



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

November 14, 2022

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR-MIMAROPA Region  
1515 DENR By the Bay Building, Roxas Boulevard,  
Barangay 668, Ermita, Manila

**THRU :** The OIC, ARD for Technical Services

**FROM :** The Provincial Environment and Natural Resources Officer

**SUBJECT :** FINAL REPORT ON THE ADMINISTRATIVE INVESTIGATION  
OF APPREHENDED ONE (1) UNIT OF TOPDOWN LOADED  
WITH FOURTEEN (14) PIECES OF IPIL LUMBER AT SITIO  
HAPPY VALLEY, BARANGAY BAROTUAN, EL NIDO,  
PALAWAN

Respectfully forwarded is the memorandum of CENRO Taytay, Palawan dated October 11, 2022 relative the above subject.

Per memorandum, the interception/recovery was made on September 02, 2021 at around 2:22 A.M. by the Enforcement Officers of CENRO Taytay, Palawan while conducting patrol, surveillance and monitoring activities Sitio Happy Valley, Barangay Barotuan, El Nido, Palawan.

The team apprehended one (1) unit topdown tricycle (RUSI 150, Black bearing Plate No. 020103) loaded with fourteen (14) pieces of Ipil lumber with an equivalent volume of 130.6 board feet without proper permit for violation of Section 77 of PD 705, as amended. The estimated market value of the conveyance is Php50,000.00 and the Ipil lumber is Php10,448.00 respectively.

The said apprehended items are temporarily stockpiled at Forest Products Monitoring Station (FPMS) IV located at So. Lamoro, Brgy. Pasadeña, El Nido, Palawan for proper safekeeping purposes under the custody of Administrative Aide VI/CENRO Property Custodian Norie D. Pineda. The involved persons are Mr. Roderick Romano (Driver of the topdown) and Mr. Bernard Huerto (Helper).

Further, the notices of hearing dated November 17, 2021, December 06, 2021 and January 10, 2022 were sent to the concerned parties and finally on December 03, 2021 the first hearing was conducted and the scheduled second hearing on December 17, 2021 was postponed but it was pushed through on January 21, 2022. In the administrative hearings, the respondents Mr. Romano and Mr. Huerto found out to have committed violation pursuant to Section 77 of PD 705, as amended.

We concur with the CENRO recommendation for the issuance of confiscation order of the apprehended forest product in favor of the government and filing of criminal case against the respondents. However, the recommendation for temporary release of the conveyance is contrary to letter b, Section 9.1 of DAO 1997-32.

For information and further instruction.



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
By the National Highway, Poblacion, Taytay, Palawan 5312  
Mobile: 0926-505-9335 TM 0912-171-3889 TNT  
Email: cenrotaytay@denr.gov.ph

October 11, 2022

MEMORANDUM

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

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

FROM : The Community Environment and  
Natural Resources Officer

SUBJECT : **FINAL REPORT ON THE ADMINISTRATIVE INVESTIGATION OF  
APPREHENDED ONE (1) UNIT OF TOPDOWN LOADED WITH  
FOURTEEN (14) PIECES OF IPIL LUMBER AT SITIO. HAPPY  
VALLEY, BARANGAY BAROTUAN, EL NIDO, PALAWAN**

DENR PENRO  
PALAWAN RECORDS  
RECEIVED

BY: *[Signature]*  
DATE: 11-04-2022 22:10/06

DENR CENRO  
TAYTAY, PALAWAN  
RELEASED

BY: *[Signature]*  
DATE: NOV 03 2022 CR 3182

Respectfully submitting is the Memorandum Report dated January 26, 2022 of the then Chief of the Enforcement and Monitoring Section and Forester II Dennis Aldrin O. Velasco relative to the above subject with enclosures.

Please be informed that of the following information to wit:

1. This Office conducted an administrative hearing last December 3, 2021 and December 17, 2021, respectively but postponed and it was pushed through on January 21, 2022. The hearing disclosed that the respondents (Mr. Romano and Mr. Huerto) committed a violation in relation to Section 77 of PD 705 hence the Hearing Officer recommended for filing of criminal complaint against the violator.
2. The Hearing Officer recommended for the temporary release of the one (1) unit RUSI 150CC with sidecar (topdown tricycle with Plate No. 010203, Engine No. RW162AMJ5A039253, Chassis No. RWCLPK207SE039253, color black). In relation to that, Mr. Romano submitted his "Motion to Release impounded topdown tricycle with undertaking and attached joint affidavit of undertaking dated December 2, 2021.
3. In addition, the Hearing Officer also recommended for that the fourteen (14) pieces of Ipil lumber with an equivalent volume of one hundred thirty point six (130.6) board feet be forfeited in favor of the Government.

Upon review and evaluation of the report submitted including its attachment, the undersigned concur the recommendation of the Hearing Officer for filing of cases to the violators and forfeiture of the forest products but disagree for the release of conveyance.

For information and further instruction.

*[Signature]*  
ALAN L. VALLE



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
5312 Taytay-El Nido, Palawan  
Email Address: [cenrotaytaypal@yahoo.com.ph](mailto:cenrotaytaypal@yahoo.com.ph)

January 26, 2022

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer  
FROM : The Chief, Enforcement and Monitoring Section  
SUBJECT : **FINAL REPORT ON THE ADMINISTRATIVE INVESTIGATION OF APPREHENDED ONE (1) UNIT OF TOPDOWN LOADED WITH FOURTEEN (14) PIECES OF IPIL LUMBER AT SO. HAPPY VALLEY, BARANGAY BAROTUAN, EL NIDO, PALAWAN**

DENR CENRO  
TAYTAY, PALAWAN  
RECEIVED  
DATE 01-02-22 CN 0136

This report is respectfully submitted pursuant to Department (DENR) Administrative Order 97-32 dated October 10, 1997.

**WHAT**

This is the final report on the administrative adjudication of the apprehended one (1) unit of topdown (RUSI 150, Black with Plate No. 020103, Engine No. RW162AMJ5A039253 and Chassis No. RWCLPK207SE039253) loaded with fourteen (14) pieces of Ipil lumber with an equivalent volume of one hundred thirty point six (130.6) board feet.

**WHEN**

The interception/recovery took place last September 2, 2021 at around 2:22 in the morning and the corresponding report was submitted and received in this Office on September 13, 2021 (Annexes A to A<sub>1</sub>), geo-tagged pictures (Annex B), Tally sheet (Annex C) and the Apprehension Receipt (Annex D to D<sub>2</sub>).

**WHERE**

The forest products and conveyance were intercepted in So. Happy Valley, Barangay Barotuan, El Nido, Palawan and temporarily stockpiled at Forest Product Monitoring Station (FPMS) IV located at So. Lamoro, Bgy. Pasadena, El Nido, Palawan.

**WHO**

The operating team was composed of Forest Ranger Michael Angelo M. Vasquez, Forest Ranger Yolando D. Edep Jr., Forest Protection Officer Edjay H. Adin, Forest Protection Officer Rico Igam, Forest Protection Officer Kevin R. Rin led by Forest Ranger Leo D. Tabernilla. Both alleged in the report and Apprehension Receipt are Mr. Roderick Romano (driver of the topdown) and Mr. Bernard Huerto (helper).

by the National Highway, Poblacion, Taytay, Palawan  
Contact Nos. 09265059335 (globe) 09121713889 (Talk and Text)  
Email address: [cenrotaytaypal@yahoo.com.ph](mailto:cenrotaytaypal@yahoo.com.ph)

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## WHY

The team took the items for failure of the claimant to show proof of documents to determine the legitimacy of the source.

## HOW

The essential portion of the report is quoted as follows:

“...the conduct of surveillance and patrolling, the team encountered one (1) unit of topdown loaded of illegal lumber in So, Happy Valley, Bgy. Barotaun, El Nido, Palawan. We immediately check and verify the said topdown and was able to arrest in flagrante delicto of Mr. Roderick Romano driver of the said topdown and Mr. Beranrd Huerto helper loaded of the said lumber. We explained the law violated and the so called Miranda rights. Further, the team apprehended the topdown loaded with 130.6 board feet of Ipil lumber and brought to FPMS IV, Lamoro for safekeeping. Subsequently, the team brought Mr. Roderick Romano and Mr. Bernard Huerto to the Municipal Police Station for blotter.”

