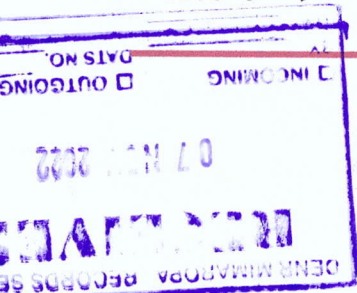




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Provincial Environment and Natural Resources Office



November 2, 2022

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

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

SUBJECT : SUBMISSION OF RESULT OF THE ADMINISTRATIVE
ADJUDICATION HEARING OF FIVE (5) PIECES NARRA
LUMBERS/LOGS HAVING AN EQUIVALENT VOLUME OF
175.55 BOARD FEET AND ONE (1) UNIT STEEL CHAINSAW
APPREHENDED IN BRGY. TIGUIHAN, POLA, ORIENTAL
MINDORO

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

1. Summary of Administrative Proceed;
2. Minutes of the Administrative Hearing;
3. Attendance Sheets;
4. Notices of Administrative Hearing;
5. Spot Report;
6. Tally Sheet;
7. Geo-tagged Photos;
8. Apprehension Receipt;
9. Seizure Order;
10. Seizure Receipt;
11. Pertinent documents from PNP Pola relative to the aforesaid case; and,
12. Other pertinent documents.

Please be informed that a criminal case was filed by the PNP Pola with Criminal Case No. CR22-12024 against the identified offender for violation of Section 77 of P.D. 705 as amended and R.A. No 9175. Likewise, apprehended items were under the custody of CENRO Socorro for safekeeping.

Further, this Office concurs with the recommendation of CENRO Socorro that the apprehended items be confiscated in favor of the government to be disposed of in accordance with existing forestry laws, rules and regulations.

For further instructions.

[Signature]
ALMA E. GIBE

PENRO Tracking No.: 221000805
FN: TSD/MES/RJck

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





October 24, 2022

MEMORANDUM

FOR : The Regional Executive Director
1515 & S Bldg. Roxas Boulevard, Ermita, Manila

THRU : The PENR Officer
Calapan City, Oriental Mindoro

FROM : The CENR Officer

SUBJECT : **SUBMISSION OF RESULT OF THE ADMINISTRATIVE ADJUDICATION HEARING OF FIVE (5) PIECES NARRA LUMBERS/LOG HAVING AN EQUIVALENT VOLUME OF 175.55 BOARD FEET AND ONE (1) UNIT OF CHAINSAW APPREHENDED AT BRGY. TIGUIHAN, POLA, ORIENTAL MINDORO**

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

Respectfully submitting the following documents necessary in the evaluation of the abovementioned instant case.

Summary of Administrative proceedings

Attachments:

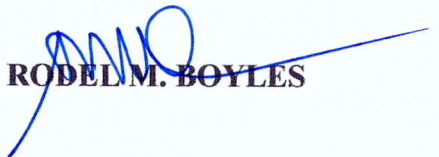
- Annex 1 - Notices of hearing
 - Attendance sheet
- Annex 2 - Minutes of hearing for apprehending officers
 - Sinumpaang Salaysay ng pag-aresto at pagkamkam
 - Spot report of PCPT Nebuchadnezzar B Matrio
 - Investigation data form with NPS Docket No. IV-07a-INQ-22-G-00145
 - Investigation data form with NPS Docket No. IV-07a-INQ-22-G-00144
 - Letter address to the Honorable Prosecutor
 - Pinagsamang sinumpaang salaysay ng pagkuha ng video
 - Letter request of PCPT Nebuchadnezzar B Matrio to the undersigned
 - Information signed by Associate Provincial Prosecutor, Enrique D. San Miguel Jr.
 - Progress report of PCPT Nebuchadnezzar B Matrio
 - Joint Resolution signed by Associate Provincial Prosecutor, Enrique D. San Miguel Jr.
 - Chain of custody over recording
 - Order of release signed by Presiding Judge Harry D. Jaminola



- Annex 3 - Apprehension receipt
- Annex 4 - Seizure order
 - Seizure receipt
 - Acknowledgement receipt
 - Spot report
 - Geo-tagged photos
 - Scale sheet
 - Administrative Adjudication proceedings of the respondent

Citing the results of the conducted Administrative Adjudication hearing, this office respectfully recommends to confiscate the **five (5) pcs of Narra lumbers/log with an aggregate volume of 175.55 board feet and one (1) unit Chainsaw** in favor of the Government of the Philippines and such be disposed of in accordance with the existing laws and procedures.

For final evaluation of the case and further instruction, if any.


RODEL M. BOYLES



**SUBJECT : SUMMARY OF HEARING
WITH RECOMMENDATION
ON ONE (1) CHAINSAW AND
FIVE (5) PIECES OF NARRA
LUMBERS APPREHENDED AT
BARANGAY TIGUIHAN, POLA,
ORIENTAL MINDORO**

AAP No.: 2022-11

X-----X

ANTECEDENT FACTS

In compliance with the provisions of DENR Administrative Order No. 97-32 [DAO 97-32], an **Administrative Adjudication Proceeding** has been commenced relative to the above-cited subject and the corresponding **Summary Confiscation Hearing** were scheduled by the undersigned hearing officer on **28 September 2022** at DENR-CENRO Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro.¹

The apprehending officer in this proceeding is **PCpl ELMER M. MANHIC** of Pola Municipal Police Station (Pola MPS) while the respondent involved is **JONATHAN T. MANATO**, resident of barangay Tiguihan, Pola, Oriental Mindoro. The narration below and recommendation of the hearing officer are based on the material and relevant pieces of evidence gathered from them.

Version of the Apprehending Officer

At around 12:20 in the afternoon of 10 July 2022, apprehending officer heard a sound of an operative chainsaw while traversing the so called "Circle" in Barangay Tiguihan which is near the "bakawan" plantation along the seashore.

Upon inspection of the area, apprehending officer caught respondent felling a Narra lumber with the use of chainsaw near the banks of *estuary* or the place where the river meets the sea. Respondent failed to provide for the Certificate of Registration of chainsaw and for the necessary permit as regards the Narra lumbers when asked hence, he was arrested. The Narra lumbers were marked as "EM-1" to "EM-5" while the chainsaw was marked as "EM-6".²

At around 12:00 o'clock in the afternoon of 11 June 2022, DENR-CENRO Socorro personnel went to the office of Pola MPS upon request to scale and conduct proper inventory of the apprehended forest products and chainsaw. An **Apprehension Receipt** was accordingly issued on the same day.³

¹ Copy of the Abiso ng Pagdinig addressed to the concerned individuals and the Attendance Sheet is attached hereto collectively attached as **Annex "1"**.

² Copy of Respondent's "Sinumpaang Salaysay ng Pag-aresto at Pagkamkam" together with the investigation records of Pola MPS is attached hereto collectively as **Annex "2"**. The said investigation records is composed of: (a) Spot Report from Chief of Police, Pola MPS; (b) Investigation Data Forms with NPS Docket Nos. IV-07a-INQ-22G-00144 and IV-07a-INQ-22G-00145; (c) Pinagsamang Sinumpaang Salaysay ng Pagkuha ng Video; (d) First Progress Report; (e) Information for Criminal Case No. CR-CR22-1202; (f) Information for Criminal Case No. CR-CR22-1204; (g) Second Progress Report; (h) Joint Resolution (Inquest); and (i) Orders of Release.

³ Copy of the said Apprehension Receipt is attached hereto as **Annex "3"**.



The apprehended forest products and chainsaw were officially taken into custody of DENR-CENRO Socorro on 26 August 2022 upon issuance of **Seizure Order**. Based on the corresponding **Seizure Receipt No. 2022-16** the following were officially seized:⁴

xxx

A. FORESTS PRODUCTS

Species	No. of Pieces	Dimension	Volume (Bdft)	Estimated Value
Narra	1	5x8x7	23.33	2,333.00
Narra	1	8x11x7	51.33	5,133.00
Narra	1	6x8x7	28	2,800.00
Narra	1	5x9x7	26.25	2,625.00
Narra	1	Diameter 37 cm, Length 1m	11 cu m/46.64 bdft	4,664.00
Total	5		175.55	17,555.00

xxx

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS

Quantity	Unit	Description	Without serial number	Estimated Value
One (1)	Chainsaw			P20,000.00

Per investigation records of Pola MPS, there is a pending criminal case with **Docket No. CR22-1202** against respondent for violation of Presidential Decree (PD) 705, as amended otherwise known as "Revised Forestry Code of the Philippines" and Republic Act (RA) 9175, also known as "Chainsaw Act of 2022".⁵

Version of the Respondent

Respondent admitted that the Narra he felled into lumbers has no cutting permit but interposes the defense that it was washed away by the sea whose ownership or source is unknown.

On the other hand, respondent disclosed that he owns the chainsaw used and such is not registered with the DENR.⁶

ISSUES

a. Whether or not the Narra lumbers shall be confiscated in favour of the government; and

b. Whether or not the chainsaw shall be confiscated in favour of the government.

⁴ Copy of the said Seizure Order and Seizure Receipt together with the Acknowledgment Receipt and Spot Report of the concerned DENR-CENRO Socorro personnel is attached hereto collectively as **Annex "4"**.
⁵ See **Annex "2"**.
⁶ Copy of Respondent's sworn statement is attached hereto as **Annex "5"**.



RECOMMENDATION

WHEREFORE, undersigned hearing officer, respectfully recommends the following:

- (a) **The five (5) Narra lumbers/log shall be confiscated in favour of the government and be disposed of in accordance with existing laws and procedures.**

Section 77 of PD 705, as amended, provides that:

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. (Emphasis supplied)

Since the Narra involved in this proceeding is allegedly a *drifted log* or washed out by water currents, **DENR Administrative Order (DAO) No. 2000-78** would have been applicable. It governs the issuances of the so called "Wood Recovery Permit" (WRP) – legal document issued by the DENR for the recovery and disposition of abandoned logs, *drifted logs*, sunken logs, uprooted and fire/typhoon damaged trees, tree stumps, tops and branches.⁷ However, due to reports of abuses that have been committed in the issuance of WRP, former DENR Secretary Elisea Gozun issued an order in May 2003 *suspending* DAO 2000-28.⁸

Despite the suspension of DAO 2000-28, respondent should have coordinated first with the CENRO concerned for its proper disposition and documentation. Absence of which is tantamount to illegal collection of timber which is subject to administrative confiscation.

