied that the affiants voluntarily executed his affidavit and he knew well and understood all the contents of his statements.


ROEL G GABITO
Police Major
Administering Officer

PNP
REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
Fourth Judicial Region
ORIENTAL MINDORO
Branch XLIII
Roxas

66 SEP 2022

4:10 P.M.

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIM CASE NO M-22-3570

versus

for

ARIEL CASTRO GURO,
Accused.

VIOLATION OF RA 9175
(Chainsaw Act of 2002)

X-----X

INFORMATION

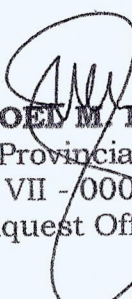
THE UNDERSIGNED Associate Provincial Prosecutor of Oriental Mindoro, under oath accuses **ARIEL CASTRO GURO** of Sitio Riverside, Barangay Balugo, Mansalay, Oriental Mindoro of the crime of Violation of RA 9175 otherwise known as the Chainsaw Act of 2002, committed as follows:

That on or about the 03rd day of September 2022 at around 12:30 o'clock in the afternoon more or less, at Barangay Balugo, municipality of Mansalay, province of Oriental Mindoro, Philippines, a place within the jurisdiction of this Honorable Court, the above-named accused ARIEL CASTRO GURO, without any corresponding license or permit from the proper government agency did, then and there willfully, unlawfully, feloniously have in his possession control and custody a unit of CHAINSAW branded as STIHL marked as "ACG", with serial number 046398610 and without any legal authority, used the same to cut trees or timber in violation of the above-cited law, to the damage of the Republic.

CONTRARY TO LAW

Pinamalayan for Roxas, Oriental Mindoro
September 06, 2022

WITH THE PRIOR WRITTEN AUTHORITY FROM THE
PROVINCIAL PROSECUTOR HUMILITO A. DOLOR
UNDER OPP MEMO NO. 19-1 DATED JUNE 17, 2019


MART NOEL M. RILLORTA
Associate Provincial Prosecutor
MCLE COMPLIANCE VII - 0007817 until 04-14-2025
Inquest Officer

WITNESSES:

- | | | |
|--|---|--|
| 1. PLT ARISTOTLE ERMENO | : | MPS Mansalay,
Or Mindoro |
| 2. DALE MELCHOR ALAGAO
(Chainsaw custodian CENRO) | : | CENRO, San Mariano Roxas
Oriental Mindoro |
| 3. REYNALDO PUDIQUET | : | CENRO San Mariano, Roxas
Oriental Mindoro |
| 4. PSSG ALEX PUNZALAN | : | MPS Mansalay,
Oriental Mindoro |
| 5. PCPL KEVIN CHRISTOPHER CONDES | : | MPS mansalay, Or Mindoro |
| 6. REY FIRMANES | : | CENRO-DENR Roxas,
Or Mindoro |
| 7. MA VICTORIA MONTELEJA | : | CENRO-DENR, Roxas,
Oriental Mindoro |

And OTHERS RESERVED . . .

EXHIBITS:

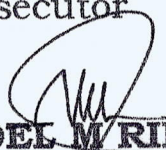
- A/ SS of PCPL PUNZALAN
- B/ SS of PCPL CONDES
- C/ SCANNED COPY SPOT REPORT
- D/ REQUEST FOR TURN OVER OF SEIZED PROPERTY
- E/ APPREHENSION RECEIPT
- F/ TALLY SHEET
- G/ DENR CERTIFICATION
- H/ COMPUTER GENERATED PHOTOGRAPHS
- I. ONE UNIT OF CHAINSAW (STIHL) MARKED "ACG" WITH SN 046398610 (under the custody of Dale Melchor Alagao of CENRO-DENR)

And OTHERS RESERVED . . .

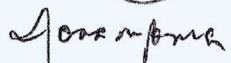
CERTIFICATION

I hereby certify that the foregoing information is filed pursuant to Section 7, Rule 112 of the 1985 Rules of Criminal procedure as amended, the accused not havng opted to avail of his right to preliminary investigation and not having executed a waiver pursuant to Article 125 of the Revised Penal Code.