### Adjudication procedure/ Investigation

Seizure Order (Annexes E to E<sub>2</sub>) and Receipt (Annex F) were facilitated to acquire jurisdiction on the items.

#### First (1<sup>st</sup>) administrative hearing

Notice letters to all concerned were served setting the hearing on December 3, 2021 dated November 17, 2021 (Annexes G to G<sub>3</sub>). Respondent attended the said administrative hearing reflected in the attendance sheet (Annex H) but did not pushed through since the Hearing Officer is in official travel assisting the Huawei personnel in the installation of Rainforest Guard Device in El Nido, Palawan.

#### Second (2<sup>nd</sup>) administrative hearing

Second (2<sup>nd</sup>) hearing was set on December 17, 2021 with notice letters to the concerned parties dated December 6, 2021 (Annex I to I<sub>2</sub>). The hearing again was postponed due to Typhoon Odette that hit the province of Palawan.

It was then set on January 21, 2022 with notice letters to the respondents dated January 10, 2022 (Annex J to J<sub>2</sub>). Attendance is therefore Annex K.

Preliminaries of the hearing include the presentation of Information and Education Campaign (IEC) regarding the Forestry Code of the Philippines, attendance checked and house rules.

**Hearing Officer** to **Romano** in an inquiry of his present occupation. **Romano** then replied to work in “*basakan*” and have no idea on the whereabouts of the person who asked him to transport the lumber. **HO** then explained that the submitted Motion for Release with Undertaking will be considered and will be form part of the record of the case.

**Romano** then promised to the body not to commit the same act again; that the act was committed due to the poverty issue and that he haven’t seen the person who asked them to transport the lumber.

**Punong Barangay Sitjar** also assured that the respondent were not really into illegal activities and that poverty matters pushed them to engage in such activity.

**Pastor Dela Cruz** asked for help for immediate released of the said conveyance since they were using the topdown for their source of income.

**HO** closed the administrative hearing on the final words that he will submit his final report relative to the matter.

The transcribed of minutes is Annex L to L<sub>4</sub>.

### **Conclusion and recommendation**

The arguments lies on the fact that the respondents were caught in the act of transporting the lumber which is a violation of Section 77 of PD 705 hence the undersigned recommends for filing of criminal complaint against Mr. Romano and Mr. Huerto. Further, the undersigned also recommends for the temporary released of the topdown (RUSI 150, Black with Plate No. 020103, Engine No. RW162AMJ5A039253 and Chassis No. RWCLPK207SE039253) consistent with Department Administrative Order (DAO) 97-32 particularly on Section 9 Temporary Release of Conveyances. Said Order stated that when a conveyance is apprehended by virtue hereof, and any time thereafter pending final disposition of the administrative case, and should available evidence establish to the satisfaction of the Hearing Officer that the conveyance may be used for **lawful purposes, such as, but not limited to: personal mode of transportation; commercial passenger transport; cargo hauling;** or other similar legal use, temporary release thereof to the owner or claimant or other interested party may be applied for, and release thereof to the applicant pendente lite may be granted by the Hearing Officer in compliance with Section 9.1. c and d, DENR CONFIRMATION provided that the respondent or the applicant **has not previously been held administratively or criminally liable for violation of forestry laws, rules and regulations;** and that available evidence does not in any way indicate the complicity of the applicant in the offense cited in the confiscation proceedings. Section 9. 3, requires the applicant to submit **Sworn Statement and Undertaking** stating the following provisions (a) declaring the precise nature of his claim thereon; (b) declaring that he has not previously been held administratively or criminally liable for violation of forestry laws; (c) describing the precise lawful uses(s) to which the conveyance shall/may be applied during the pendency of the case; (d) stating the replacement cost of the conveyance at the time the application is filed; and (e) an unconditional undertaking to return possession of the conveyance to the DENR as may be required for the final disposition of the case. Finally, Section 9.4 would require applicant for **Posting of Bond** stating that upon approval of an application for Temporary Release of Conveyance, and as a precondition to the actual pendente lite release thereof, the applicant shall post a cash or surety bond to guarantee the prompt return of the conveyance to the DENR as may be required pursuant hereto. In no case shall a personal or private bond or guarantee or recognizance be admitted for this purpose.

In case of misrepresentation in the Application for Temporary Release of Conveyance and/or any documents submitted in connection with or support thereof, or in case of failure to comply with any representations or undertakings made in connection therewith, the conveyance shall be ordered recalled by the Hearing Officer and the same shall forthwith be returned by the Applicant to the DENR. In case of failure to return the conveyance in compliance with a directive issued in the administrative case, the bond shall be called and forfeited in favor of the Government as states in Section 9.4. In compliance to the above, the respondent submitted the copy of Motion to Release Impounded Topdown with Undertaking (Annex M to M<sub>3</sub>). On the above foregoing, the undersigned also recommends that the fourteen (14) pieces of Ipil lumber with an equivalent volume of one hundred thirty point six (130.6)) board feet be forfeited in favor of the Government.

**Review of annexes:**

Annex A and A <sub>1</sub>	Report dated September 03, 2021
Annex B	Geo-tagged photos dated September 2, 2021
Annex C	Tally Sheet
Annex D to D <sub>2</sub>	3 page apprehension receipt dated September 2, 2021
Annex E to E <sub>2</sub>	3 page Seizure Order dated November 17, 2021
Annex F	Seizure Receipt dated November 17, 2021
Annex G to G <sub>3</sub>	Notice of letters dated November 17, 2021
Annex H	Attendance Sheet for 1 <sup>st</sup> administrative hearing dated December 3, 2021
Annex I to I <sub>3</sub>	Notice of letters dated December 6, 2021
Annex J to J <sub>2</sub>	Notice of letters dated January 10, 2021
Annex K	Attendance Sheet for 2 <sup>nd</sup> administrative hearing dated January 21, 2022
Annex L to L <sub>4</sub>	Transcript of minutes of 2 <sup>nd</sup> administrative hearing dated January 21, 2022
Annex M to M <sub>3</sub>	Motion to Release Impounded Topdown with Undertaking

For information, record and further instruction.

Respectfully submitted,



**DENNIS ALDRIN O. VELASCO R.P.F**



September 03, 2021

**MEMORANDUM**

FOR : The OIC-Community Environment and Natural Resources Officer

THRU : Chief, Enforcement and Monitoring Unit

FROM : FPMS – V Brgy. New Ibajay, El Nido, Palawan

SUBJECT : **SPOT REPORT ON THE APPREHENDED UNIT TOP DOWN  
RUSI 150 CC WITH ENGINE NO. RW162AMJ5A039253 AND  
CHASSIS NO. RWCLPK207SE039253 LOADED FRESH CUT IPIL  
LUMBER WITH THE TOTAL VOLUME OF 130.6 BOARD FEET  
AT SITIO HAPPY VALLEY, BRGY. BAROTUAN, EL NIDO,  
PALAWAN.**

This report is respectfully submitted pursuant to the memorandum of the Undersecretary for Field Operations, Enforcement and Muslim Affairs dated July 01, 2020.

**WHAT**

This is the report of the apprehended 1 unit top down loaded fresh cut Ipil lumber with the total volume of 130.6 board feet at So. Happy Valley, Barangay Barotuan, El Nido, Palawan.

**WHEN**

The apprehension took place last September 2, 2021 at around 2:22 o'clock in the morning and the corresponding report was submitted and received in the Office on September 06, 2021 (Annex 1) along with the geotagged photos (Annex 2), tally sheet (Annex 3) and Apprehension Receipt (Annex 4).