- (b) **The unregistered chainsaw shall be confiscated in favour of the government and be disposed of in accordance with existing laws and procedures.**

Section 7, paragraph (4) of RA 9175 in relation to Section 15 paragraph 5 of DAO No. 2003-24 provide:

Actual Unlawful Use of Chain Saw. - Any person who is found to be in possession of a chain saw and uses the same to cut trees and timber in forest land or elsewhere except as authorized by the Department shall be penalized with imprisonment of six (6) years and one (1) day to eight (8) years or a fine of not less than Thirty thousand pesos (P30,000.00) but not more than Fifty thousand pesos (P50,000.00) or both at the discretion of the court without prejudice to being prosecuted for a separate offense that may have been simultaneously committed. The chain saw unlawfully used shall be likewise confiscated in favor of the government. (Emphasis supplied)

xxx

⁷ Sections 2.2 and 2.8, DAO No. 2000-78: Regulations in the Recovery and Disposition of Abandoned Logs, Drifted Logs, Sunken Logs, Uprooted and Fire/Typhoon Damaged Trees, Tree Stumps, Tops and Branches.

⁸ The said suspension has been *partially lifted* by DENR Acting Secretary Jim Sampulna through a Memorandum dated March 2, 2002 as regards the uprooted trees in areas particularly affected by typhoon Odette.



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

Chainsaws used in cutting, gathering, collecting, removing and/or processing timber or forest products without legal documents shall be subject to judicial and/or administrative confiscation under Section 68 and 68-A of P.D. 705, as amended, and as implemented by DAO 97-32 and other subsequent forestry regulations that may be promulgated. (Emphasis supplied)

Per record of DENR-CENRO Socorro, **no Certificate of Registration was issued to respondent. Hence, actual unlawful use of the chainsaw in relation to PD 705, as amended is subject to administrative confiscation.**

Respectfully submitted this 17th day of **October 2022**.


RODEL M. BOYLES
Hearing Officer



TO : **PCPT NEBUCHADNEZZAR B MATRIO**
Chief of Police
Pola Municipal Police Station

SUBJECT : Administrative Adjudication Proceeding on the
apprehended one (1) unit Chainsaw and five (5)
pcs. Narra lumbers pursuant to Department
Administrative Order (DAO) 97-32

X-----X

NOTICE OF HEARING

Pursuant to the existing provisions of DAO 97-32, an Administrative Adjudication Procedure/Hearing relating to the apprehended one (1) unit Chainsaw and five (5) pcs. Narra lumbers shall be conducted on September 28, 2022, 2:00 o'clock in the afternoon to be held at CENR Office, CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro.

In relation, the presence of the **PCpl ELMER M. MANHIC** primarily involved in the apprehension in the above mentioned case is hereby requested.

May we also request for a photocopy of the case filed for documentary and other legal purposes it may serve.

Socorro, Oriental Mindoro. 22nd day of September, 2022.


RODEL M. BOYLES
W/CENR Officer

RELIEVED BY
PCPC Ayala
9/27/22



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

PARA KAY

: **GINOONG JONATHAN T. MANATO**
Brgy. Tiguihan, Pola, Oriental Mindoro

PAKSA

: Paanyaya para sa Pagdinig tungkol sa nahuling
isang (1) Chainsaw at limang (5) pirasong Narra
flitches/lumbers alinsunod sa Department
Administrative Order (DAO) 97-32

X-----X

PANGALAWANG ABISO NG PAGDINIG

Ito ay may kinalaman sa nahuling isang (1) Chainsaw at limang (5) pirasong tabla ng Narra na may kabuuang sukat na 173.84 board feet noong ika-10 ng Hulyo taong kasalukuyan sa Brgy. Tiguihan, Pola, Oriental Mindoro.

Alinsunod sa DAO 97-32, ikaw ay inaanyayahan sa isang pagdinig sa ika-13 ng Oktubre, taong kasalukuyan, 2:00 o'clock ng hapon sa tanggapan ng CENR Office, CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro. Mangyaring magsumite ng notaryadong salaysay kapag hindi makakapunta sa nasabing pagdinig.

Inaasahan namin ang iyong pagdalo.

Socorro, Oriental Mindoro. October 7, 2022.


RODEL M. BOYLES
CENR Officer

received by: 
Ricky Lachica

Oct. 11, 2022 9:10 AM



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

PARA KAY : **GINOONG JONATHAN T. MANATO**
Brgy. Tiguihan, Pola, Oriental Mindoro

PAKSA : Paanyaya para sa Pagdinig tungkol sa nahuling
isang (1) Chainsaw at limang (5) pirasong Narra
flitches/lumbers alinsunod sa Department
Administrative Order (DAO) 97-32

X-----X

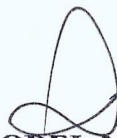
ABISO NG PAGDINIG

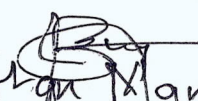
Ito ay may kinalaman sa nahuling isang (1) Chainsaw at limang (5) pirasong tabla ng Narra na may kabuuang sukat na 173.84 board feet noong ika-10 ng Hulyo taong kasalukuyan sa Brgy. Tiguihan, Pola, Oriental Mindoro.

Alinsunod sa DAO 97-32, ikaw ay inaanyayahan sa isang pagdinig sa ika-28 ng Setyembre, taong kasalukuyan, 2:00 o'clock ng hapon sa tanggapan ng CENR Office, CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro. Mangyaring magdala ng mga papeles na legal ang nasabing pagpuputol at ang ginamit na Chainsaw.

Inaasahan namin ang iyong pagdalo.

Socorro, Oriental Mindoro. September 22, 2022.


RODEL M. BOYLES
CENR Officer


Jonathan T. Manato

9-27-22

10:50 AM



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

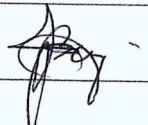
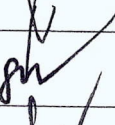
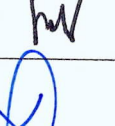
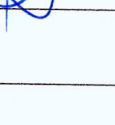
ATTENDANCE

ADMINISTRATIVE ADJUDICATION HEARING

Date: September 28, 2022

Time: 2:00 PM

CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro

No.	NAME	OFFICE/ADDRESS	SIGNATURE
1	Jonelha Marcel	Tigayha Polg	
2	POPL ELMER MANHIC	POLA MPS	
3	HERLYN A. LAJESA	DEMR - CENRO SOCORRO	
4	Leonida A. Mindanao		
5	Rodel M. Bayles		
6			
7			
8			
9			
10			

28 SEPTEMBER 2022

SUBJECT: Scheduled administrative confiscation hearing on apprehended Five(5) pcs. of Nawa lumbers/ log having equivalent volume 175.55 bdf. at Barangay Tiquihan, Pola, Oriental Mindoro

ATTENDEES: Oherlyn A. Layesa - Legal Researcher
Kevin Corpuz - Forester I
Leonida Mindaros - Forester II
Jonathan T. Manalo - Respondent

Slays
[Signature]

→ Respondent will first consult with his PAD lawyer and most likely will just submit his Affidavit



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

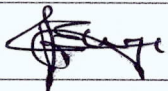
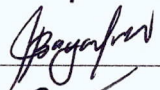
ATTENDANCE

ADMINISTRATIVE ADJUDICATION HEARING

Date: October 13, 2022

Time: 2:00 PM

CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro

No.	NAME	OFFICE/ADDRESS	SIGNATURE
1	Jonathan Manato	Tiguihan Pola	
2	Angelica M. Bugarin	Tiguihan Pola	
3	VERLYN A. LAYESA	DENR-CENRO SOCORRO	
4	Leonila A. Mindans		
5	Rodel M. Boyles		
6			
7			
8			
9			
10			

ADMINISTRATIVE ADJUDICATION PROCEEDINGS RE: APPREHENDED

One (1) Chainsaw and 5 pcs/ 175.55 boardfeet rra lumbers/log
Barangay Tiguihan, Pola, Oriental Mindoro.

Annex "2"

CENR OFFICE
Brgy. Pasi II, Socorro
Oriental Mindoro
September 28, 2022
2:00 pm

ATTENDANCE:

RODEL M. BOYLES	- Hearing Officer
Atty. SHERLYN A. LAYESA	- Legal researcher
LEONIDA A. MINDAROS	- Encoder
PCpl ELMER M. MANHIC	- Apprehending Officer
MR. JONATHAN T. MANALO	- Respondent

PAALALA: Kayo ay pinaalalahan ko ng inyong karapatan ayon sa ating saligang batas na ikaw ay pwedeng manahimik o hindi sagutin ang mga katanungan na itatanung sa iyo. Kayo ay may karapatan na kumuha ng inyong sariling Abogado sapagkat lahat ng sasabihin nyo ay maaring magamit laban sa inyo.

Tanong: Ano ang inyong tunay na pangalan at iba pang pagkakakilanlan?
Sagot: *Alas si PCpl Elmer M. Manhic na nakatalaga sa PNP Pola*

Tanong: Ano ang dahilan bakit kayo narito sa tanggapan ng DENR-CENRO-Socorro?
Sagot: *Dahil sa imbitasyon ng DENR sa Admin hearing*

Tanong: Dinidinig natin ngayon ang tungkol sa nahuling isang (1) Chainsaw at 5 piraso/175.55 board feet na nahuli sa Brgy. Tiguihan, Pola, Oriental Mindoro. Kayo po ay handang magbigay ng salaysay?
Sagot: *Opo*

Tanong: Kayo po ay bibigyan namin ng karapatan na magbigay ng inyong salaysay sa pamamagitan ng tanong sagot o kayay magbibigay na lng kayo ng inyong Written Sworn Statement, Ano po ang inyong pipiliin?
Sagot: *Magbibigay na lng ng salaysay.*

Tanong: Sa Sinumpaang salaysay ng pag-aresto at pagkamatay na ito ay nakasulat sa ibaba ang pangalan na PCpl Elmer M. Manhic na pinatunayan ni PMaj. Nebudadhyar B. Matro na may lagda sa itaas nito, ito po ba ay inyong mga tunay na lagda?
Sagot: *Opo*

Tanong: Wala na ba kayong gustong idagdag o gustong bawasin sa salaysay niyo na ito?
Sagot: *Wala na po*

Tanong: Kayo ba ay handang lumagda sa dokumentong ito bilang patunay na ang lahat ng nakasaad sa pinagsama samang sinumpaang salaysay na inyong isinumete ay pawang katotohanan lamang na hindi kayo pinilit o tinakot o pinangakuan ng ano mang pabuya?
Sagot: *Opo*

IN WITNESS WHEREOF, I hereunto set my hand this 28th day September, 2022 at CENRO Socorro Brgy. Pasi II, Socorro, Oriental Mindoro.

