



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

NOV 18 2022

**MEMORANDUM**

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

FROM : The OIC PENR Officer

SUBJECT : **DECISION OF THE REGIONAL TRIAL COURT , BRANCH 46 ,  
SAN JOSE OCCIDENTAL MINDORO FOR CRIMINAL CASE NO.  
R-11089 FOR VIOLATION OF SECTION 68 OF PD 705 AS  
AMENDED BY EO 277**

Respectfully forwarded is the memorandum from CENRO San Jose, Occidental Mindoro dated November 16, 2022 pertaining to the decision of RTC Branch 46 re : Criminal Case No. R-11089 "People of the Philippines vs. Norlito Leandado y Bungar" for violation of Section 68 of PD 705 as amended by EO 277 .

The accused was re-arraigned and he pleaded guilty to Simple Theft defined and penalized under Article 308 in relation to Paragraph 3 of Article 309 of the Revised Penal Code.

For your information and record

For the OIC, PENR Officer:

ROMUALDO S. TRIA  
LMO III/ Chief, MES



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

NOV 16 2022

**MEMORANDUM**

FOR : The Regional Executive Director  
DENR-MIMAROPA Region  
Roxas, Blvd., Ermita, Manila

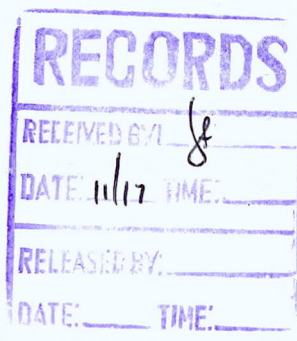
THRU : The OIC-PENR Officer  
Mamburao, Occidental Mindoro

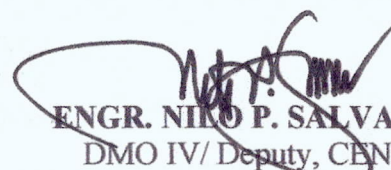
FROM : The CENR Officer

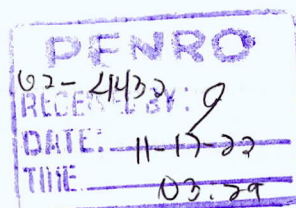
SUBJECT : DECISION OF THE REGIONAL TRIAL COURT,  
RTC BRANCH 46 OF SAN JOSE, OCCIDENTAL MINDORO FOR  
CRIMINAL CASE NO. R-11089 FOR VIOLATION OF SECTION 77,  
PD 705 AS AMENDED

Respectfully submitting is the Decision of Acting Presiding Judge Ulysses D. Delgado of RTC Branch 46 of San Jose, Occidental Mindoro against Norlito B. Leandado, who was found GUILTY beyond reasonable doubt of the crime of simple theft and were penalized from one (1) month and one (1) day to six (6) months of imprisonment.

For information and record.



  
**ENGR. NIRO P. SALVADOR**  
DMO IV/ Deputy, CENRO  
In-Charge, Office of the CENRO





Republic of the Philippines  
Supreme Court  
Fourth Judicial Region  
**REGIONAL TRIAL COURT**  
**BRANCH 46**  
San Jose, Occidental Mindoro

DEHR - DENKU SAN JOSE  
MIMAROPA REGION  
RECEIVED BY: F. 2022-1996  
DATE: 11-11-2022

**PEOPLE OF THE PHILIPPINES,**  
**Plaintiff,**

**CRIMINAL CASE NO. R-11089**

**-versus-**

**-for-**

**NORLITO LEANDADO y BUNGAR,**  
**Accused.**

**VIOLATION OF SECTION 68**  
**P.D. 705 AS AMENDED BY**  
**EO 277 SERIES OF 1987**

**X-----X**

**DECISION**

This decides the instant case for **VIOLATION OF SECTION 68 P.D. 705 AS AMENDED BY E.O. 277 SERIES OF 1987** filed by the Office of the Provincial Prosecutor, San Jose, Occidental Mindoro against **NORLITO LEANDADO y BUNGAR** in the information which reads as follows:

**INFORMATION**

The undersigned accuses **NORLITO LEANDADO y BUNGAR** of the crime of **VIOLATION OF SECTION 68 P.D. 705** committed as follows, to wit:

That on or about the 7<sup>th</sup> day of August 2020 at around 4:55 o'clock in the morning, at the National Highway, Sitio Bulo, Barangay Nicolas, Municipality of Magsaysay, Province of Occidental Mindoro, Philippines and within the jurisdiction of this Honorable Court, the accused, with intent to gain, did then and there, willfully, unlawfully and feloniously, gather, collect, possessed and transport aboard a Kawasaki Boxer CT 150 (Tora-tora), twelve (12) pieces of malaruhat lumber, with total volume of 103.92 board feet, valued at Php2,078.00 without any authority under a license agreement, lease. License or permit from the Department of Environment and Natural Resources.