**WHERE**

The apprehension took place at Sitio Happy Valley, Brgy. Barotuan, El Nido, Palawan and the said forest products and conveyance was brought to Forest Product Monitoring Station IV, Sitio Lamoro, Brgy. Pasadeña, El Nido, Palawan for safekeeping.

**WHO**

The probable offender were a certain Mr. Roderick Romano and Mr. Bernard Huerto resident of Brgy. Barotuan, El Nido, Palawan. The enforcement personnel were representing our FPMS-V namely Forest Ranger Leo D. Tabernilla, Forest Ranger Michael Angelo Vasquez, Forest Ranger Yolando D. Edep Jr. Forest Protection Officer Edjay H. Adon Forest Protection Officer Rico Igam and Forest Protection Officer Kevin R. Rin.

**WHY**

The said forest product was taken and seized in violation to Section 77 of Presidential Decree 705 as amended otherwise known as Revised Forestry Code of the Philippines as stated as "Any person who shall cut, gather, collect, or remove timber or other forest product from any forest land, or timber from alienable or disposable public lands, or from private lands, without any authority, OR POSSESS TIMBER OR OTHER FOREST PRODUCTS WITHOUT THE LEGAL DOCUMENTS AS REQUIRED UNDER EXISTING FOREST LAWS AND REGULATIONS, SHALL BE PUNISHED WITH THE PENALTIES IMPOSED shall be guilty of qualified theft as defined and punished under Article 309 and 310 of the Revised Penal Code.



## HOW

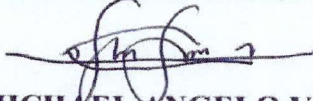
During the conduct of surveillance and patrolling, the team encountered one unit topdown loaded of illegal lumber in Sitio Happy Valley, Brgy. Barotuan, El Nido, Palawan. We immediately check and verify the said topdown and was able to arrest in flagrante delicto of Mr. Roderick Romano driver of the said top down and Mr. Bernard Huerto Helper loaded of the said lumber. We explained the law violated and the so called miranda right. Further, the team apprehended the top down loaded (130.6) board feet of Ipil lumber and brought to FMPS IV Lamoro for safekeeping. Subsequently, the team brought Mr. Roderick Romano and Mr. Bernard Huerto to the Municipal Police Station for blotter.

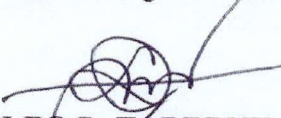
## Recommendation

The undersigned respectfully recommending the intensive patrolling and conduct of Information Education Campaign in the area. and filling of case further if there is probable cause.

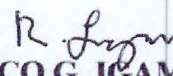
  
**EDJAY H. ADON**

Forest Protection Officer/ Member

  
**MICHAEL ANGELO VASQUEZ**  
Forest Ranger/ Member

  
**LEO D. TABERNILLA**  
Forest Ranger/ FPMS V Team Leader

  
**KEVIN R. RIN**  
Forest Protection Officer/ Member

  
**RICO G. IGAM**  
Forest Protection Officer/ Member

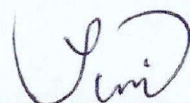
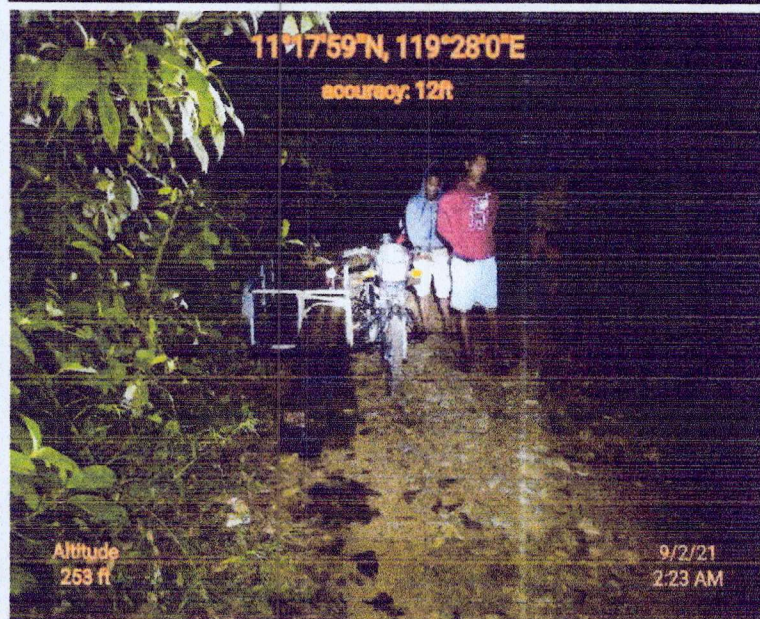
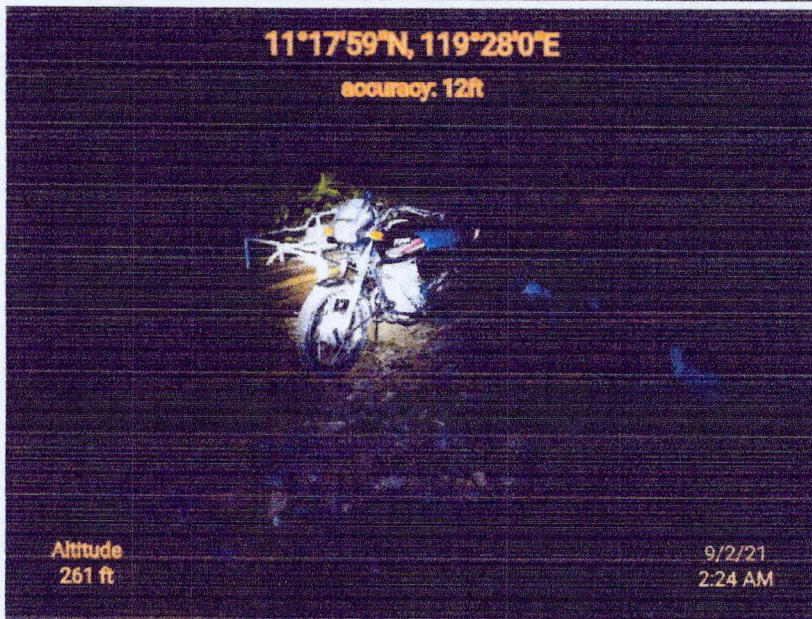
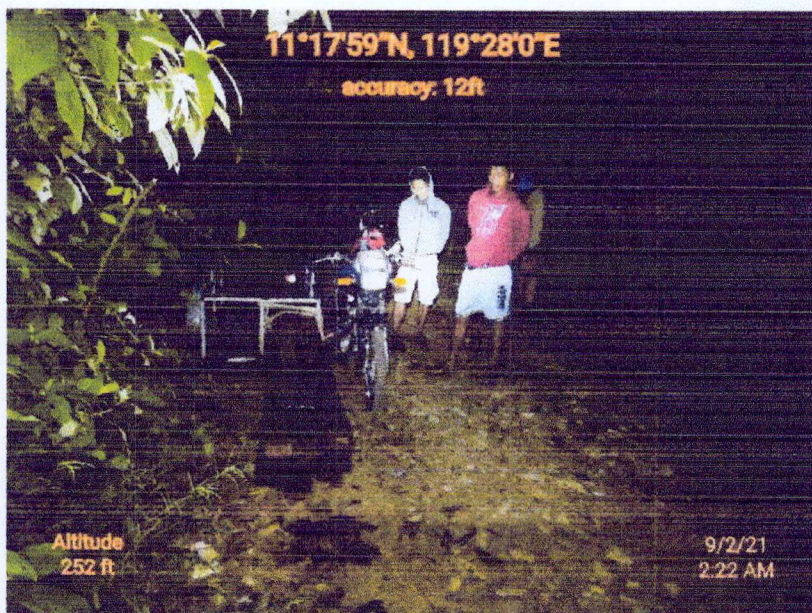
  
**YOLANDO D. EDEP JR.**  
Forest Ranger/ FPMS IV Assistant Team Leader



PHOTO DOCUMENTATION

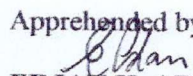


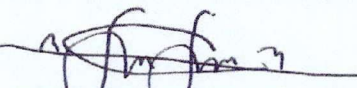
September 2, 2021

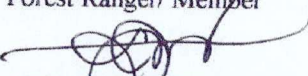
CERTIFICATION

**THIS IS TO CERTIFY** that the photos shown above were taken during the apprehension of 1 unit top down loaded fresh cut Ipil lumber with the total volume of 130.6 board feet at So.Happy Valley, Brgy. Barotuan, El Nido, Palawan.