PCpl ELMER M. MANHIC
Nagsasalaysay

SUBSCRIBED AND SWORN TO before me, this 28th day September, 2022 at CENRO Socorro Brgy. Pasi II, Socorro, Oriental Mindoro.

RODEL M. BOYLES
CENR Officer/Hearing Officer

Annex 2

Republika ng Pilipinas)
Lalawigan ng Sil.Mindoro) S.S.
Bayan ng Pola)
X ----- X

SINUMPAANG SALAYSAY NG PAG-ARESTO AT PAGKAMKAM
(Affidavit of Arresting Officers)

Ako, **PCPL ELMER M MANHIC** nasa hustong gulang, kagawad ng Pulisya at nakatalaga sa Pola Municipal Police Station, matapos na mabatid ang aking mga karapatan alinsunod sa ipinag-uutos ng Saligang Batas ng Pilipinas ay malaya at kusang-loob na nagsasalaysay gaya ng mga sumusunod:

1. Na, noong ika-10 ng Hulyo 2022, ganap na ika-11:40 ng umaga ay inatasan kami ng aming hepe na si PCPT NEBUCHADNEZZAR B MATRIO upang magsubaybay sa Barangay Tiguihan ng bayang ito patungkol sa mga illegal na gawain na may kaugnayan sa pag puputol ng kahoy at pagamit ng lagari ng walang permiso mula sa mga kinauukulan.

2. Na, sa oras na humigit kumulang sa ika 12:20 ng hapon petsa ika-10 ng Hunyo 2022 ay nakarating kami sa barangay tiguihan kung saan namin gagawin ang aming pagmamanman. Na, sa mga oras na ika 12:25 ng hapon ng petsa ding iyon habang binabagtas namin ang daan sa barangay Tiguihan habang sakay ng motorsiklo at ng kami ay mapadaan sa kung tawagin ay Circle sa barangay tiguihan ay narinig namin ang tunog ng umaandar na lagari. Na, dahil sa mataas ang level ng circle at sa ibaba nito ay mga puno ng bacawan malapit sa dagat ay agad kaming bumaba sa mga sinasakyan naming motorsiklo at tiningnan ang ibaba ng circle kung saan matatagpuan ang mga puno ng bacawan. Na, sa pagsisiyasat namin ay napag alaman namin na doon nanggagaling ang tunog ng chainsaw kayat kami ay palihim na bumaba upang tingnan at mas alamin kung anu ang nilalagari sa lugar na iyon.

3. Na, dito ay natuklasan namin na may naglalagari malapit sa maliit na ilog na dumadaloy patungong dagat kung saan matatagpuan ang mga puno ng bacawan. Na, agad kaming tumawag sa aming himpilan upang ipagbigay alam ang aming natuklasang paglalagari at upang humingi ng back-up at imbestigador para sa gagawin naming illegal logging operation kung sakaling walang maipakitang dokumento ang aming taong nakitang naglalagari.

4. Na, mga oras ika 12:40 ng hapon ng petsa ding iyon habang nagmamanman ay dumating na ang aming imbestigador kayat kami ay mabilis na lumapit sa lugar kung saan namin nakita ang taong naglalagari at itoy naabutan namin habang nakatayo sa harap ng mga kahoy niyang nilagari. Na, kami ay nagpakilala ng mga pulis at agad namin siyang tinanong kung may dokumento ng permiso upang gamitin ang lagaring iyon ngunit wala siyang maipakita at dito ay nalaman namin na ang mga lagaring kahoy ay kahoy ng narra kayat inusisa muli namin siya kung may permiso ba siya upang lagariin ang kahoy ng narrang iyon ngunit wala din siyang maipakita.

5. Na, matapos kung malaman na wala siyang sapat na mga dokumento upang gamitin ang lagaring iyon at maglagari ng kahoy ng narrang iyon ng walang permiso ay siya ay akin ng inaresto at ipinaalam ko sa kaniya ang lahat ng kaniyang karapatan bilang arestado. Na, matapos ay akin ng minarkahan ang mga nalagaring kahoy ng **EM-1, EM-2, EM-3, EM-4, at EM-5** at ang limang pirasong kahoy ay may tantiyang sukat na **148 bft** at tantiyang halagang **14,800.00** pesos at siya ay akin nang dinala sa aming himpilan kasama na ang nakumpiska kung lagari at sa aming himpilan ay minarkahan ko ng **EM-6** ang nakumpiska kung lagari na pag aari nitong naaresto namin na si Jonathan Tatel Manato. Na, ang mga kahoy naman ay pansamantala muna naming pinabantayan sa aming kasamahan habang kami ay naghahanap ng pwedeng makatulong sa amin upang mahakot ang mga kumpiskadong kahoy ng narra dahil sa ito ay mabibigat. Na, nang makahanap kami ng makatulong ay agad kaming bumalik sa barangay Tiguihan at hinakot na namin ang nasabing lagaring kahoy ng narra at itoy dinala na namin sa aming himpilan.

6. Na, ang aming ginawang operasyon na humantong sa pagkakaaresto nitong si Jonathan Manato at pagka kumpiska ng (1) isang chainsaw at (5) limang pirasong lagaring kahoy ng narra ay kinuhanan ng video ng aking mga kasama na sina PCMS Glenn M Monsanto at PSSg Denis S Dimapilis upang pagsunod sa Resolution "A.M. No. 21-06-08-SC" upang ipakita na ang isinagawang operasyon ay walang anumang bahid ng pag abuso sa karapatang pang tao.

7. Na, kaagad kaming nakipag ugnayan sa DENR CENRO Socorro upang masukat at ma imbentaryo ang aming mga nahuling lagaring kahoy ng narra gayundin upang mag beripika patungkol sa nakumpiskang lagari pagpapatunay kung ito ba ay may dokumento ng pagpapahintulot sa kanilang tangapan upang mag sagawa ng operasyon ng paglalagari ng mga kahoy.

8. Na, ika 11, ng Hulyo taong 2022 ika 12:00 ng tanghali ay dumating sa aming himpilan ang mga kawani ng CENRO-DENR Socorro sa pangunguna ni REYMAR R. GUNDAY-Forest Ranger at nagsagawa ng pag susukat at pag limbentaryo na ang mga nakumpiskang kahoy na 5 piraso ng lagaring kahoy ng narra ay binubuo ng mga sukat na (1) isang 5x8x7, (1) isang 8x11x7, (1) isang 6x8x7, (1) isang 5x9x7 at (1) isang troso na may sukat na 37 diyametro at habang 1 metro na ang kabuuang sukat ng lahat ng kumpiskadong lagaring kahoy ng narra ay 173.84bft at may halagang 17,384.00 pesos. Na, ibinigay din nila sa amin ang mga sertipikasyon na nagpapatunay na itong si Jonathan Tatel Manato ay hindi binigyan ng pahintulot upang maglagari at wala ring nakarehistrong chainsaw sa kanyang pangalan.

9. Na, ginawa ko ang salaysay na ito upang ipagharap ng habla/demanda sa hukuman ang nagmamay ari ng nasabing mga ilegal na nilagaring kahoy ng narra at pag gamit ng chainsaw ng walang anumang legal na dokumento na si Jonathan Tatel Manato, lalaki, 54 taong gulang, may asawa, walang trabaho at residente ng Barangay, Tiguihan, Pola Oriental Mindoro.

SA KATUNAYAN NG LAHAT ay lumagda ako ng aking pangalan at apilyedo ngayong ika-11 ng Hulyo taong 2022 dito sa Pola, Silangang Mindoro.


PCPL ELMER M. MANHIC
(Nagsalaysay)

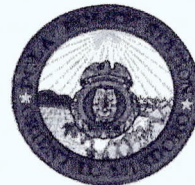
CERTIFICATION

~~SWORN AND SUBSCRIBED TO BEFORE ME~~ this 11TH day of July 2022 at Pola Municipal Police Station, Pola, Oriental Mindoro and further certify that I personally examined the affiant and that I am fully satisfied that they voluntarily executed and understood the contents of the foregoing statements.


NEBUCHADNEZZAR B. MATRIO
Police Captain
Administering Officer



Republic of the Philippines
National Police Commission
Philippine National Police
Oriental Mindoro Police Provincial Office
POLA MUNICIPAL POLICE STATION
Pola, Oriental Mindoro



MEMORANDUM

FOR : Provincial Director
(ATTN: C, PIDMB, POPB, & PIB)

FROM : Chief of Police

SUBJECT : Spot Report on Violation of PD 705 and RA 9175

DATE : July 10, 2022

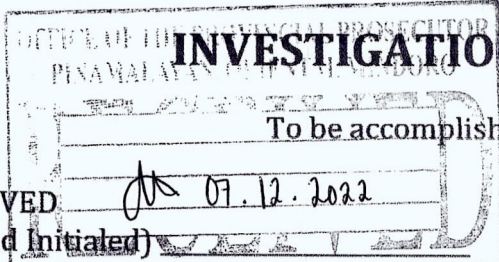
-
1. What : Violation of PD 705 and RA 9175
 2. Where : Barangay Tiguihan, Pola, Oriental Mindoro
 3. When : July 10, 2022 at about 12:40 PM
 4. Who : Jonathan Tatel Manato, male, 54 years old, married, jobless and a resident of Barangay, Tiguihan, Pola Oriental Mindoro. (Arrested)
 5. How :

That at about 12:40 PM of this date, Intelligence personnel of this office conducting monitoring regarding the illegal logging activity at barangay Tiguihan of this municipality. While on the said barangay, they heard the sound of the operating chainsaw, when they proceeded to the place, they saw the suspect sawing narra lumber. When they asked the document of the chainsaw and any permit to saw the lumber, the suspect failed to present any legal documents which resulted to his arrest and confiscation of one unit of chainsaw without serial number and 5 pcs of sawn narra lumbers in different sizes with an estimated volume of 148bft and estimated market value of 14,800.00 pesos. Said suspect and confiscated evidence was now under the custody of this station and necessary documents are being prepared to file appropriate charges against him. The Investigator-on-case is PCpl Philip C Mortel with contact number 09279572975.