**CONTRARY TO LAW.**

San Jose, Occidental Mindoro, September 29, 2021.

Signed by:

**ROBERTO B. SANTOS**

Prosecutor II

Roll No. 47881

MCLE Compliance No. 02109

IBP NO. 146984/MARCH 13, 2021

With the assistance of counsel, accused was/were arraigned in a language known and understood by him/her/them and he/she/they each pleaded "not guilty" to the charge. However,



during pre-trial, the defense counsel informed the Court that the accused has entered into a plea bargaining with the prosecution. That in the resulting Plea Bargaining Agreement between accused **NORLITO LEANDADO y BUNGAR**, known as the first party and the **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**, represented by **EFREN L. DELOS REYES**, OIC, CENR OFFICER, DENR, San Jose, Occidental, and the **PHILIPPINE NATIONAL POLICE – MUNICIPAL POLICE STATION OF MAGSAYSAY, OCCIDENTAL MINDORO**, represented by **PAT. MARVIN TAGUPA**, the Arresting Officer known as the second party and with the conformity of the Office of the Provincial Prosecutor, represented by the handling Public Prosecutor **ROBERTO B. SANTOS**, the following terms and conditions were agreed upon:

1. The First Party was charged for Violation of Section 68 of Presidential Decree No. 705 as amended by E.O. 277;
2. That the total volume of the lumbers involve in the subject case is 103.92 board feet, valued at Two Thousand and Seventy-eight Pesos (P2,078.00) Philippines Currency;
3. First Party shall enter a plea of guilty to a lesser offense of Simple Theft defined and penalized under Article 308 in relation to Paragraph 5 of Article 309 of the Revised Penal Code as amended;
4. That with reference to the preceding stipulation, the accused is willing to plead guilty to the said charge where the imposable penalty under the same article of the Revised Penal Code as amended by RA 10951 would be Arresto Mayor in its full extent or imprisonment from One (1) month and One (1) day to Six (6) months.
5. That this is the first time the First Party was charged with the above mentioned offense/s of similar nature;
6. The First Party undertakes to adhere with the laws of the State and vows not to commit any violation of the law now and in the future;
7. That both parties hereby expressly agree to the aforementioned stipulations and conditions;
8. That both parties agree that all of the aforementioned stipulations and conditions shall be subject to the final consideration and approval of the Honorable Court.

In view, the foregoing development, the accused **NORLITO LEANDADO y BUNGAR** was/were re-arraigned and he/she/they each pleaded **GUILTY** to **SIMPLE THEFT** defined and penalized under Article 308 in relation to Paragraph 3 of Article 309 of the Revised Penal Code.

**WHEREFORE**, premises considered the accused **NORLITO LEANDADO y BUNGAR** is/are hereby found **GUILTY**, beyond reasonable doubt of the crime of **SIMPLE THEFT** defined and penalized under Article 308 in relation to Paragraph 3 of Article 309 of the Revised Penal Code as amended by RA 10951 and each is/are hereby sentenced to suffer the penalty of **Arresto Mayor in its full extent or imprisonment from One (1) month and One (1) day to Six (6) months**.

If and when the application for probation of convicted accused would be approved by this Court, aside from the commitment contained on the Plea Bargaining which he/she/they vowed to perform, he/she/they is/are further mandated to submit and comply with all the conditions of his/her/their probation including rehabilitation/reformation programs/treatments to be implemented by the Parole and Probation Office, following the schedule set forth by it, so long as the programs/treatments are implemented within the period of probation.



Furthermore, the twelve (12) pieces of malaruhat lumber, with total volume of 103.92 board feet, valued at Php2,078.00 Philippine Currency, recovered from the accused is/are hereby ordered confiscated in favor of the government.

Let this decision be furnished to each of the convicted accused, his/her/their respective counsel, the Office of the Provincial Prosecutor, Mamburao, Occidental Mindoro, the second party, namely: EFREN L. DELOS REYES, OIC CENR OFFICER, Community Environment and Natural Resources Office, DENR, Barangay Labangan, San Jose, Occidental Mindoro and the Chief of Police, Municipal Police Station of Magsaysay, Occidental Mindoro, and the National Bureau of Investigation, Taft Ave., Manila.

**SO ORDERED.**

Mamburao for San Jose, Occidental Mindoro this 10th day of March 2022.

**ULYSSES D. DELGADO**  
Acting Presiding Judge