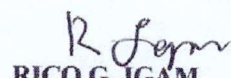
Apprehended by;

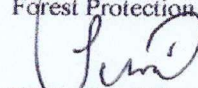
  
**EDJAY H. ADON**  
Forest Protection Officer/ Member

  
**MICHAEL ANGELO M. VASQUEZ**  
Forest Ranger/ Member

  
**LEO D. TABERNILLA**  
Forest Ranger/ FPMS V Team Leader

  
**KEVIN R. RIN**  
Forest Protection Officer/ Member

  
**RICO G. IGAM**  
Forest Protection Officer/ Member

  
**YOLANDO D. EDEP JR.**  
Forest Ranger/ FPMS IV Assistant Team Leader



TALLY SHEET OF ILLEGALLY CUT LUMBER APPREHENDED AT SO. HAPPY  
VALLEY, BRGY. BAROTUAN, EL NIDO, PALAWAN

Pieces	Species	Dimension	Volume (board feet)
14	Ipil	2x4x14	130.6

Republic of the Philippines  
Department of Environment and Natural Resources  
**CENRO Taytay**  
Address: El Nido, Palawan

"Annex D"

**APPREHENSION RECEIPT**

CENRO Control No.:

E-FMS No:

This APPREHENSION RECEIPT is issued to-

Name	Address	Civil Status	Age	Participation	Status of the Person
Foderick Pomanon	Barotay, El Nido, Pal	Married	31	Driver	
Bernardo Averte	Barotay, El Nido, Pal	Single	29	Helper	

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, Tool and Implements that have been apprehended, to wit.

1. Forest Products:

**MAJOR FOREST PRODUCTS**

Kind	Item:	Pieces	Species Group	Species	Origin of Forest Products	Volume (cu.m)	Estimated Value (Php)	Impounding Area	Custodian
Lumber	2x4x14	14	Plat Hardwood	Ipil		130.6 m <sup>3</sup>	₱6,070	PPWR N	BTMPPA

**Minor Forest Products**

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian

**Conveyance Involved**

Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
Truck	PV51 150	020103	Blue			RW142P AOT A039 253	FWCLPK 27A039 253	

**If Animal**

Kind	Quantity	Gender

"Annex D1"

Equipment Involved	
Type	Quantity

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		
September 2, 2021 02:22 AM	PALAWAN	EL NIDO	PADWUAN	APPY VAWAY	MICHAEL D. VASQUEZ	Sec. 77 of P.D. 705

Is/are hereby declare under apprehension on the following FACTUAL reasons:

- 
- 
- 
- 
- 

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 alerted or removed until otherwise ordered by the secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 2nd day of September year 2021 at  
PPMS 14, PIAPIA El Nido, Palawan.

"Annex D2"

**APPREHENDING OFFICER**  
(Signature Over Printed Name)

1. LOD O. TOOTMILL  
Position: POST PATROL  
Address: \_\_\_\_\_

3. MICHAEL A. YRQUEZ  
Position: POST PATROL  
Address: \_\_\_\_\_

2. YOLANDA O. RODEZ JR  
Position: POST PATROL  
Address: \_\_\_\_\_

4. KEVIN A. RAY  
Position: POST PROTECTION OFFICER  
Address: \_\_\_\_\_

**WITNESSES:**

EDJAY H. RAY  
Position: POST PROTECTION OFFICER

R. Igarr  
Position: POST PROTECTION OFFICER

**OWNER/CLAIMNANT/REPRESENTATIVE/DRIVER**  
(Signature over Printed Name)

1. ROBERTO R. RAY  
Position: DRIVER  
Address: BOATMAN, TI MNO, POC

3. BERNARD HUEP  
Position: HOLDER  
Address: BOATMAN, TI MNO, POC

2. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

4. \_\_\_\_\_  
Position: \_\_\_\_\_  
Address: \_\_\_\_\_

Copy Received by:

\_\_\_\_\_  
Signature over Printed Name

\_\_\_\_\_  
Date/Time

Remarks:

\_\_\_\_\_  
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**SEIZURE ORDER**

No. 11-39-2024

"Annex E"

<b>CENRO CONTRO No.:</b>
<b>E-FMS No.:</b>

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

**FACTS**

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of the Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber		So. Happy Valley, Bgy. Barotuan, El Nido, Palawan	Premuim Hardwood	Ipil	14	130.6	10,448.00	FPMS IV, Lamoro Station, Bgy. Pasadeña, El Nido, Palawan	Norie D. Pineda
TOTAL					14 pcs.	130.6 bd. ft.	10,448.00		

MINOR FOREST PRODUCTS				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Conveyance Involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
Topdown	RUSI 150 CC	020103	Black	N/A	N/A	RW162AMJ5A0 39253	RWCLPK207 SE039253	N/A

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*
N/A	N/A	N/A	Norie D. Pineda

\*turned over to the highest officer of the Regiona Office concerned if government-owned vehicle.

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved	
Type	Quantity
N/A	N/A

Implements Involved	
Type	Quantity
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
Roderick Romano	Bgy. Barotuan, El Nido, Palawan	Married	31	Driver	
Berbardo Huerto	Bgy. Barotuan, El Nido, Palawan	Single	29	Helper	

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

#### SEIZURE

Date and Time of Apprehension	Place of Seizure				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
September 2, 2021 @ 2:22 AM	Palawan	El Nido	Barotuan	Happy Valley	FR Leo D. Tabernilla et. al	Violation of Section 77 of PD 705 as amended

Examination Conducted by Seizure Officer:

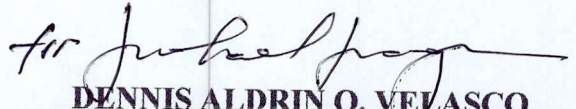
Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

"Annex E2"

After thorough evaluation of the Apprehension Report dated September 3, 2021 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

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

So ordered this 17th day of November year 2021  
at Taytay, Palawan

  
**DENNIS ALDRIN O. VELASCO**  
(SEIZURE OFFICER)

Copy furnished:

\_\_\_\_\_  
\_\_\_\_\_



**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex F"

November 17, 2021

Date

**SEIZURE RECEIPT**

No. 11-39-2021

Before this Office is the Apprehension Receipt of the apprehending team re: the following forest products and/or machinery/equipment/tools/conveyance used in connection therewith, to wit:

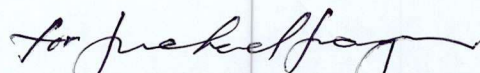
QUANTITY	UNIT	ARTICLE DESCRIPTION	ESTIMATED VALUE
14	130.6	2x4x14 Ipil lumber	10,448.00
<b>14 pcs</b>	<b>130.6 bd. ft</b>		<b>10,448.00</b>
1		Top down (RUSI 150 (Plate No.020103, Black with Engine No. RW162AMJ5A039253 and Chassis No. RWCLPK207SE039253)	<b>50,000.00</b>

The above-described forest product/s and/or machinery/equipment/ tools/ conveyance were apprehended by Forest Ranger Leo D. Tabernilla et. al  
(Name of Apprehending Officers)

On September 2, 2021 at So. Happy Valley, Bgy. Barotaun, El Nido, Palawan  
(Date) (Place)

for the following violations: **Section 77 (formerly Section 68) of PD 705 as amended by EO 277 and RA 7161**

Pursuant to the provisions of Presidential Decree No. 705, otherwise known as the Revised Forestry Code of the Philippines as amended by Executive Order No. 277 and pursuant further to the recent Department Administrative Order no. 97-32 series of 1997 re : Rules for Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyances Used in Connection Therewith, the above subject forest products and/or machinery/equipments/tools/conveyance are hereby declared seized hereof into government custody, pending formal administrative proceedings for the disposition thereof.