7. For your information and progress report will follow.


NEBUCHADNEZZAR B MATRIO
Police Captain

Republic of the Philippines
DEPARTMENT OF JUSTICE
National Prosecution Service
ORIENTAL MINDORO PROVINCIAL PROSECUTION OFFICE
Pola Municipal Police Station



INVESTIGATION DATA FORM

To be accomplished by the Office

DATE RECEIVED: 07.12.2022

(Stamped and Initialed)

Time Received: 11:15 AM

Received Staff: Wime F. Villanueva

NPS DOCKET NO: V-07a-1NR-22G-00145

Assigned to: _____

Date Assigned: _____

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

COMPLAINANT/s Name, Sex, Age, & Address

PCPL Elmer M Manhic, PSSg Denis S
Dimapilis and PCMS Glenn M Monsanto,
male, legal age, Pola MPS

RESPONDENT/s Name, Sex, Age, & Address

Jonathan Tatel Manato, male, 54 years old and a
resident of Barangay, Tiguihan, Pola Oriental
Mindoro

OFFENSE/s COMMITTED/LAW/s VIOLATED

Violation of RA 9175

WITNESS/es: Name & Address

DATE&TIME of COMMISSION

(Date & Time Reported)

July 10, 2022 - 12:40 PM

PLACE of COMMISSION

Brgy. Tiguihan, Pola Oriental Mindoro

1. Has a similar complaint been filed before any office?
2. Is this complaint in the nature of a counter - charge?
3. Is this complaint related to another case before this office?

YES ____ NO ____

YES ____ NO ____

YES ____ NO ____

I.S. /NPS Docket No. _____

Handling Prosecutor _____

CERTIFICATION

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

PCpl Philip C Mortel

(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this 11th day of July, 2022 in Pola, Oriental Mindoro.

NEBUCHADNEZZAR B MATRIO

Police Captain
Chief of Police

Republic of the Philippines
DEPARTMENT OF JUSTICE
National Prosecution Service
ORIENTAL MINDORO PROVINCIAL PROSECUTION OFFICE
Pola Municipal Police Station

OFFICE OF THE
PROSECUTOR GENERAL
INVESTIGATION DATA FORM

To be accomplished by the Office

DATE RECEIVED

(Stamped and Initialed)

Time Received:

Received Staff:

07.12.2022

11:10 AM

Noime F. Villamil

NPS DOCKET NO:

11-07a-1N0-22G-00144

Assigned to:

Date Assigned:

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

COMPLAINANT/s Name, Sex, Age, & Address

PCPL Elmer M Manhic, PSSg Denis S
Dimapilis and PCMS Glenn M Monsanto,
male, legal age, Pola MPS

RESPONDENT/s Name, Sex, Age, & Address

Jonathan Tatel Manato, male, 54 years old and a
resident of Barangay, Tiguihan, Pola Oriental
Mindoro

OFFENSE/s COMMITTED/LAW/s VIOLATED

Violation of PD 705

WITNESS/es: Name & Address

DATE&TIME of COMMISSION

(Date & Time Reported)

July 10, 2022 - 12:40 PM

PLACE of COMMISSION

Brgy. Tiguihan, Pola Oriental Mindoro

1. Has a similar complaint been filed before any office?
2. Is this complaint in the nature of a counter - charge?
3. Is this complaint related to another case before this office?

YES ____ NO ____

YES ____ NO ____

YES ____ NO ____

I.S. /NPS Docket No. _____

Handling Prosecutor _____

CERTIFICATION

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

PCpl Philip C Mortel

(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this 11th day of July, 2022 in Pola, Oriental Mindoro.

NEBUCHADNEZZAR B MATRIO

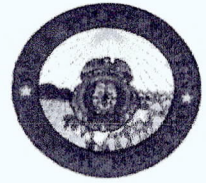
Police Captain

Chief of Police

STANDARD COPY



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE 4B
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
POLA MUNICIPAL POLICE STATION
Barangay Zone 1, Pola, Oriental Mindoro

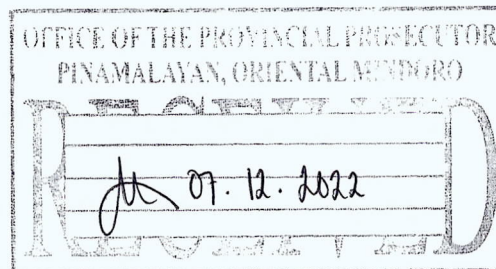


July 12, 2022

The Honorable Prosecutor
Office of the Provincial Prosecutor
Hall of Justice

(Attn: Duty Prosecutor)

Sir/Madam:



I have the honor to refer to your Office, the records of investigation relative to the Violation of PD 705 and RA 9175 at about 12:50 PM of July 10, 2022 at Brgy. Tiguihan, Pola, Oriental Mindoro.

COMPLAINANT : People of the Philippines

VICTIM : Not Applicable

SUSPECTS : **Jonathan Tatel Manato**

FACTS OF THE CASE:

That at about 12:40 PM of this date, Intelligence personnel of this office conducting monitoring regarding the illegal logging activity at barangay Tiguihan of this municipality. While on the said barangay, they heard the sound of the operating chainsaw, when they proceeded to the place, they saw the suspect sawing narra lumber. When they asked the document of the chainsaw and any permit to saw the lumber, the suspect failed to present any legal documents which resulted to his arrest and confiscation of one unit of chainsaw without serial number and 5 pcs of sawn narra lumbers in different sizes with an estimated volume of 148bft and estimated market value of 14,800.00 pesos.

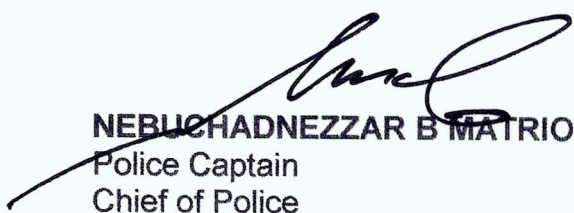
ENCLOSURES :

1. Joint Sworn Statement of PSSg Denis S Dimapilis and PCMS Glenn M Monsanto - Videographer;
2. Sworn Statement of PCPL Elmer M Manhic- arresting and seizing officer;
3. Spot Report on Violation of PD 705 and AR 9175;
4. 1st Progress Report;
5. Photographs;
6. Request for Scaling;
7. Request for Verification;
8. Receipt from CENRO; / SCALE SHEET / TALLY SHEET
9. Certification from CENRO - permit to cut and chainsaw permit;
10. Five (5) pieces of sawn narra lumbers - under the custody of Pola MPS;
10. One (1) Chainsaw - under the custody of Pola MPS ;
12. Chain of Custody- Body Worn Cameras;
13. Three (3) Compact Disc marked as GM-1, GM-2, GM-3.

Others to be presented later.

This case will be presented to you by PCpl Philip C Mortel, Investigator-on-Case of this Office during the course of proceedings. Further, request furnished this Office copy of resolution of the case and other proceedings.

For appropriate action and disposition.



NEBUCHADNEZZAR B MATRIO
Police Captain
Chief of Police

Republika ng Pilipinas)
Lalawigan ng Sil.Mindoro) S.S.
Bayan ng Pola)
X ----- X

PINAGSAMANG SINUMPAANG SALAYSAY NG PAGKUHA NG VIDEO

(Affidavit of Video graphing Officers)

Kami, **PCMS Glenn M Monsanto** at **PSSg Denis S Dimapilis** mga nasa hustong gulang, kagawad ng Pulisya at nakatalaga sa Pola Municipal Police Station, matapos na mabatid ang aming mga karapatan alinsunod sa ipinag-uutos ng Saligang Batas ng Pilipinas ay malaya at kusang-loob na nagsasalaysay gaya ng mga sumusunod:

1. Na, noong ika-10 ng Hulyo 2022, ganap na ika-11:40 ng umaga ay inatasan kami ng aming hepe na si PCPT NEBUCHADNEZZAR B MATRIO upang magsubaybay sa Barangay Tiguihan ng bayang ito patungkol sa mga illegal na gawain na may kaugnayan sa pag puputol ng kahoy at pagamit ng lagari ng walang permiso mula sa mga kinauukulan.

2. Na, sa oras na humigit kumulang sa ika 12:20 ng hapon petsa ika-10 ng Hunyo 2022 ay nakarating kami sa barangay tiguihan kung saan namin gagawin ang aming pagmamanman. Na, sa mga oras na ika 12:25 ng hapon ng petsa ding iyon habang binabagtas namin ang daan sa barangay Tiguihan habang sakay ng motorsiklo at ng kami ay mapadaan sa kung tawagin ay Circle sa barangay tiguihan ay narinig namin ang tunog ng umaandar na lagari. Na, dahil sa mataas ang level ng circle at sa ibaba nito ay mga puno ng bacawan malapit sa dagat ay agad kaming bumaba sa mga sinasakyan naming motorsiklo at tiningnan ang ibaba ng circle kung saan matatagpuan ang mga puno ng bacawan. Na, sa pagsisiyasat namin ay napag alaman namin na doon nanggagaling ang tunog ng chainsaw kayat kami ay palihim na bumaba upang tingnan at mas alamin kung anu ang nilalagari sa lugar na iyon.

3. Na, dito ay natuklasan namin na may naglalagari malapit sa maliit na ilog na dumadaloy patungong dagat kung saan matatagpuan ang mga puno ng bacawan. Na, agad kaming tumawag sa aming himpilan upang ipagbigay alam ang aming natuklasang paglalagari at upang humingi ng back-up at imbestigador para sa gagawin naming illegal logging operation kung sakaling walang maipakitang dokumento ang aming taong nakitang naglalagari.

4. Na, mga oras ika 12:40 ng hapon ng petsa ding iyon habang nagmamanman ay dumating na ang aming imbestigador kayat kami ay mabilis na lumapit at habang kami ay papalapit ay binuhay na namin ang dala naming mga body worn camera at nagsimulang kuhanan ng video ang gagawin naming operasyon na paglapit namin ay naabutan namin ang taong nakita naming naglalagari habang nakatayo sa harap ng mga kahoy niyang nilagari.

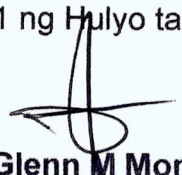
5. Na, matapos masiyasat at malaman namin na walang maipakitang mga legal na dokumento itong taong naglalagari na nakilala namin sa pangalang Jonathan Tatel Manato ay ipinaliwanag sa kaniya ni PCPL MANHIC ay kanyang nalabag na batas at itoy kanyang inaresto at ipinaalam kay Jonathan Manato ang kanyang mga karapatan bilang arestado. Na, matapos ay minarkahan ni PCPL MANHIC ang mga lagaring kahoy. Na lahat ng pangyayaring ito ay patuloy naming kinukuhanan ng video hangang sa itong si Jonathan Manato ay dalhin sa aming himpilan.