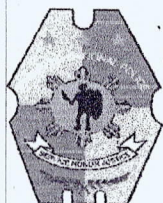
I further certify that this information is being filed with the prior authority of the Provincial Prosecutor


MART NOEL M. RILLORTA
Associate provincial prosecutor

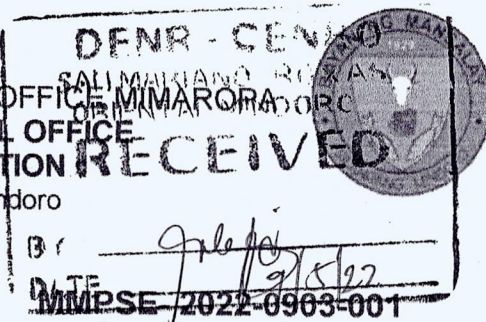
SUBSCRIBED AND SWORN TO before me this ____ of
September 2022 at Pinamalayan, Oriental Mindoro


PT ROSALINDA C. JAMESURAN

RECOMMENDED BAIL PHP 80,000.00



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
MANSALAY MUNICIPAL POLICE STATION
Barangay Poblacion, Mansalay, Oriental Mindoro



MEMORANDUM

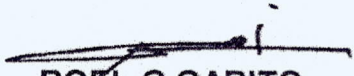
FOR : Provincial Director
Oriental Mindoro PPO
Barangay Cacawan, Pinamalayan, Oriental Mindoro
(Attn: Chiefs, PIDMU, PIU & POMU)

FROM : Acting Chief of Police

SUBJECT : **Report on Violation of R.A. 9175**

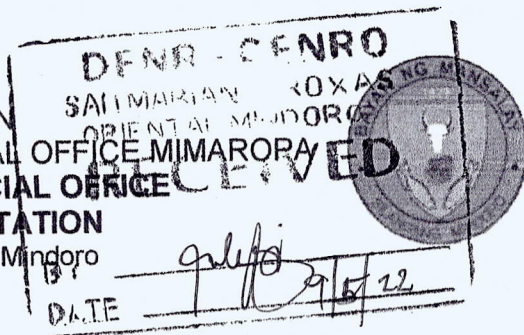
DATE : September 3, 2022

1. What: Violation of R.A. 9175
2. Where: Sitio Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro
3. When: September 3, 2022 about 12:30 P.M.
4. Who: The suspect identified as Ariel Castro Guro (Arrested) male, 56 years old, chainsaw operator and a resident of said place.
5. How: On September 3, 2022 at around 11:30 A.M., this station received a cellphone call from our BIN and informing that there was a person cutting a coconut tree using a chainsaw in Brgy. Balugo this municipality. Immediately, elements of Mansalay MPS led by PLT ARISTOTLE S ERMENO, DCOP under the direct supervision of PMAJ ROEL G GABITO, ACOP proceeded on the said place. Upon arrival thereat, the responding team caught in the act the arrested suspect cutting a coconut tree, upon verification the team found out that the said sawn coconut tree has a permit while the said chainsaw STIHL with serial number 046398610 owned by Rey C Mendoza has no permit from DENR which resulted in the confiscation of said chainsaw.
6. The arrested suspect was apprised by his constitutional rights and brought to this station together with the confiscated chainsaw for documentation. The investigator on-case is PSSg Rogie A Olidan with contact number 09550118303.
7. For information and progress report to follow.


ROEL G GABITO
Police Major



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
MANSALAY MUNICIPAL POLICE STATION
Barangay Poblacion, Mansalay, Oriental Mindoro



September 5, 2022

The Chief of CENRO

Department of Environment and Natural Resources
San Mariano, Roxas, Oriental Mindoro

Sir:

Respectfully turn-over to your office for proper disposition and safekeeping the one (1) unit of Oregon chainsaw with serial number 173418109 marked as **ETT** used by **Edwin Tamayo Tianzon**, (Arrested), 37 years old, chainsaw operator and a resident of Sitio Iba, Brgy. Waygan, Mansalay, Oriental Mindoro, and was confiscated by the elements of this Station during Anti-Illegal Logging operation in Sitio Iba, Brgy. Waygan, Mansalay, Oriental Mindoro on September 3, 2022.

Please acknowledge receipt.