  
**DENNIS ALDRIN O. VELASCO**  
SEIZURE OFFICER

Custody of above items under the care of:

  
**NORIE D. PINEDA**  
Administrative Aide VI/ CENRO Property Custodian



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
By the National Highway, Poblacion, Taytay, Palawan 5312  
Mobile: 0926-505-9335 TM 0912-171-3889 TNT  
Email: cenrotaytay@denr.gov.ph

"Annex G"

Ika-17 ng Nobyembre, 2021

**G. RODERICK ROMANO**  
**G. BENARD HUERTO**  
Bgy. Barotuan, El Nido, Palawan

DENR CENRO  
TAYTAY, PALAWAN  
**RELEASED**  
BY: *free*  
DATE: NOV 22 2021 0603

Ginoo,

Pagbati!

Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat ang inyong pangalan bilang mga responsable dito.

Bilang paggalang sa proseso, kayo po ay inaatasang pumunta dito sa tanggapan (DENR-CENRO Taytay, Palawan) sa ika-3 ng Disyembre, 2021, araw ng Biyernes sa ganap na ika- 2:00 ng hapon upang magpaliwanag ukol dito.

Mangyari po ay magdala kayo ng mga kaukulang papeles o dokumento kung meron man gayundin ng anumang pagkakakilanlan o Identification Card (ID). Karapatan nyo din na kumuha ng paglilingkod ng Tagapagtanggol (Legal Counsel) upang kayo ay gabayan.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

*Alan L. Valle*  
**ALAN L. VALLE**  
Community Environment and Natural Resources Officer



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex G<sub>1</sub>"

Ika-17 ng Nobyembre, 2021

**KGG. ANTENOR D. SITJAR**

Punong Barangay

Barangay Barotuan, El Nido, Palawan

DENR CENRO  
TAYTAY, PALAWAN  
**RELEASED**  
BY: file  
DATE: NOV 22 2021 CN 3603

Kgg. na Punong Barangay,

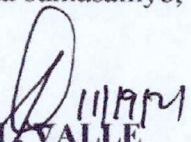
Pagbati!

Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat sina G. Roderick Romano at G. Bernard Huerto bilang mga responsable dito.

Kaugnay nito, amin pong ipinababatid na ang pagdinig sa usaping ito ay gaganapin dito sa tanggapan (DENR-CENRO Taytay, Palawan) sa darating na ika-3 ng Disyembre, 2021, araw ng Biyernes sa ganap na ika-2:00 ng hapon.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

  
ALAN VALLE  
Community Environment and Natural Resources Officer



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex 62"

Ika-17 ng Nobyembre, 2021

**FR LEO D. TABERNILLA**  
**FR YOLANDO D. EDEP JR.**  
**FR MICHAEL ANGELO M. VASQUEZ**  
DENR-CENRO Taytay, Palawan

**DENR CENRO**  
**TAYTAY, PALAWAN**  
**RELEASED**  
BY: *lie*  
DATE: NOV 22 2021 *3603*

Mga Ginoo,

Pagbati!

Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat sina G. Roderick Romano at G. Bernard Huerto bilang mga responsable dito.

Kaugnay nito, amin pong ipinababatid na ang pagdinig sa usaping ito ay gaganapin dito sa tanggapan (DENR-CENRO Taytay, Palawan) sa darating na ika-3 ng Disyembre, 2021, araw ng Biyernes sa ganap na ika-2:00 ng hapon.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

*Alan L. Valle*  
**ALAN L. VALLE**

Community Environment and Natural Resources Officer



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
By the National Highway, Poblacion, Taytay, Palawan 5312  
Mobile: 0926-505-9335 TM 0912-171-3889 TNT  
Email: cenrotaytay@denr.gov.ph

"Annex 63"

Ika-17 ng Nobyembre, 2021

**FOR. I MICHAEL L. MARASIGAN**  
DENR-CENRO Taytay, Palawan

**DENR CENRO  
TAYTAY, PALAWAN  
RELEASED**

BY:                       
DATE: NOV 23 2021 file 3603

Ginoo,

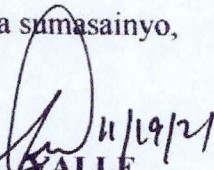
Pagbati!

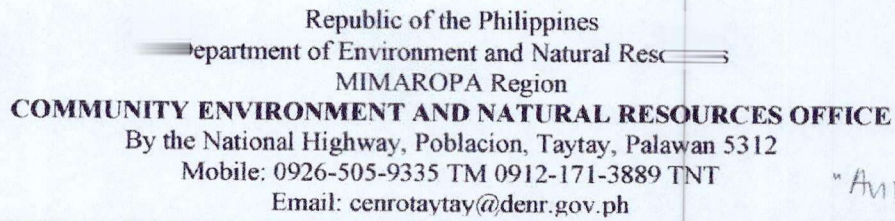
Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat sina G. Roderick Romano at G. Bernard Huerto bilang mga responsable dito.

Kaugnay nito, kayo po ay inaanyayahan upang magsilbing tagapagsiyasat sa nabanggit na usapin na gaganapin sa tanggapan (DENR-CENRO Taytay, Palawan) sa darating na ika-3 ng Disyembre, 2021, araw ng Biyernes sa ganap na ika-2:00 ng hapon.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

  
**ALAN L. VALLE**  
Community Environment and Natural Resources Officer



**ATTENDANCE FOR 1ST ADMINISTRATIVE HEARING**  
**December 3, 2021 @ 2:00 PM**

[illegible]



**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

Annex I

Ika-6 ng Disyembre, 2021

**G. RODERICK ROMANO**

**G. BERNARD HUERTO**

Bgy. Barotuan, El Nido, Palawan

**DENR CENRO  
TAYTAY, PALAWAN  
RELEASED**

BY: DEC 09 2021 3131  
DATE: DEC 09 2021 CN

Ginoo,

Pagbati!

Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat ang inyong pangalan bilang mga responsable dito.

Bilang paggalang sa proseso, kayo po ay inaatasang pumunta dito sa tanggapan (DENR-CENRO Taytay, Palawan) para sa pangalawang pagdinig na darating na ika-17 ng Disyembre, 2021, araw ng Biyernes sa ganap na ika- 2:00 ng hapon.

Mangyari po ay magdala kayo ng mga kaukulang papeles o dokumento kung meron man gayundin ng anumang pagkakakilanlan o Identification Card (ID). Karapatan nyo din na kumuha ng paglilingkod ng Tagapagtanggol (Legal Counsel) upang kayo ay gabayan.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

Para at sa pansamantalalang halili ng CENRO:

**ALEXANDER E. MANCIO**

SEMS/ Chief, RRS

In-charge, Office of the CENRO



Ika-6 ng Disyembre, 2021

**KGG. ANTENOR D. SITJAR**  
Punong Barangay  
Barangay Barotuan, El Nido, Palawan

**DENR CENRO  
TAYTAY, PALAWAN  
RELEASED**  
BY: Jie  
DATE: DEC 09 2021 3731

Kgg. na Punong Barangay,

Pagbati!

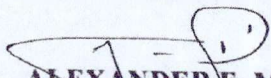
Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat sina G. Roderick Romano at G. Bernard Huerto bilang mga responsable dito.