6. Na, noong ika 11 ng Hulyo taong 2022 may oras na ika 12:32 ng hapon ng ibigay sa akin(PCMS Monsanto) and body worn camera na ginamit ni PSSg Dimapilis upang ito ay mailipat sa Compact Disc upang ma iprisinta sa hukoman. Na, matapos ko itong matanggap ay sinimulan ko na itong isalin sa CD at ng matapos ay minarkahan ko ito ng **GM-1** at sunod naman ay isinalin ko ang kuha ng body worn camera na aking ginamit upang kuhanan ang ginawang pag aresto ni PCPL MANHIC kay Jonathan Tatel Manato at ng matapos ay minarkahan ko ito ng **GM-2**. Na, ang lahat

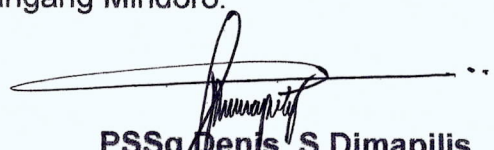
ng ginawa naming paglilipat ng mga video sa aming ginamit na body worn camera ay ginawa sa harap mismo nitong si Jonathan Tatel Manato bilang testigo at habang ang lahat ng ito ay kinukuhanan din ng video at ito ay isinalin din sa isang CD na minarkahan ko naman ng **GM-3**.

7. Na, ginawa namin ang salaysay na ito upang ipagharap ng habla/demanda sa hukuman ang nagmamay ari ng nasabing mga ilegal na nilagaring kahoy ng gemilina at pag gamit ng chainsaw ng walang anumang legal na dokumento na si Jonathan Tatel Manato, lalaki, 54 taong gulang, may asawa, walang trabaho at residente ng Barangay, Tiguihan, Pola Oriental Mindoro.

SA KATUNAYAN NG LAHAT ay lumagda ako ng aking pangalan at apilyedo ngayong ika-11 ng Hulyo taong 2022 dito sa Pola, Silangang Mindoro.



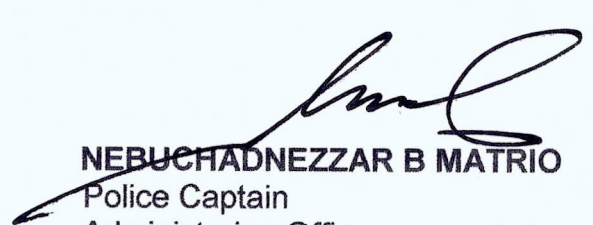
PCMS Glenn M. Monsanto
(Nagsalaysay)



PSSg Denis S. Dimapilis
(Nagsalaysay)

CERTIFICATION

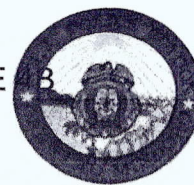
SWORN AND SUBSCRIBED TO BEFORE ME this 11TH day of July 2022 at Pola Municipal Police Station, Pola, Oriental Mindoro and further certify that I personally examined the affiant and that I am fully satisfied that they voluntarily executed and understood the contents of the foregoing statements.



NEBUCHADNEZZAR B. MATRIO
Police Captain
Administering Officer



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE 8
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
POLA MUNICIPAL POLICE STATION
Barangay Zone 1, Pola, Oriental Mindoro



MEMORANDUM

FOR : Provincial Director
(ATTN: PIDMB, POPB & PIB)

FROM : Chief of Police

SUBJECT : **First Progress Report on Violation of PD 705 and RA 9175**

DATE : July 11, 2022

1. Reference: Memorandum from this office Spot Report on Violation of PD 705 and RA 9175 dated July 10, 2022.

2. This pertains to the conducted anti-illegal logging operation which resulted to the arrest of Jonathan Tatel Manato and confiscation of 5 pcs of illegally sawn narra lumbers and 1 unit of chainsaw at barangay Tiguihan, Pola Oriental Mindoro on July 10, 2022 at 12:40 PM.

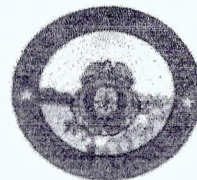
3. Subsequently, at 12:00 NN of this date, Reyamar R. Gunday-Forest Ranger , DENR CENRO Pasi Socorro Oriental Mindoro upon request by this office appeared and conducted scaling of the 5 pcs confiscated narra sawn lumbers. The 5pcs confiscated sawn narra lumbers are composed of (1) one 5x8x7, (1) one 8x11x7, (1) one 6x8x7, (1) one 5x9x7 and (1) one log with a size of 37 diameter and 1 meter length with a total volume of 173.84 Bdft and a market value of Php. 17,384 .00. The confiscated lumbers and 1 unit of chainsaw are still in the custody of this station and will be turned over to DENR CENRO Pasi Socorro upon availability of the transport vehicle.

4. For your information and reference.


NEBUCHADNEZZAR B MATRIO
Police Captain
Chief of Police



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE 4B
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
POLA MUNICIPAL POLICE STATION
Barangay Zone 1, Pola, Oriental Mindoro



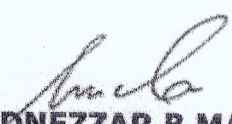
July 10, 2022

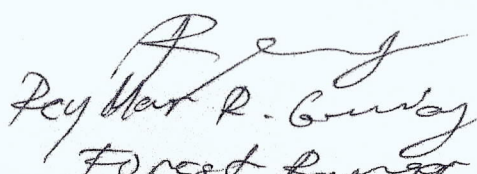
THE CHIEF OF CENRO
Department of Environment and Natural Resources
Barangay Pasi, Socorro, Oriental Mindoro

Sir/Madam:

May we request your good office to conduct record/validation check on any permit for chainsaw operation granted to Mr. Jonathan Tatel Manato, male, 54 years old, married, jobless and a resident of Barangay, Tiguihan, Pola Oriental Mindoro and any permit to sawn Narra lumber at Barangay Tiguihan, Pola, Oriental Mindoro.

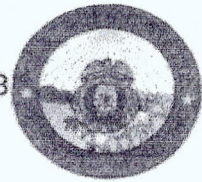
Further requests furnish this Office copy of result of validation conducted on the above matter for future investigative reference.


NEBUCHADNEZZAR B MATRIO
Police Captain


Rey Mar R. Gumbay
Forest Ranger
7-11-22 2:00 pm



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE 4B
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
POLA MUNICIPAL POLICE STATION
Barangay Zone 1, Pola, Oriental Mindoro



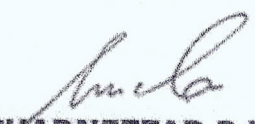
July 10, 2022

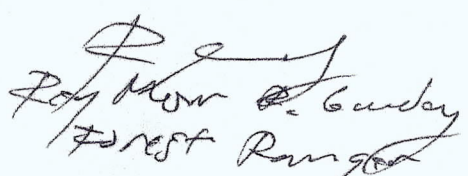
THE CHIEF OF CENRO
Department of Environment and Natural Resources
Barangay Pasi, Socorro, Oriental Mindoro

Sir/Madam:

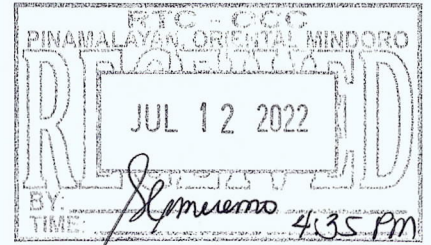
May we request from your good office to please conduct scaling to the confiscated illegally sawn Narra lumbers allegedly owned by one Jonathan Tatel Manato, male, 54 years old, married, jobless and a resident of Barangay, Tiguihan, Pola Oriental Mindoro during the anti-illegal logging operation conducted by personnel of Pola MPS at Barangay Tiguihan, Pola Oriental Mindoro at about 12:40 PM of July 10, 2022.

Anticipating your usual cooperation.


NEBUCHADNEZZAR B MATRIO
Police Captain
Chief of Police


Roy M. Gunday
Forest Ranger
7-11-22 12:00pm

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH _____
Pinamalayan
-oOo-



PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIMINAL CASE NO. CR- CR22 - 1202

- versus -

- for -

JONATHAN TATEL MANATO,
Accused.
(Arrested)

VIOLATION OF P.D. 705

X ----- X

INFORMATION

The undersigned Inquest Prosecutor, under oath, hereby accuses **JONATHAN TATEL MANATO** of Barangay Tiguihan, Pola, Oriental Mindoro with the crime of **Violation of Presidential Decree No. 705**, as amended, committed as follows:

That on or about the 10th day of July 2022, at around 12:40 in the afternoon in Barangay Tiguihan, Municipality of Pola, Province of Oriental Mindoro, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, with intent of gain and without any license, authority or legal document as required under existing forestry laws and regulations, did then and there willfully, unlawfully, feloniously and knowingly cut, gather transport and have in his possession five (5) pieces of illegally sawn Narra good lumbers with an aggregate volume of one-hundred seventy three point eighty four (173.84) board feet and with a total estimated market value of **SEVENTEEN THOUSAND THREE HUNDRED EIGHTY FOUR PESOS (Php 17,384.00)**, Philippine Currency, to the damage and prejudice of the Republic.

CONTRARY TO LAW.

Calapan City, July 12, 2022.

**WITH PRIOR WRITTEN AUTHORITY FROM
THE PROVINCIAL PROSECUTOR UNDER
OPP MEMO 21-1 DATED APRIL 5, 2021**

E. D. San Miguel Jr.
ENRIQUE D. SAN MIGUEL JR.

Associate Provincial Prosecutor
MCLE COMP. VII-0006596-4/14/25

WITNESSES:

1. PSSg Denis S. Dimapilis of PNP Pola MPS, Puerto Galera;
2. PCMS Glenn M. Monsanto of same address as above;
3. PCpl Elmer M. Manhic of same address as above;
4. Forest Ranger, Reyman R. Gunday of DENR-CENRO Socoro, Oriental Mindoro;
5. Forest Ranger, Norman C. Asi of same address as above;
6. Forest Ranger, Julius V. Fontanilla of same address as above;

AND OTHERS RESERVED.