ROEL G GABITO
Police Major
Acting Chief of Police

Republic of the Philippines
DEPARTMENT OF JUSTICE
National Prosecution Service
ORIENTAL MINDORO PROVINCIAL PROSECUTION OFFICE
Roxas, Oriental Mindoro

INVESTIGATION DATA FORM

To be accomplished by the Office:

DATE RECEIVED:

NPS DOCKET NO.:

(Stamped and initialed):

Time Received: 9 36 am

Receiving Staff: Jamio Rose F. Capelo

IV-076-1NQ-22I-00068

Assigned to:

Date Assigned:

To be accomplished by the complainant/counsel/law enforcer:
(Use back portion if space is not sufficient)

COMPLAINANT/S: Name, Sex, Age, Address:

MANSALAY MPS, Mansalay, Oriental Mindoro.

RESPONDENT/S: Name, Sex, Age & Address:

ARIEL CASTRO GURO, male, of legal age and a resident of Sitio Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro.

OFFENSE/S COMMITTED/LAW/s VIOLATED:

"Violation of R.A. 9175"

WITNESS/ES: Name & Address:

PSSg Alex A Punzalan, Mansalay MPS, Mansalay, Oriental Mindoro
PCpl Kevin Christopher C Condes, Mansalay MPS, Mansalay, Oriental Mindoro

DATE & TIME OF COMMISSION:

September 3, 2022 at about 12:30 P.M.

PLACE OF COMMISSION:

Sitio Riverside, Brgy. Balugo, Mansalay, Oriental Mindoro

- | | |
|--|---|
| 1. Has a similar complaint been filed before any office? * | YES _____ NO _____, If yes, indicate details below: |
| 2. Is this complaint in the nature of a counter-charge? * | YES _____ NO _____, If yes, indicate details below: |
| 3. Is this complaint related to another case before this office? * | YES _____ NO _____, If yes, indicate details below: |

I.S./NPS Docket No.:

Handling Prosecutor:

CERTIFICATION

I CERTIFY, under oath, that all the information on this sheet are true and correct to the best of my knowledge and belief, that if I should thereafter learn that a similar action has been filed and/or is pending, I shall report that fact to this Honorable Office within five (5) days from knowledge thereof.

PSSg Rogie A Olidan

(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this September 5, 2022 in Mansalay, Oriental Mindoro.



Republic of the Philippines
DEPARTMENT OF JUSTICE
National Prosecution Service
OFFICE OF THE PROVINCIAL PROSECUTOR
ORIENTAL MINDORO

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PNP-MANSALAY, ORIENTAL MINDRO,
Represented by PSSg Rogie Olidan,
Complainant,

NPS DOCKET NUMBER:
IV-07b-INQ-22I-00068

-versus-

-for-

ARIEL CASTRO GURO (arrested),
Respondent,

VIOLATION OF RA 9175

X-----X

PNP-MANSALAY, ORIENTAL MINDRO,
Represented by PSSg Rogie Olidan,
Complainant,

NPS DOCKET NUMBER:
IV-07b-INQ-22I-00069

-versus-

-for-

EDWIN TAMAYO TIANZON (arrested),
Respondent,

VIOLATION OF RA 9175

X-----X

JOINT RESOLUTION
(INQUEST)

THIS refers to the inquest proceeding conducted by the undersigned prosecutor pursuant to existing rules involving the above-named respondent presently under the custody of the PNP-Mansalay, Mansalay, Oriental Mindoro.

Respondent not having opted for a regular preliminary investigation of the case against them, nor had executed a waiver pursuant to Art 125 of the Revised Penal Code, the determination of probable cause proceeded on the basis of the evidence at hand and submitted by the complaining police officers.

After going over the facts and evidences on record, the undersigned finds sufficient ground to indict both **ARIEL CASTRO GURO** and **EDWIN TAMAYO TIANZON** for the crime of **VIOLATION OF RA 9175 or the Chainsaw Act of 2002** and that they should be held for trial.

WHEREFORE, the undersigned respectfully recommends the filing of separate Information for **VIOLATION OF RA 9175 or the Chainsaw Act of 2002** against **ARIEL CASTRO GURO** and **EDWIN TAMAYO TIANZON** at the proper court.

SO RESOLVED.

Pinamalayan for Roxas, Oriental Mindoro
September 06, 2022

WITH THE PRIOR WRITTEN AUTHORITY FROM THE
PROVINCIAL PROSECUTOR HUMILITO A. DOLOR
UNDER OPP MEMO NO. 19-1 DATED JUNE 17, 2019

Republika ng Pilipinas
Lalawigan ng Silangang Mindoro
Bayan ng Mansalay
BARANGAY BALUGO

TANGGAPAN NG PUNONG BARANGAY

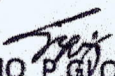
SA LAHAT NG KINAUKULAN:

Ang kasulatang ito ay nagpapatunay na si G. Rey C.Mendoza, ay residente ng Barangay Balugo Mansalay Silangang Mindoro.

