



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

NOV 18 2022

MEMORANDUM

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

FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2022-064

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated November 16, 2022 pertaining to the result of administrative adjudication on the apprehended five (5) units of panel door made of Narra Species at Barangay San Roque, , San Jose, Occidental Mindoro.

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

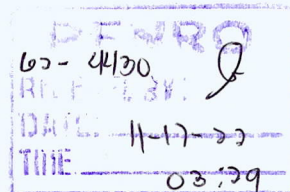
THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

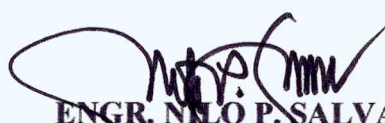
FROM : The CENR Officer

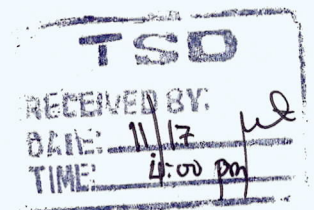
SUBJECT : RESOLUTION NO. 2022-064

Submitting respectfully is the Resolution No. 2022-064 as a result of administrative adjudication on the apprehended five (5) units of panel door made of Narra species at Brgy. San Roque, San Jose, Occidental Mindoro by DENR personnel on September 25, 2022.

For your information and record.




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





RE: APPREHENSION OF ABANDONED FIVE (5) UNITS OF PANEL DOOR MADE OF NARRA SPECIES AT BRGY. SAN ROQUE, SAN JOSE, OCCIDENTAL MINDORO ON SEPTEMBER 25, 2022 AT AROUND 7:41 IN THE EVENING.

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RESOLUTION No. 2022-064

This pertains to the apprehension of abandoned five (5) units of panel door made of Narra Species at Brgy. San Roque, San Jose, Occidental Mindoro on September 25, 2022 at around 7:41 in the evening by the Personnel of Enforcement and Monitoring Section (EMS) DENR- CENRO, San Jose, Occidental Mindoro.

The facts of the subject case are as follows, to wit:

1. That, on September 25, 2022 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office conducted a monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there were finished products to be transported;
2. That, indeed the report was confirmed and discovered five (5) panel door at the above-cited barangay made of those species but no one appeared to claim, hence, the team apprehended the above-subject finished products and hauled to DENR-CENRO San Jose Office Compound at Brgy. Labangan, San Jose, Occidental Mindoro for safekeeping. (*Please see attached spot report*)
3. That, the corresponding Apprehension Receipt with CENRO Control No.2022-F463 was issued by the apprehending officer led by Deputy Chief, EMS, Jomar B. Serquiña (*please see attached apprehension receipt*)
4. That, the Seizure Order with CENRO Control Number 2022-F463 was issued by The Seizure Officer, Land Management Officer III Rhodora A. Garcia .(*please see attached seizure order*)
5. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on September 26, October 3, and October 10, 2022 in conspicuous places such as at Public Market of San Jose and at the Brgy. Hall of Barangay San Roque, Occidental Mindoro. (*please see attached Pabatid sa Publiko*)
6. That, no Administrative hearing was made because there was no claimant of the said abandoned forest products even though a Pabatid sa Publiko has been posted on three (3) separate dates and at the conspicuous places of the area of concern. (*please see attached Pabatid sa Publiko*)

The issues to be resolved in this case are as follow;

1. Whether or not the abandoned five (5) units of panel door made of Narra Species will be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products is valid, as the abandoned forest product is not supported with any cutting permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. – Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, 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 under Articles 309 and 310 of the Revised Penal Code

xxx

SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation. – In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

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Department Administrative Order No. 97-32

Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.

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2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended abandoned five (5) units of panel door made of Narra Species shall be confiscated in favour of the government since those lumbers are product of an illegal act.

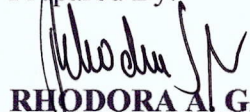
Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation.

Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) the following are hereby recommended:

1. The abandoned five (5) units of panel door made of Narra Species shall be confiscated in favour of the government since those lumber used are products of an illegal act.

Issued this _____ day of **NOV 14 2022**, _____ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:



RHODORA A. GARCIA

LMO III

Hearing Officer/ Seizure Officer



Noted By:



EFREN L. DELOS REYES

CENR Officer

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457-0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph



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

September 27, 2022

MEMORANDUM

FOR : The CENR Officer
THRU : The Deputy CENRO
FROM : The Deputy Chief EMS
SUBJECT : REPORT ON THE APPREHENSION OF FIVE (5) UNITS OF
ABANDONED PANEL DOORS MADE OF NARRA SPECIES AT SAN
JOSE, OCCIDENTAL MINDORO ON SEPTEMBER 25, 2022

*Heard officer
Chief EMS*

*Pl. Jomarte Admin.
Proceeding for the apprehension of Jomarte*

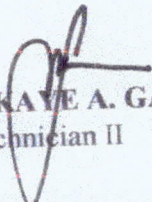
Submitted herewith is the report regarding the apprehension of the above mentioned subject:

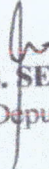
1. That on the afternoon of September 25, 2022, Forester Jomar B. Serquina received a vital information regarding an undocumented transport of panel doors that will be travelled from Sta. Cruz to Brgy. San Roque, San Jose, Occidental Mindoro on the same day.
2. At that moment, Forester Jomar B. Serquina together with Forest Technician II Loren Kaye A. Garcia, Forest Ranger Delfin Casticimo and Forest Protection Officer Ednor Legaspi, Jr. conducted monitoring and surveillance along the highway of Brgy. San Isidro to Brgy. San Roque, San Jose, Occidental Mindoro.
3. At exactly 7:41 in the evening of September 25, 2022, the team discovered five (5) units of abandoned panel doors made of Narra species with a volume of 126 boardfeet/.029 cubic meter) along the highway of Brgy. San Roque, San Jose, Occidental Mindoro.
4. The said abandoned panel doors were hauled to DENR CENRO San Jose Office, Brgy. Labangan Poblacion, San Jose, Occidental Mindoro for safekeeping.