DOCUMENTARY EXHIBITS:

- A. Joint Sworn Statement of PSSg Dennis S. Dimapilis and PCMS Glenn M. Monsanto;
- B. Sworn Statement of PCpl Elmer M. Manhic;
- C. Spot Report on Violation of P.D. 705 and R.A. 9175;
- D. 1st Progress Report on Violation of P.D. 705 and R.A. 9175;
- E. Letter Request for verification of chainsaw;
- F. Letter Request for Scaling;
- G. Apprehension Receipt;
- H. Scale/Tally Sheet;
- I. Certification from DENR-CENRO Socorro;
- J. Chain of Custody Over Recording;
- K. Arrest and Booking Sheet;
- L. Mugshots;
- M. Pictures;

AND OTHERS RESERVED.

OBJECT EXHIBITS:

- N. Five (5) pieces of illegally sawn narra lumbers marked as **EM-1** to **EM-5** (under the custody of PNP Pola MPS);
- O. One (1) chainsaw marked as **EM-6** (under the custody of Pola MPS);
- P. Three (3) pieces DVD marked as **GM-1**, **GM-2** and **GM-3**;

AND OTHERS RESERVED.

C E R T I F I C A T I O N

I HEREBY CERTIFY, that the foregoing Information is filed pursuant to Section 6, Rule 112 of the 1985 Rules on Criminal Procedure, as amended, the accused not having opted to avail of his right to preliminary investigation and not having executed a waiver pursuant to Article 125 of the Revised Penal Code.



ENRIQUE D. SAN MIGUEL, JR.
Associate Provincial Prosecutor

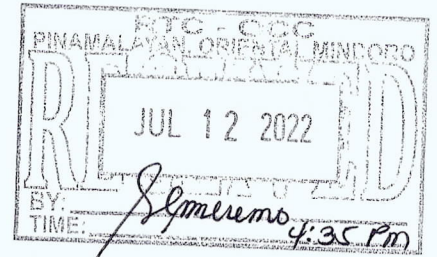
SUBSCRIBED AND SWORN TO BEFORE ME, this 12th day of July 2022,
at Calapan City.



JENNIFER M. MARASIGAN-UY
Assistant Provincial Prosecutor

BAILBOND RECOMMENDED: PHP 30,000.00

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH _____
Pinamalayan
-oOo-



PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIMINAL CASE NO. CR-CR22-12024

- versus -

- for -

JONATHAN TATEL MANATO,
Accused.
(Arrested)

VIOLATION OF R.A. 9175

X ----- X

INFORMATION

The undersigned Inquest Prosecutor, under oath, hereby accuses **JONATHAN TATEL MANATO** of Barangay Tiguihan, Pola, Oriental Mindoro with the crime of **Violation of Sec. 7, par.4 of R.A. 9175 otherwise known as the Chainsaw Act of 2002**, committed as follows:

That on or about the 10th day of July 2022, at around 12:40 o'clock in the afternoon, at Barangay Tiguihan, Municipality of Pola, Province of Oriental Mindoro, Philippines, a place within the jurisdiction of this Honorable Court, the above-named accused without any corresponding license or permit from the proper government agency did then and there willfully, unlawfully, feloniously have in his possession and control and custody one (1) Chainsaw branded as STIHL without serial number marked as "EM-6" and without legal authority used the same to cut trees, in violation of the above-cited law, to the damage of the Republic.

Contrary to Law.

Calapan City, July 12, 2022.

**WITH PRIOR WRITTEN AUTHORITY FROM
THE PROVINCIAL PROSECUTOR UNDER OPP
MEMO 21-1 DATED APRIL 5, 2021**

E. D. San Miguel Jr.

ENRIQUE D. SAN MIGUEL JR.

Associate Provincial Prosecutor
MCLE COMP. VII-0006596-4/14/25

WITNESSES:

1. PSSg Denis S. Dimapilis of PNP Pola MPS, Puerto Galera;
2. PCMS Glenn M. Monsanto of same address as above;
3. PCpl Elmer M. Manhic of same address as above;
4. Forest Ranger, Reymar R. Gunday of DENR-CENRO Socoro, Oriental Mindoro;
5. Forest Ranger, Norman C. Asi of same address as above;
6. Forest Ranger, Julius V. Fontanilla of same address as above;

AND OTHERS RESERVED.

DOCUMENTARY EXHIBITS:

- A. Joint Sworn Statement of PSSg Dennis S. Dimapilis and PCMS Glenn M. Monsanto;
- B. Sworn Statement of PCpl Elmer M. Manhic;
- C. Spot Report on Violation of P.D. 705 and R.A. 9175;
- D. 1st Progress Report on Violation of P.D. 705 and R.A. 9175;
- E. Letter Request for verification of chainsaw;
- F. Letter Request for Scaling;
- G. Apprehension Receipt;
- H. Scale/Tally Sheet;
- I. Certification from DENR-CENRO Socorro;
- J. Chain of Custody Over Recording;
- K. Arrest and Booking Sheet;
- L. Mugshots;
- M. Pictures;

AND OTHERS RESERVED.

OBJECT EXHIBITS:

- N. Five (5) pieces of illegally sawn narra lumbers marked as **EM-1** to **EM-5** (under the custody of PNP Pola MPS);
- O. One (1) chainsaw marked as **EM-6** (under the custody of Pola MPS);
- P. Three (3) pieces DVD marked as **GM-1**, **GM-2** and **GM-3**;

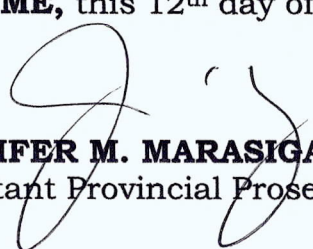
AND OTHERS RESERVED.

C E R T I F I C A T I O N

I HEREBY CERTIFY, that the foregoing Information is filed pursuant to Section 6, Rule 112 of the 1985 Rules on Criminal Procedure, as amended, the accused not having opted to avail of his right to preliminary investigation and not having executed a waiver pursuant to Article 125 of the Revised Penal Code.


ENRIQUE D. SAN MIGUEL, JR.
Associate Provincial Prosecutor

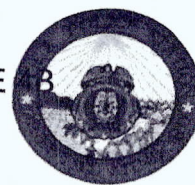
SUBSCRIBED AND SWORN TO BEFORE ME, this 12th day of July 2022,
at Calapan City.


JENNIFER M. MARASIGAN-UY
Assistant Provincial Prosecutor

BAILBOND RECOMMENDED: PHP 48,000.00



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE - B
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
POLA MUNICIPAL POLICE STATION
Barangay Zone 1, Pola, Oriental Mindoro



MEMORANDUM

FOR : Acting Provincial Director
(Officer in Charge)
(ATTN: PIDMB, POPB & PIB)

FROM : Chief of Police

SUBJECT : **2nd Progress Report on Violation of PD 705 and RA 9175**

DATE : July 12, 2022

1. Reference: Memorandum from this office Spot Report on Violation of PD 705 and RA 9175 dated July 10, 2022.

2. This pertains to the conducted anti-illegal logging operation conducted by this office which resulted to the arrest of Jonathan Tatel Manato and confiscation of 5 pcs of illegally sawn narra lumbers and 1 unit of chainsaw at barangay Tiguihan, Pola Oriental Mindoro on July 10, 2022 at 12:40 PM. The 5pcs confiscated sawn narra lumbers were composed of (1) one 5x8x7, (1) one 8x11x7, (1) one 6x8x7, (1) one 5x9x7 and (1) one log with a size of 37 diameter and 1 meter length with a total volume of 173.84 Bdft and a market value of Php. 17,384 .00 as to the conducted scaling of personnel from the office of CENRO, Socorro, Oriental Mindoro

3. Please be informed that on July 12, 2022 the case was referred to the Office of the Provincial Prosecutor, Calapan City, Oriental Mindoro under NPS docket number NPS IV-07a-INQ-22G-00144 for violation of P.D. 705 and NPS IV-07a-INQ-22G-00145 for violation of RA 9175. In relation to the issued Joint Resolution signed by Enrique D. San Miguel Jr, Associate Provincial Prosecutor, found reasonable ground to file in court the said cases against the accused and was later on docketed under Criminal Case number CR22-12023 for PD 705 and Criminal Case number CR22-12024 for RA 9175. Said arrested suspect was returned to the custody of this office for the absence/unavailability of RTC Judges, Pinamalayan for issuance of Orders.

4. For your information and reference.


NEBUCHADNEZZAR B MATRIO
Police Captain
Chief of Police

Republic of the Philippines
DEPARTMENT OF JUSTICE
National Prosecution Service
OFFICE OF THE PROVINCIAL PROSECUTOR
Calapan City
-oOo-

PNP POLA MPS
Pola, Oriental Mindoro,
Complainant,

NPS IV-07a-INQ-22G-00144

- versus -

- for -

JONATHAN TATEL MANATO,
Respondent.
(Arrested)

VIOLATION OF P. D. 705

X ----- X

PNP POLA MPS
Pola, Oriental Mindoro,
Complainant,

NPS-IV-07a-INQ-22G-00145

- versus -

- for -

JONATHAN TATEL MANATO,
Respondent,
(Arrested).

VIOLATION OF R.A. 9175

JOINT RESOLUTION

(Inquest)

This refers to the Inquest Proceedings conducted by this office against the above-named respondent who is now presently under the custody of PNP Pola, Oriental Mindoro.

Respondent not having opted for a preliminary investigation of the complaint against him, the determination of probable cause proceeded based on the evidence at hand and/or submitted by the complainant.

On the basis of the evidence on record, the undersigned is of the honest belief that there is reasonable ground to indict the respondent for **Violation of Presidential Decree No. 705 and Violation of Republic Act No. 9175.**

WHEREFORE, finding probable cause for the commission of the said offense, let the corresponding Information be filed against the above-named respondent with the proper court.

SO RESOLVED.

Calapan City, July 12, 2022.

**WITH PRIOR WRITTEN AUTHORITY FROM
THE PROVINCIAL PROSECUTOR UNDER
OPP MEMO 21-1 DATED APRIL 5, 2021**

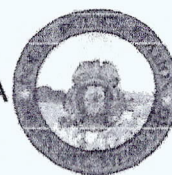
E. D. San Miguel, Jr.

ENRIQUE D. SAN MIGUEL, JR.
Associate Provincial Prosecutor
MCLE COMP. NO. VII-0006596/4-14-25

Copy Furnished:
All concerned parties.



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
POLA MUNICIPAL POLICE STATION
Brgy. Zone 1, Pola Oriental Mindoro



CHAIN OF CUSTODY OVER RECORDING

Reference: Anti-illegal logging operation.