Siya ang tunay na may-ari ng chain saw na may chassis no.046398610, siya ay nagpaalam sa tanggapan ng Barangay at pinayagan naman, para sa ganon ay may magamit ang tao, lalo ngayon marami ang gustong magpagawa ng bahay gamit ang good lumber. Basta ang kasuduan ay huwag gamitin sa ilegal na gawain.

Ang kanyang operator ay si G. Ariel Guro, residente ng Balugo.

Pinagtibay:


SERGIO P. GLORI JR.
Punong Barangay



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

APPLICATION

Application No. CNSW-2018

Type: () New
(/) Renewal

Date: February 23, 2018

RED/CENRO concerned:
CENR Officer:
San Mariano, Roxas, Oriental Mindoro

Sir;

I/WE, REY C. MENDOZA at Barangay Balugo, Mansalay, Oriental Mindoro and Telephone
No/CP No. _____ hereby applied for (Please check appropriate box):

- ☐ Certificate of Registration of Chainsaw (Renewal)
- ☐ Permit to import chainsaw
- ☐ Permit to Manufacture
- ☐ Permit to purchase, sell, re-sell, distribute or transfer of ownership of chainsaw.

The requirements called for under my/our application are attached for your evaluation.

I/WE understand that the filing of this application does not convey the authority to the undersigned to purchase, import, assemble, manufacture, sell, re-sell, distribute or use the chainsaws subject of application until such time that a Permit or Certificate of Registration is issued by DENR.

I/WE further understand that any false statement, misrepresentation and/or misdeclaration stated therein shall be ground for denial and/or revocation of registration without prejudice to the filing of appropriate legal action.

Very truly yours,



REY C. MENDOZA

Signature over Printed Name of Applicant

Purok Camia 2, Barangay San Mariano, Roxas, Oriental Mindoro
cenroroxas_orientalmin@yahoo.com



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

CERTIFICATE OF REGISTRATION

No. 2018_____

After having complied with the provisions of DENR Administrative Order No. 2003-24, Series of 2003 otherwise known as "The Implementation, Guidelines of the Chainsaw Act of 2002 (RA No. 9175) entitled "ACT REGULATING THE POSSESSION OWNERSHIP, SALE IMPORTATION AND USE OF CHAINSAW REPENALIZING VIOLATIONS THEREOF AND FOR THE OTHER RELATED PURPOSES." This Certificate of registration to possess, own or use chainsaw is hereby issued to:

REY C. MENDOZA

(Name of Owner)

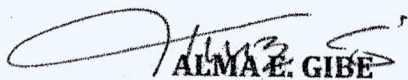
Barangay Balugo, Mansalay, Oriental Mindoro
(Address)

Bearing the following information and descriptions:

Use of Chainsaw : Agro Forest, Orchard and coco lumber.
Brand : STIHL Model no : _____
Date of Acquisition : _____ Serial Number : 046398610
Horsepower : 070
Maximum length of Guide Bar : 36 inches
Others : _____
Issued on : February 23, 2018 at DENR-CENRO, Roxas, Oriental Mindoro
Expiry Date : February 23, 2020

As authenticated copy of this Certificate must accompany the chainsaw at all times.

APPROVED BY:


ALMA E. GIBE

Development Management Officer V
In-charge, CENRO Roxas, Oriental Mindoro

Registration Fee : P 500.00
Official Receipt Number : 6826747
Date : February 23, 2018

Purok Camia 2, Barangay San Mariano, Roxas, Oriental Mindoro
cenroroxas_orientalmin@yahoo.com



TERMS AND CONDITIONS

1. The registered chainsaw shall be used for legitimate purpose only. Unauthorized use of the chainsaw shall be a ground for the cancellation of this Certification of Registration.
2. The CENRO concerned or nearest DENR Office should be informed in writing with thirty (30) Calendar days if the registered chainsaw was lost.
3. In case of **unserviceable** chainsaw the owner shall immediately report the same to the CENRO concerned and request for the revocation of the Certificate of Registration provided that if the Certificate of Registration has expired, the owner shall notify the CENRO in writing that he/she is no longer renewing the Certificate of Registration.


REY C. MENDOZA
Owner