Kaugnay nito, amin pong ipinababatid na ang pangalawang pagdinig sa usaping ito ay gaganapin dito sa tanggapan (DENR-CENRO Taytay, Palawan) sa darating na ika-17 ng Disyembre, 2021, araw ng Biyernes sa ganap na ika-2:00 ng hapon.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

Para at sa pansamantalalang halili ng CENRO:

  
**ALEXANDER E. MANCIO**  
SEMS/ Chief, RRS  
In-charge, Office of the CENRO




Ika-6 ng Disyembre 2021

**FR LEO D. TABERNILLA**  
**FR YOLANDO D. EDEP JR.**  
**FR MICHAEL ANGELO M. VASQUEZ**  
DENR-CENRO Taytay, Palawan

**FOR. I MICHAEL L. MARASIGAN (Examiner)**  
DENR-CENRO Taytay, Palawan

**DENR CENRO**  
**TAYTAY, PALAWAN**  
**RELEASED**

BY:   
DATE: DEC 09 2021 CR 3731

Mga Ginoo,

Pagbati!

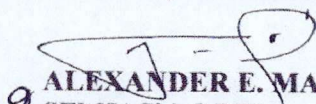
Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat sina G. Roderick Romano at G. Bernard Huerto bilang mga responsable dito.

Kaugnay nito, amin pong ipinababatid na ang pangalawang pagdinig sa usaping ito ay gaganapin dito sa tanggapan (DENR-CENRO Taytay, Palawan) sa darating na ika-17 ng Disyembre, 2021, araw ng Biyernes sa ganap na ika-2:00 ng hapon.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

Para at sa pansamantalalang halili ng CENRO:

  
**ALEXANDER E. MANCIO**  
SEMS/ Chief, RPS  
In-charge, Office of the CENRO



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex J"

Ika-10 ng Enero, 2022

**G. RODERICK ROMANO**

**G. BERNARD HUERTO**

Bgy. Barotuan, El Nido, Palawan

DENR CENRO  
TAYTAY, PALAWAN  
RELEASED

DATE: JAN 11 2022

Ginoo,

Pagbati!

Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat ang inyong pangalan bilang mga responsable dito.

Bilang paggalang sa proseso, kayo po ay inaatasang pumunta dito sa tanggapan (DENR-CENRO Taytay, Palawan) para sa pangalawang pagdinig na darating na ika-21 ng Enero, 2022, araw ng Biyernes sa ganap na ika- 2:00 ng hapon.

Mangyari po ay magdala kayo ng mga kaukulang papeles o dokumento kung meron man gayundin ng anumang pagkakakilanlan o Identification Card (ID). Karapatan nyo din na kumuha ng paglilingkod ng Tagapagtanggol (Legal Counsel) upang kayo ay gabayan.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

  
**ALANE VALLE**

Community Environment and Natural Resources Officer



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex J<sub>1</sub>"

Ika-10 ng Enero, 2022

**KGG. ANTENOR D. SITJAR**

Punong Barangay

Barangay Barotuan, El Nido, Palawan

DENR CENRO  
TAYTAY, PALAWAN  
**RELEASED**

BY: *[Signature]*  
DATE: JAN 11 2022 *[Stamp]* *[Initials]*

Kgg. na Punong Barangay,

Pagbati!

Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat sina G. Roderick Romano at G. Bernard Huerto bilang mga responsable dito.

Kaugnay nito, amin pong ipinababatid na ang pangalawang pagdinig sa usaping ito ay gaganapin dito sa tanggapan (DENR-CENRO Taytay, Palawan) sa darating na ika-21 ng Enero, 2022, araw ng Biyernes sa ganap na ika-2:00 ng hapon.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

*[Signature]*  
**ALAN L. YALLE**

Community Environment and Natural Resources Officer



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex J<sub>2</sub>"

Ika-10 ng Enero, 2022

**FR LEO D. TABERNILLA**  
**FR YOLANDO D. EDEP JR.**  
**FR MICHAEL ANGELO M. VASQUEZ**  
DENR-CENRO Taytay, Palawan

DENR CENRO  
TAYTAY, PALAWAN  
RELEASED

JAN 11 2022

**FOR: MICHAEL L. MARASIGAN (Examiner)**  
DENR-CENRO Taytay, Palawan

Mga Ginoo,

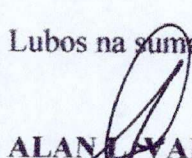
Pagbati!

Ito po ay tungkol sa nakumpiskang isang (1) unit ng topdown (Rusi 150 CC na may Plate No. 010203, kulay Itim, Engine No. RW162AMJ5A039253 at Chassis No. RWCLPK207SE039253) at may lulang labing-apat (14) na pirasong Ipil noong ika-2 ng Setyembre, 2021 sa So. Happy Valley, Barangay Barotuan, El Nido, Palawan. Nabanggit sa ulat sina G. Roderick Romano at G. Bernard Huerto bilang mga responsable dito.

Kaugnay nito, amin pong ipinababatid na ang pangalawang pagdinig sa usaping ito ay gaganapin dito sa tanggapan (DENR-CENRO Taytay, Palawan) sa darating na ika-21 ng Enero 2022, araw ng Biyernes sa ganap na ika-2:00 ng hapon.

Inaasahan namin ang inyong pagdalo. Salamat po.

Lubos na sumasainyo,

  
**ALAN L. VALLE**  
Community Environment and Natural Resources Officer

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: [cenrotaytay@denr.gov.ph](mailto:cenrotaytay@denr.gov.ph)

"Annex K"

### ATTENDANCE FOR 2ND ADMINISTRATIVE HEARING

**January 21, 2022 @ 2:00 PM**

[illegible]



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex L"

CENRO Case No. \_\_\_\_\_

**2ND PRELIMINARY HEARING**

**TRANSCRIPT**

of the minutes of the Administrative Hearing undertaken on the above-mentioned case on January 21, 2022 at 2:46 in the afternoon in the Community Environment and Natural Resources Office, Poblacion, Taytay, Palawan.

**DENNIS ALDRIN O. VELASCO**

Hearing Officer

**CAÑETTE O. DELA ROSA**

Acting Recorder

**Appearances:**

- |                         |   |
|-------------------------|---|
| 1. Roderick Romano      | Respondent                                    |
| 2. Bernard Huerto       | Respondent                                    |
| 3. Antenor D. Sitjar    | Punong Barangay of Barotuan, El Nido, Palawan |
| 4. Daisy G. Romano      | Visitor                                       |
| 5. Jojet S. Dela Cruz   | Visitor                                       |
| 6. Yolando D. Edep Jr   | Forest Ranger                                 |
| 7. Michael L. Marasigan | Forester I/ Examiner                          |

Playing of IEC material re: Forestry Code of the Philippines

Hearing formally starts at 2:55 in the afternoon.

**Hearing Officer:** Magandang hapon po sa ating lahat. Ako po si Forester Aldrin O. Velasco, ako po ang inyong Hearing Officer at tayo po ay andito para i-hearing ang nahuling toptdown na may kargang mga kahoy na Ipil nung September 2, 2021 sa Happy Valley, Bgy. Barotuan, El Nido, Palawan. Bago tayo magpatuloy maaari po bang paroll call ng attendance, Ms. Cañette.

(Tinawag isa-isa ni Admin. Aide VI Dela Rosa ang mga pangalan na nasa attendance).

**Hearing Officer:** Salamat at ang ating documentor naman ay si Ms. Cañette O. Dela Rosa.

(Binaggit isa-isa ng Hearing Officer ang mga paalala sa nabanggit na pagdinig)



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

**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

By the National Highway, Poblacion, Taytay, Palawan 5312

Mobile: 0926-505-9335 TM 0912-171-3889 TNT

Email: cenrotaytay@denr.gov.ph

"Annex L1"

**Hearing Officer:** Itong kaso na ito ay meron na pong report, lahat ng nandito ay alam kung ano ang nangyari sa area na yun so ang katanungan ko po ay para kay Mr. Romano, ngayon po ay ano po ang pinagkakaabalahan nyo?

**Romano:** Sa ano po sir, basakan.

**Hearing Officer:** Basakan, sige tapos ito pong nakiusap sa inyo na magbyahe ng kahoy nakausap nyo pa? Wala na? Hindi na nagpakita sa inyo?