Device : Body Worn Camera

EVENTS	PERSONS INVOLVED		DATE AND TIME
Actual Arrest	Recorded by: PCMS Glenn M Monsanto	Body Worn Camera	7/10/2022 12:40 PM
	Recorded by: PSSg Denis S Dimapilis	Body Worn Camera	7/10/2022 12:40 PM
Turn Over of BWC/ARD to Data Custodian	From: PSSg Denis S Dimapilis	To: PCMS Glenn M Monsanto	7/11/2022 12:32 PM
Downloading from BWC/ARD	By: PCMS Glenn M Monsanto	Witnessed by: Jonathan Tatel Manato	7/11/2022 12:33 PM to 12:47 PM
Reduction	By: NOT	APPLICABLE	
Access Allowed	By: PCMS Glenn M Monsanto	To: Jonathan Tatel Manato	7/11/2022 12:33 PM to 12:47 PM
Retrieval of Recording and Transfer to EMSD	By: PCMS Glenn M Monsanto		7/11/2022 12:33 PM to 12:47 PM
Submission of EMSD to Court/Prosecution office	By: PCMS Glenn M Monsanto	NOTED F. VILLAVICENCIO Administrative Aide IV DPP - Pina	7/12/2022 11:08 AM

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
BRANCH 41
Pinamalayan, Oriental Mindoro

PEOPLE OF THE PHILIPPINES,
Plaintiff.

-versus-

CRIM. CASE NO. CR22-12023
For: Violation of PD 705

JONATHAN TATEL MANATO,
Accused.

X-----X

ORDER OF RELEASE

Accused **JONATHAN TATEL MANATO** having posted the bail in the amount of **THIRTY THOUSAND** (Php.30,000.00) **PESOS** under **Official Receipt No. 0522265** for his provisional liberty, he is hereby ordered to be released from confinement of the law unless he is held for some other lawful cause/s which would justify his continued detention.

SO ORDERED.
Pinamalayan, Oriental Mindoro.
July 13, 2022.


HARRY D. JAMINOLA
Presiding Judge

HDJ/mgdr

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
BRANCH 41
Pinamalayan, Oriental Mindoro

PEOPLE OF THE PHILIPPINES,
Plaintiff.

-versus-

CRIM. CASE NO. CR22-12024
For: Violation of RA 9175

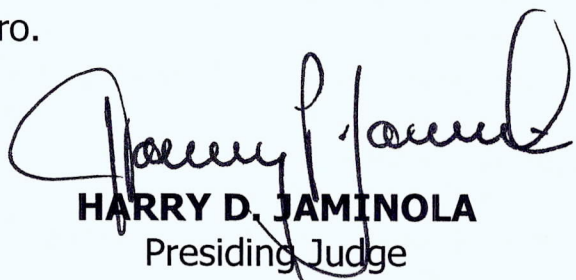
JONATHAN TATEL MANATO,
Accused.

X-----X

ORDER OF RELEASE

Accused **JONATHAN TATEL MANATO** having posted the bail in the amount of **FORTY EIGHT THOUSAND** (Php.48,000.00) **PESOS** under **Official Receipt No. 0522266** for his provisional liberty, he is hereby ordered to be released from confinement of the law unless he is held for some other lawful cause/s which would justify his continued detention.

SO ORDERED.
Pinamalayan, Oriental Mindoro.
July 13, 2022.


HARRY D. JAMINOLA
Presiding Judge

HDJ/mgdr

cenro file



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

Annex 3⁰⁰

APPREHENSION RECEIPT

CENRO Control No.:
E-FMS No:

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Date of Birth/Age	Participation	Status of the Person
JONATHAN TATEL MANATO	BRGY. TIGUIKAN, POLA, ORIENTAL MINDORO	MARRIED	54 YEARS OLD	ILLEGAL LOGGING IN 1986 UNREG. OAKINCAW	ARRESTED

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
LUMBER/ FLITCHES Log		BRGY. TIGUIKAN, POLA, OR. MINDO.	PREMIUM SPECIES	NAKRA	5	175.55 bdf w	P 17,655.00 w	POLA MRS	PNP POLA

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.
N/A	N/A	N/A	N/A	N/A	N/A

Done this 11th day of July, year 2022 at
POLA MUNICIPAL POLICE STATION



Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian
N/A	N/A	N/A	N/A

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	Custodian
CHAINSAW	ONE (1) UNIT	WITHOUT SERIAL NO.	TEMPORARY IN CUSTODY OF POLA MRC
			Turned over August 2 2022

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	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	Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
JULY 10, 2022 12:40 PM	ORIENTAL MINDORO	POLA	TIGUIHAN		PNP POLA	VIOLATION OF SEC. 77 OF PD 705 AS AMENDED AND RA 9175

Apprehension was done under the following circumstances:

- CUTTING OF TREE WITHOUT LEGAL DOCUMENTS USING-
- UNREGISTERED CHAINSAW
-

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.



APPREHENDING OFFICER
(Signature over Printed Name)

1. Name: <u>ELMER M. MANHIC</u>	2. Name: _____
Position: <u>POLICE CORPORAL</u>	Position: _____
Address: <u>POLA MPS ZONE 1 POLA</u>	Address: _____
3. Name: _____	4. Name: _____
Position: _____	Position: _____
Address: _____	Address: _____

ATTESTED:

1. Name: <u>REY MAX R. GUNDA</u>	2. Name: <u>NORMAN C. ASI</u>
Position: <u>FOREST RANGER</u>	Position: <u>FOREST RANGER</u>
Address: <u>DENR CENRO SOCORRO</u>	Address: <u>DENR CENRO SOCORRO</u>
3. Name: <u>JULIAN V. FONTANILLA</u>	4. Name: _____
Position: <u>FOREST RANGER</u>	Position: _____
Address: <u>DENR CENRO SOCORRO</u>	Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SOCORRO
Brgy. Pasi II, Socorro, Oriental, Mindoro

SEIZURE ORDER

CENRO Control No.:
E-FMS No:

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 Products	Species Grouping	Species	Pieces	Volume/ Unit of Measurem ent	Estimated Value	Impoundin g Area	Custodian
Lumber /log		Brgy. Tiguihan,		Narra	5	175.55bdft	P 17, 555.00	DENR-CENRO- Socorro	
		Pola							
		Or. Min.							

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.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*
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	Custodian
Chainsaw	One (1)	Without serial no.	CENRO Socorro

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
Jonathan T. Manato	Brgy. Tiguihan,	Married	54	Chainsaw operator	arrested
	Pola				
	Or. Min.				

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		
August 26, 2022	Oriental Mindoro	Pola	PNP Station, Zone 1	n/a	CENR Officer	Violation of Section 77 of PD 705 as amended

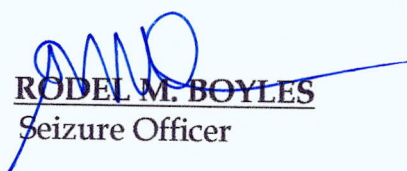
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
N/A	N/A	N/A	N/A

After thorough evaluation of the Apprehension Report dated July 11, 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 26th day of August, 2022 at Brgy. Pasi II, Socorro, Oriental Mindoro.


RODEL M. BOYLES
Seizure Officer

Copy furnished:



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Community Environment and Natural Resources Office
Socorro, Oriental Mindoro

SEIZURE RECEIPT

No. 2022-16

The following apprehended items with Apprehension Receipt No. _____ are administrative seizure pursuant to Section of DAO 97-32

A. FORESTS PRODUCTS

Species	No. of Pieces	Dimension	Volume (Bdft)	Estimated Value
Narra	1	5x8x7	23.33	2,333.00
Narra	1	8x11x7	51.33	5,133.00
Narra	1	6x8x7	28	2,800.00
Narra	1	5x9x7	26.25	2,625.00
	1	Diameter 37 cm, Length 1 m	.11 cu m/46.64 bdft	4,664.00
TOTAL	5		175.55	17,555.00

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

NAME	ADDRESS	NATURE OF PARTICIPATION
1. Jonathan T. Manato	Brgy. Tiguihan, Pola, Oriental Mindoro	chainsaw operator
2. _____	_____	_____

B. CONVEYANCE

N/A

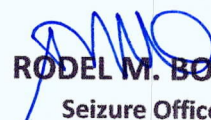
C. EQUIPMENT/ TOOL AND OTHER IMPLEMENTS

Quantity	Unit	Description	Estimated Value
One (1)	Chainsaw	without serial number	P 20,000.00

The 5 pieces Narra lumbers with equivalent volume of _____ boardfeet were apprehended by PNP Pola at Brgy. Tiguihan, Pola, Oriental Mindoro on July 10, 2022 are now under the custody of CENRO Socorro. The said lumbers were stockpiled at CENRO-Socorro lumberyard and in CENRO Socorro stockroom for the one (1) Chainsaw.

That the undersigned hereby acknowledge that the above listed item(s) are now in ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the custodial legis, pending of conduct of administrative confiscation proceedings for their disposition.

Therefore issue this Seizure Receipt No. 2022-16 this August 26, 2022 at DENR- CENRO Socorro, Oriental Mindoro.


RODEL M. BOYLES
Seizure Officer



ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

This is to acknowledge the confiscated ONE (1) NAKKA LOG AND FOUR (4) PIECES
NAKKA LUMBER/FLETCHES WITH A VOLUME OF 175.55 BD. FT AND ONE (1) UNIT CHAINSAW
Said FOREST PRODUCTS AND CHAINSAW was/were confiscated by the composite team of
POLA MUNICIPAL POLICE STATION
at BRGY. TIGUIHAN, POLA, ORIENTAL MINDORO
on JULY 10, 2022.

This acknowledgement of evidence is made this 26th day of August, 2022.