The team recommends to conduct posting of notice to the public for claim of the said apprehended abandoned panel doors. The team also recommends to conduct continuous monitoring regarding illegal environmental and forestry activity.

For your information and further instruction.

Prepared by:


LOREN KAYE A. GARCIA
Forest Technician II


JOMAR B. SERQUINA
Forester I/Deputy Chief, EMS

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: 2022-F463
E-FMS No: 2022-175110-F463

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
ABANDONED					

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:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Finished product	Panel doors			Narra	2	1.5 x 31.5 x 6 = 47.25 bdft.	4,016.25		
				Narra	3	1.5 x 35 x 6 - 78.75 bdft.	6,693.75		
Total :						126.00 bdft.	10,710.00		

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
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

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

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

Implements Involved	
Type	Quantity
N/A	N/A

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 25, 2022 7:41 PM	OCC. MINDORO	SAN JOSE	SAN ROQUE		DENR PERSONNEL	SECTION 77, PD 705 as amended


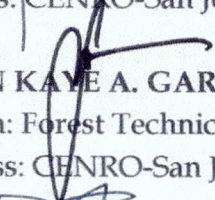
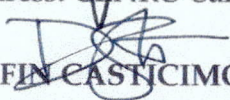
Is/are hereby declare under apprehension on the following FACTUAL reasons:

- _____
- _____
- _____

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

Done this 25th day of September , year 2022 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

- 
1. **JOMAR B. SERQUINA**
Position: Forester I
Address: CENRO-San Jose
- 
2. **LOREN KAYE A. GARCIA**
Position: Forest Technician II
Address: CENRO-San Jose
- 
3. **DELFIN CASTICIMO**
Position: Forest Ranger
Address: CENRO-San Jose

WITNESSES:

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

1. _____
Position: _____
Address: _____

3. _____
Position: _____
Address: _____
2. _____
Position: _____
Address: _____

4. _____
Position: _____
Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks: _____

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2022-F463
E-FMS No: 2022-175110-F463

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 Forest Produc ts	Species Groupi ng	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impoundin g Area	Custodian
Finish ed produ ct	Panel doors			Narra	2	1.5 x 31.5 x 6 = 47.25 bdft.	4,016.25	DENR- CENRO Office Compound	
					3	1.5 x 35 x 6 – 78.75 bdft.	6,693.75		
Total :						126.00 bdft.	10,710.00		

Minor forest products				
Kind	Unit of Measure ment	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.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

*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

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

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		
Sept. 25, 2022 9:00 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	LMO III Rhodora A. Garcia	Section 77, PD 705 as amended

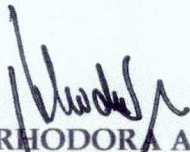
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated Sept. 25, 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 and that the offender is probably guilty thereof.

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

So ordered this 25th day of September, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.


RHODORA A. GARCIA
Hearing Officer/ Seizure Officer



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

EMAIL FOR TRANSMISSION

SEPTEMBER 27, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION
THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO
FROM: THE CENR OFFICER

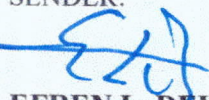

PLEASE BE INFORMED THAT PERSONNEL FROM ENFORCEMENT AND MONITORING SECTION HAD APPREHENDED FIVE (5) UNITS OF ABANDONED PANEL DOORS MADE OF NARRA SPECIES WITH AN AGGREGATE VOLUME OF 126.00 BDFT. (026 CUBIC METER) AT BARANGAY SAN ROQUE CMA SAN JOSE CMA OCCIDENTAL MINDORO PD

SAID ABANDONED PANEL DOORS MADE OF NARRA SPECIES WERE BROUGHT TO DENR CENRO SAN JOSE OFFICE COMPOUND AT BRGY. LABANGAN CMA SAN JOSE OCCIDENTAL MINDORO FOR TEMPORARY SAFEKEEPING PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

CENRO DELOS REYES

SENDER:


EFREN L. DELOS REYES
CENR Officer 



SEP 26 2022

PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY NAKAKUMPISKA NG LIMANG (5) PIRASONG PANEL DOORS NA GAWA SA NARRA SA BRGY. SAN ROQUE, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-25 NG SEPTYEMBRE, TAONG 2022.

ANG NASABING FINISHED PRODUCT AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING FINISHED PRODUCTS AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

RHODORA A. GARCIA

LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

EFREN L. DELOS REYES
CENR Officer



OCT 03 2022

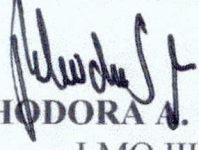
IKALAWANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY NAKAKUMPISKA NG LIMANG (5) NG PIRASONG PANEL DOOR NA GAWA SA NARRA NA KAHUY SA BRGY. SAN ROQUE, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-25 NG SETYEMBRE, 2022.

ANG NASABING FINISHED PRODUCTS AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING FINISHED PRODUCTS AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III

Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DELOS REYES
CENR Officer



OCT 10 2022

IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY NAKAKUMPISKA NG LIMANG (5) NG PIRASONG PANEL DOOR NA GAWA SA NARRA NA KAHOY SA BRGY. SAN ROQUE, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-25 NG SETYEMBRE, 2022.

ANG NASABING FINISHED PRODUCTS AY DINALA SA OPISINA NG DENR-CENRO SAN JOSE PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING FINISHED PRODUCTS AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

RHODORA A. GARCIA

LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

EFREN L. DELOS REYES

CENR Officer