**Romano:** Hindi na.

**Hearing Officer:** Kahit kailan?

**Romano:** Opo.

**Hearing Officer:** Sige, si Mr. Huerto ang bumalik doon kinabukasan nuh?

**Romano:** Opo.

**Hearing Officer:** Sige, naintindihan naman natin yan.

**Romano:** So nagsumbit kayo ng inyong undertaking, Motion for Release ng topdown sige po, irereceive natin yan para atin ding mabigyan ng aksyon kasi gaya nga ng nabanggit na ito ay ginagamit na pangkabuhayan. Sige po, iko-consider natin yan para ma-appraise natin, ang ano po doon maari po tayong magrekomenda ng temporary release pero baka magkaroon pa ng kumbaga sa tao pyansa pero sige i-consider natin ang inyong mga request. At i-acknowledge din natin ang presence ni FT I Voltaire Delos Angeles, sya po ang Team Leader ng ating Quick Response Team, ayan po so Mr. Examiner meron ka pa po bang maitatanong?

**For. I Marasigan:** Maliwanag na sa akin ang lahat na yan eh.

**Hearing Officer:** Sige po, FR Edep meron ka bang question o gustong i-clarify?

**FR Edep:** Wala na po.

**Hearing Officer:** Sige, para sa ating mga respondent meron po ba kayong gustong sabihin o gustong ipahiwatig o gustong iparating sa ating opisina?

**Romano:** Kung sakali ba sir na ma-released ang topdown namin mangangako kami na hindi na kami uulit

**Hearing Officer:** Sige po.



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"Annex 12"

**Romano:** Kasi napilitan lang kami sa nagawa namin kasi dala ng kahirapan walang trabaho ba sir, napasubo lang ho.

**Hearing Officer:** So yung nagpadala sa inyo, nagpahatid sa inyo wala na talaga hindi na talaga nagpakita?

**Romano:** Hindi na

**Hearing Officer:** Hindi na. Sige po, iano natin yan. I-consider natin yan, sa barangay po meron po ba kayong nais iparating, ipahiwatig o gustong sabihin?

**PB Sitjar:** Sa akin po sir, magandang hapon sa lahat. Ang sa akin lang na concern sir, kasi ang topdown hindi naman talaga ilegalista ang aking mga kabarangay, parang naano lang sila \_\_\_\_\_ hindi talaga sila ilegalista, kumbaga talaga pangangailangan lang kaya

**Hearing Officer:** Napakiusapan lang kasi nga ang kwento nila pinick-up lang nila. Yung nagtistis wala din sa area basta pinick-up nyo lang diba, tapos ibinyahe nyo na. So yun po, dyan naman sa barangay para i-vouch yung personality ng mga taong nahulihan. Pagkatapos nun may mga lumapit pa ba sa inyo pagkatapos nun para kumbaga nakiusap kung pwede ba kayo mag-ano

**Romano:** Wala naman po.

**Hearing Officer:** Wala na rin. Sige iko-consider natin yan, gagawan natin ng report ito at ating iforward para dun sa ating request kasi yun nga nagsubmit na kayo ng inyong Motion for release at nagbigay na sila ng undertaking. Ipaliwanag ko lang rin na yun nga kung sakaling mabigyan tayo ng temporary release may pyansa naman ang topdown tapos kung kinakailangang ibalik ay kailangan nating ibalik, i-present dun sa opisina yung topdown. So, wala ng katanungan ang ating Examiner, ang ating mga respondent wala na ding maipapahayag, sa barangay pinapatunayan nya na hindi naman talaga ito ang mga gawain ng ating mga respondent. Nangangako na hindi na mag-eentertain tulad ng nakasulat sa kanilang Motion for Release at Undertaking at nabanggit din dito ang kanilang nais mangyari, so yun po. May katanungan pa po ba o may nais ipahiwatig? Kung wala na atin ng isasara ang hearing na ito, gagawan po natin ito ng report at ating bigyan din ng feedback ang barangay kung anuman ang mangyari dito sa report na ito at sa request nyo na i-release ang topdown para mabigyan ko kayo ng information kung papaano kung sakaling mapagbigyan ng nakataas ang pagrelease ng topdown ay bibigyan ko kayo ng instruction kung papaano mai-release yung topdown natin. So yun lang po, maraming salamat sa pagdalo sa ating hearing.

**Dela Cruz:** Sir wait lang.

**Hearing Officer:** Yes po.

**Dela Cruz:** Ako po si Pastor Jojit, Pastor po nila dito



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"Annex L3"

**Hearing Officer:** Opo

**Dela Cruz:** Ibig sabihin po sir depende pa po sa taas kung papayagan po yung

**Hearing Officer:** Opo kasi i-aattach natin itong Motion nila tapos andun din sa report ko yung recommendation so may report po akong gagawin as Hearing Officer tapos nakalagay doon ang recommendation ko na ano, ifo-forward po natin sa taas kasi sila lang po ang may karapatan na magsabi kasi kung ako pwede na akong magdecide pero yun nga endorse lang din ni CENRO yung Head dito, endorse nya sa PENRO, endorse nya sa Region tapos sila ang magsasabi na base sa mga rekomendasyon nyo at sa inyong mga ano, ito ang magiging hatol natin, order natin so ganyan, 2 lang yan either kunwari sabihin nila na sampahan ng kaso o magproceed kayo o sabihin nila na o sige, pwede nyo silang ipa-file ng temporary release, ipa-appraise na ang motor para mabayatran nila. May OR naman yan sila yung cashbond na yan tapos pagkatapos na certain time na matapos na yung ano mabigyan ng linaw at masabi na talaga natin na without na puno at buo na ebidensya na hindi talaga sila ano na wala talaga silang kinalaman doon ay pwede nyo namang irequest na, itago nyo lang ang resibo dahil yun din po ang gagamitin, ibabalik din sa inyo ang ginamit nyo na pampyansa sa sasakyan kung pagbibigyan kayo ng temporary release.

**Dela Cruz:** Mga gaano po kaya katagal sir? Mga isang buwan mga ganun?

**Hearing Officer:** Mga ganyan, karaniwan mga ganyan buti nga may internet na maipapadala na natin yung mga papel ang ano naman kung dito lang sa atin kahit bukas tapos na, kaya na tapusin ang report na yan, pwede ng pirmahan ni CENRO, endorse na natin syempre pag umalis na ang papel dito yun ang wala tayong control. Ang pwede lang natin gawin ay tawagan, follow-up, nasaan na ang papel ni ano, nasaan na ang papel ni ganyan tapos pagdating dun sa Region kasi ang Region kasi sila ang sumasagot sa Mindoro, Marinduque, Romblon, Palawan so hindi lang tayo ang nagsusubmit ng ganitong kaso sa kanila marami rin yan, pagdating ng ano update natin, ano bang status ng ano pwedeng ibaba ang order natin para malaman namin kung ano na po ang magiging desisyon sa kanilang kaso so pagkatapos nun, yun po.

**Dela Cruz:** Sige sir, kami po ay humihingi lang ng tulong sa inyo kasi po talagang kumbaga yun po ang breadwinner po nila, yung sasakyan po nila nagkataon lang po talaga na nagamit po sa illegal na, aminado naman po sila siguro po sir kami po ay makikiusap na rin po na pwede po sana tulungan nyo rin po kami na maibalik din po ang topdown.