Received by:

FI KEVIN I. CORPUZ

Received from: PCPL PHILIP A C MORTAL

Date : AUGUST 26, 2022



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

August 30, 2022

MEMORANDUM

FOR : The CENR Officer

THRU : The DMO IV
The Chief, MES

FROM : Monitoring and Enforcement Section Personnel

SUBJECT : **SPOT REPORT OF APPREHENDED ONE (1) LOG AND FOUR (4) PIECES OF ILLEGALLY SAWN NARRA LUMBER/FLITCHES WITH AN AGGREGATE VOLUME OF 175.55 BOARD FEET AND ONE (1) UNIT OF CHAINSAW WITHOUT SERIAL NUMBER AT BARANGAY TIGUIHAN, POLA, ORIENTAL MINDORO**

BASIC INFORMATION GATHERED:	
1. Time of Apprehension: Date of Apprehension: Place of Apprehension:	- 12:40 PM - July 10, 2022 - Barangay Tiguihan, Pola, Oriental Mindoro
2. Full Name of Alleged Offender/ Claimant/Owner	-Mr. Jonathan Tatel Manato
3. Name of Person/s Accompanying Or providing on-site assistance to the apprehending officers.	- None
4. Circumstances that lead to the apprehension.	-While conducting intel monitoring at aforementioned place, Pola MPS caught the suspect while sawing of Narra log and lumber/flitches without any legal documents was presented. In line with this, they arrested and confiscated One (1) unit of chainsaw without serial number and the said forest products.
5. Name of Local Government	-None



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

Officials present and/or witnessing the apprehension.	
6. Preliminary description of items being apprehended.	-Four (4) pieces of illegally sawn lumber/flitches and one (1) piece of Narra log with an aggregate volume of 175.55 board feet and one (1) unit of chainsaw without serial number.
7. Origin	-Barangay Tiguihan, Pola, Oriental Mindoro
8. Consignor and Consignee.	-None
9. Other data or information, comment and recommendation : The apprehended four (4) pieces of illegally sawn lumber/flitches and one (1) piece of Narra log with an aggregate volume of 175.55 board feet, and one (1) unit of chainsaw without serial number were under the custody of CENRO Socorro while the case is in progress. Attached herewith are the apprehension receipt and other relevant documents.	


REYMAR R. GUNDAY
Forest Ranger


JULIUS V. FONTANILLA
Forest Ranger


NORMAN C. ASI
Forest Ranger

SUBSCRIBED AND SWORN TO before me this 30th day of August, 2022 at Socorro, Oriental Mindoro, Philippines.


RODEL M. BOYLES
CENR Officer



PHOTOS OF APPREHENDED ONE (1) LOG AND FOUR (4) PIECES OF ILLEGALLY SAWN NARRA LUMBER AND ONE (1) UNIT OF CHAINSAW WITHOUT SERIAL NUMBER AT BARANGAY TIGUIHAN, POLA, ORIENTAL MINDORO.



This is to certify that these are the true geo-tagged pictures of apprehended forest product and one (1) unit of chainsaw without serial number at Barangay Tiguihan, Pola, Oriental Mindoro.

REYMAR R. GUNDAY
Forest Ranger

NORMAN C. ASI
Forest Ranger

JULIUS V. FONTANILLA
Forest Ranger

SUBSCRIBED AND SWORN TO before me this 30th day of August, 2022 at Socorro, Oriental Mindoro.

RODEL M. BOYLES
CENR Officer



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

SCALE/TALLY SHEET OF APPREHENDED ILLEGALLY SAWN NARRA LUMBER/FLITCHES AND LOGS AT BARANGAY TIGUIHAN, POLA, ORIENTAL MINDORO					
SPECIES	DIMENSION			PIECES	VOLUME (BOARD FEET)
	THICK (INCH)	WIDTH (INCH)	LENGTH (FEET)		
NARRA	5	8	7	1	23.33
NARRA	8	11	7	1	51.33
NARRA	6	8	7	1	28
NARRA	5	9	7	1	26.25
LOG					
	DIAMETER		LENGTH (m)		
NARRA	37		1	1	46.64
TOTAL				5	175.55

Prepared and Scaled by:


REY MAR R. GUNDAY
Forest Ranger


NORMAN C. ASI
Forest Ranger


JULIUS V. FONTANILLA
Forest Ranger

SUBSCRIBE AND SWORN TO before me this 30th day of August, 202nd at
Socorro, Oriental Mindoro, Philippines.


RODEL M. BOYLES
CENR Officer



ADMINISTRATIVE ADJUDICATION PROCEEDINGS (DAO 97-32, Section 7[2])

SUBJECT : Apprehended **Five (5) pcs** of Narra lumbers/log having equivalent volume of **175.55 bdft** at **Brgy. Tiguihan, Pola, Oriental Mindoro**

DATE : October 12, 2022

LOCATION : CENRO Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro

HEARING OFFICER : CENR Officer Rodel M. Boyles

ATTENDEES AND DESIGNATION : Atty. Sherlyn A. Layesa, Legal Researcher
For. Leonida A. Mindaros, Forester II
PCpl Elmer M. Manhic, Apprehending officer
Mr. Jonathan T. Manalo, Responding

X -----X

I. Introduction

Pambungad : *(Pagpapakilala ng hearing officer at ng kanyang mga kasamahan - pangalan at posisyon)*

Ang Pagdinig na ito ay alinsunod sa DENR Administrative Order No. 97-32 (DAO 97-32) na may buong pamagat na "1997 Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyances Used in Connection Therewith Pursuant to the Provisions of Presidential Decree No. 705 (P.D. 705), as amended, and pertinent policies, rules and regulations."

Isang bahagi ng nasabing DAO ay ang pagsasagawa ng Administrative Confiscation Hearing o Adminstratibong Pagdinig na naglalayong sagutin ang katanungan na: **"Ano ba dapat ang gawin sa mga nahuling kahoy, kagamitan, o sasakyan? Dapat ba itong ibalik sa may-ari o permanenteng kumpiskahin pabor sa Republika ng Pilipinas?"**

Mahalaga ito sapagkat dito binibigyan ng pagkakataon ang mga nasasangkot upang makapagsalaysay, makapaglahad, o makapagbigay linaw sa mga pangyayari na may kinalaman sa nakasaad na paksa (subject). Ito ang magiging basehan ng rekomendasyon na isusumite ng CENR Officer o Opisyal ng Pagdinig sa Regional Executive Director (RED) na may awtoridad na magdesisyon patungkol dito.



Ang Administratibong Pagdinig na isinasagawa ng DENR ay hiwalay na proseso sa paglilitis ng korte para sa kasong sibil o kriminal.

Ang Pagdinig na ito ay gagawin sa lenggwahe o wika na mas higit na nauunawan ng nakararami.

Pagtatala : Para sa opisyal na pagtatala, maari mo bang sabihin ang iyong pangalan, edad, katayuang sibil at tirahan?

Sagot : Jonathan Mando, 54, may asawa, mga tiguhin, pola

Paglilinaw : Noong nakaraang _____, may ipinadala ang aming tanggapan na sulat na may pamagat na "Abiso ng Pagdinig". Ito ba ay iyong natanggap?

Sagot :  Opo

Paglalahad ng mga Karapatan at Paalala : Ang nasabing Abiso ay ang unang bahagi ng proseso bago ang pagsasagawa ng pagdinig. Ngayon naman ay ilalahad ang iba mo pang mga karapatan sa ilalim ng Saligang Batas at ilan pang mga paalala:

1. Ang pagdinig na ito ay maiksi lamang, nakatala, at sa pamamaraang tanong-sagot;
2. Ikaw ay maaaring humarap sa pagdinig na ito nang ikaw lamang o maaari din naman na kumuha ka ng tagapayo o abogado na kakatawan sa inyo;
3. Ikaw ay may karapatan na manahimik sa panahon ng pagsisiyasat;
4. Ikaw ay may karapatan na makita o makuha ang kopya ng mga dokumento na may kinalaman sa paksa;
5. Ikaw ay may karapatan na mag-sumite ng iba pang ebidensya; at
6. Bilang kapalit ng pagdinig na ito, maaari rin na mag-sumite ng Sinumpaang Salaysay at iba pang dokumento na may kinalaman dito upang maging basehan sa pagbibigay ng rekomendasyon.

Paglilinaw : Kaugnay sa huling nabanggit, ipagpapatuloy ba natin ang pagdinig o mag susumite ka na lamang ng iyong Sinumpaang Salaysay?

Sagot : Ipagpatuloy na lng

II. Hearing Proper

Panimula : Matapos na maipaliwanag sa inyo ang layunin ng pagdinig na ito, mga karapatan, at paalala, umpisahan na natin ang pagtatanong tungkol sa nahuling **Five (5) pcs of Narra lumbers/log having equivalent volume of 175.55 bdfat at Brgy. Tiguihan, Pola, Oriental Mindoro.**



- Tanong** : Ano ang kaugnayan o partisipasyon mo sa nabanggit na paksa? Ilahad mo sa amin ang mga pangyayari batay sa iyong personal na kaalaman.
- Sagot** : ako po yong maraming nangyayari
- Tanong** : Sinu ang may-ari ng nasabing Narra lumbers/log?
- Sagot** : hindi ko alam.
- Tanong** : Saan ito galing o kinuha? Saan ito dadalhin o gagamitin?
- Sagot** : nalakutang sa dagat. sa aring bahay ko po dapat gagamitin
- Tanong** : Mayroon ka bang kaukulang permiso ang pagmamay-ari o pag-ani ng mgaito?
- Sagot** : wala po
- Tanong** : Alam mo ba na mahigpit na ipinagbabawal sa batas ang pagpuputol pagbebenta, pagbili, pag-iimbak at pagbabyahe ng mga kahoy maging ang uling na walang kaukulang permiso mula sa DENR?
- Sagot** : alam ko pong bawal pero hindi ko po pinutol yon papulot ko lang.
- Tanong** : Sino ang nag utos na putulin mo ang Narra?
- Sagot** : n/a
- Tanong** : Kanino ang Chainsaw na ginamit mo sa pagpuputol? May roon ka bang permiso ng Chainsaw (Certificate of Registration) mula sa DENR?
- Sagot** : sa akin po. wala pong registrasyon mula sa DENR.
- Tanong** : Malimit mo bang ginagawa ang pagpuputol ng mga Puno na walang kaukulang permiso?
- Sagot** : hindi po. First lang po.
- Tanong** : Ikaw ba ay may nais pang sabihin, idagdag, baguhin sa mga nabanggit?
- Sagot** : wala na po



Pagtatapos : Handa ka bang lagdaan ang salaysay na ito ng may kusang loob, walang bahid ng pamimilit, pananakot, o anumang kapalit?

Bago mo ilakip ang iyong lagda, maaari mong basahin ang salaysay na ito.

Sagot : *apo*

BILANG PATUNAY, inilalakip ko ang aking lagda sa dokumentong ito, ngayong ika-19th ng October 2022, dito sa bayan ng Socorro, Oriental Mindoro.

[Signature]
PANGALAN AT LAGDA
NG NAGSALAYSAY

PINANUMPAAN AT NILAGDAAN SA AKING HARAP, ngayong ika-19th ng October, 2022, dito sa bayan ng Socorro, Oriental Mindoro.

[Signature]
RODEL M. BOYLES
CENR Officer / Opisyal ng Pagdinig