**Hearing Officer:** Pastor nyo sila sa?

**Dela Cruz:** Sa Baptist po sir.

**Hearing Officer:** Sa Baptist. Sige, magtulungan tayo kasi lalo nga dun sa Barotuan marami ring insedente na ganyan at least kahit yung ma-inform lang ba na ano mapigilan natin ang mga ganyan kasi nasasanay ba ang iba nating mga kasamahan na syempre dahil madali lang kumita hindi nila naisip na yung epekto nun sa kalikasan natin at saka pag nahuli ang implication nya talagang mahirap eh. Katulad nga sila ang ano akala pangkabuhayan nila sabi ko sana inintindi



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"Annex L4"

nyo muna bago nyo kinagat ang alok, mas malaki ang kikitain nyo sa mga gulay-gulay kesa nawalan kayo ng pangkabuhayan dahil nahuli yung topdown nyo. Di bale aalagaan naman nila yung mabuti sa Rotonda nahihiram lang minsan pag kumukuha ng tubig, wala din kasing ano dyan pero yun nga. Sige po, kung wala na pong ibang katanungan o wala ng iibang pahayag ay akin ng sinasara ang hearing na ito at gagawan natin ito ng final report para po maendorso at ating tingnan kung ano po ang magiging kalalabasan ng ating kasong ito. Maraming salamat po at magandang hapon.

Off the Record.

Hearing ended at 3:07 in the afternoon.

I HEREBY CERTIFY THAT the statements above are true and correct to the best of my knowledge and belief.

**CAÑETTE O. DELA ROSA**  
Administrative Aide VI/ Acting Recorder

NOTED BY:

**DENNIS ALDRIN O. VELASCP R.P.F**  
Forester II/ Chief, EMS

"Annex M"

Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE  
By the National Highway, Poblacion, Taytay, Palawan 5312

**RE: RELEASE OF IMPOUNDED  
TOPDOWN TRICYCLE**

**RODERICK A. ROMANO,**  
Owner-Movant.

X -----X

**DENR CENRO  
TAYTAY, PALAWAN  
RECEIVED**  
BY: *[Signature]*  
DATE: 01-21-2021 0316

**MOTION TO RELEASE IMPOUNDED TOPDOWN TRICYCLE  
WITH UNDERTAKING**

COMES NOW, RODERICK A. ROMANO, by himself, unto this Honorable Office, respectfully states THAT:

1. Movant is the owner of one (1) unit Rusi 150CC with sidecar (topdown tricycle) with Plate No. 010203, Engine No. RW162AMJ5A039253, Chassis No. RWCLPK207SE039253, colored black;

2. The said topdown tricycle is now in custody of the Office of the El Nido-Taytay Managed Resource Protected Area;

4. One September 2, 2021, using the said topdown tricycle, I transported 14 pcs. of ipil lumbers on the request of a resident of Brgy. Pasadena, El Nido, Palawan who is going to use it constructing his house in So. Colantod, Brgy. Pasadena, El Nido, Palawan. He was begging for our help as he badly needed the lumbers for his farm house;

5. While on the way, we were accosted by the law enforcers of the DENR and the topdown tricycle and the 14 pcs. ipil lumbers were seized;

6. We only wanted to help the requesting resident of Brgy. Pasadena. We have no intention of violating the laws. We were not the ones who cut the lumbers in the forest. We just accommodated the request to transport the lumbers;

7. I bought the motorcycle on installment and I am is still paying its monthly amortization. I have been using the topdown tricycle to transport my farm products. It is also used as the service vehicle of my family. Thus, I badly needed the said topdown tricycle;

8. I hereby undertake not to accommodate in the future any request for the transport of lumbers even it is of a small volume and intended for the construction of a farm house;

WHEREFORE, it is respectfully prayed that above-mentioned topdown tricycle be released from the custody of the Office of the El Nido-Taytay Managed Resource Protected Area in El Nido, Palawan with the undertaking as stated above.

El Nido, Palawan, this 2<sup>nd</sup> day of December, 2021.

*[Signature]*

Motion to Release Topdown Tricycle with Undertaking  
Roderick A. Romano

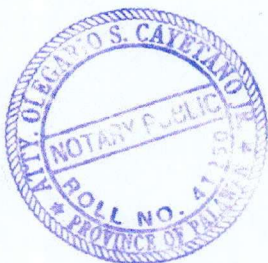
X-----X

"Annex M<sub>3</sub>"

**RODERICK A. ROMANO**

Owner -Movant

SUBSCRIBED AND SWORN to before me this 2<sup>nd</sup> day of December, 2021 at El Nido, Palawan, by RODERICK A. ROMANO who has proven to me his identity through his Barangay Resident Identification Card with I.D. No. 167, valid until July 20, 2022, issued by Brgy. Barotuan, El Nido, Palawan.



**ATTY. OLEGARIO S. CAYETANO JR.**

NOTARY PUBLIC

UNTIL DECEMBER 31, 2021

PTR NO. 262941; 01/09/2021, PALAWAN

IBP NO. 153411; 01/18/2021, PALAWAN

ATTORNEY'S ROLL NO. 41250

MCLE COMPLIANCE NO. VI-0017579-02/11/2019

Doc. No. 2059  
Page No. 9  
Book No. X-1111  
Series of 2021

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REPUBLIC OF THE PHILIPPINES)  
PROVINCE OF PALAWAN )  
MUNICIPALITY OF EL NIDO ) S.S.

"Annex M<sub>2</sub>"

### JOINT AFFIDAVIT OF UNDERTAKING

WE,

1. **RODERICK A. ROMANO**, of legal age, Filipino, married, with residence and postal address at Brgy. Barotuan, El Nido, Palawan; and
2. **BERNARD F. HUERTO**, of legal age, Filipino, single, with residence and postal address at Brgy. Barotuan, El Nido, Palawan;

after having been duly sworn to in accordance with law, hereby depose and state THAT:

1) On September 2, 2021, we were apprehended by the law enforcers of the Department of Environment and Natural Resources while we are transporting 14 pcs of ipil lumbers in So. Happy Valley, Brgy. Barotuan, El Nido, Palawan;

2) The one (1) unit Rusi 150CC topdown tricycle with Plate No. 010203, Engine NO. RW162AMJ5A039253, Chassis No. RWCLPK207SE039253, colored black, and the fourteen (14) pcs lumbers were seized by the apprehending officers of the DENR;

3) The said topdown tricycle is now in custody of the said apprehending officers of the DENR;

4) We transported the same on the request of a resident of So. Colantod, Brgy. Pasadena, El Nido, Palawan, who is going to use it constructing his farm house. He was begging for our help as he badly needed the lumbers for his farm house;


5) We only wanted to help the resident of So. Colantod, Brgy. Pasadena, El Nido, Palawan. We have no intention of violating the laws. We were not the ones who cut the lumbers in the forest. We just accommodated the request to transport the lumbers.

6) We hereby undertake not to accommodate in the future any request for the transport of lumbers even it is of a small volume and intended for the construction of a farm house;


7) We are executing this Joint Affidavit of Undertaking voluntarily, freely, without force and intimidation and to attest to the truth of the foregoing facts and for whatever legal intents and purposes it may serve.

IN WITNESS WHEREOF, we have hereunto affixed our signatures this 2<sup>nd</sup> day of December, 2022 at El Nido, Palawan.

**RODERICK A. ROMANO**



**BERNARD F. HUERTO**



SUBSCRIBED AND SWORN TO before me this 2<sup>nd</sup> day of Decembet, 2022 in El Nido, Palawan, Philippines, personally appeared the following persons who have proven to me their identities through their respective competent evidence of identity as follows:

Joint Affidavit of Undertaking  
Roderick A. Romano, et. al.,  
x-----x

"Annex M3"

RODERICK A. ROMANO,      Barangay Resident Identification Card with I.D. No. 167,  
valid until July 20, 2022, issued by Brgy. Barotuan, El  
Nido, Palawan.

BERNARD F. HUERTO      Barangay Resident Identification Card with I.D. No. 10404,  
valid until 07-20-2021, issued by Brgy. Barotuan, El  
Nido, Palawan.

WITNESS MY HAND AND SEAL.

*[Handwritten signature]*



ATTY. OLEGARIO S. CAYETANO JR.  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2021  
PTR NO. 262941; 01/06/2021, PALAWAN  
IBP NO. 153411, 01/18/2021, PALAWAN  
ATTORNEY'S ROLL NO. 41250  
MCLE COMPLIANCE NO. VI-0017579-02/11/2019

Doc. No. 210600  
Page No. 9  
Book No. XXXVII  
Series of 2021

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