



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

OCT 04 2022

MEMORANDUM

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

THRU : The Assistant Regional Director
For Technical Services

FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2022-063



Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated September 19, 2022 regarding the result of administrative adjudication on the apprehended twenty four (24) pieces of Molave lumber having an aggregate volume of 328.00 board feet at So. Anahawin, Barangay Poblacion, Calintaan, Occidental Mindoro.

The said apprehended forest products are now temporarily impounded at Murtha Monitoring Station, Barangay Murtha, San Jose, Occidental Mindoro for safekeeping.

For your information and record.


ERNESTO L. TAÑADA



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

SEP 19 2022

MEMORANDUM

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

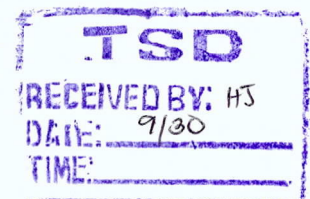
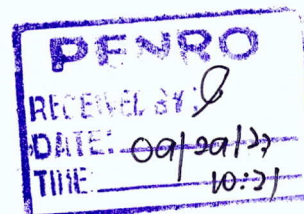
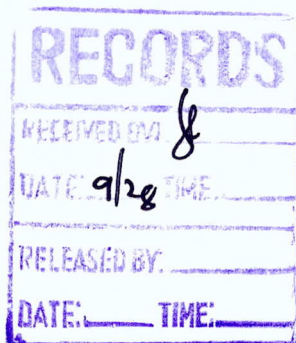
THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : RESOLUTION NO. 2022-063

Submitted herewith is the Resolution No. 2022-063 as a result of administrative adjudication on the apprehended twenty four (24) pcs. of Molave lumber with different dimensions having an aggregate volume of 328.00 bdft. at So. Anahawin, Brgy. Poblacion Calintaan, Occidental Mindoro by DENR personnel on August 18, 2022.

For your information and record.



EFREN L. DELOS REYES

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



RE: APPREHENSION OF ABANDONED TWENTY FOUR (24) PCS. OF MOLAVE LUMBER WITH DIFFERENT DIMENSIONS WITH A TOTAL VOLUME OF 328.00 BDFT. AT SO. ANAHAWIN, BRGY. POBLACION, CALINTAN, OCCIDENTAL MINDORO ON AUGUST 18, 2022 AT AROUND 11:29 IN THE MORNING.

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RESOLUTION No. 2022-063

This pertains to the apprehension of abandoned twenty four (24) pieces of Molave lumber with different dimensions with a total volume of 328.00 bdf. at So. Anahawin, Brgy. Poblacion, Calintaan, Occidental Mindoro on August 18, 2022 at around 11:29 in the morning 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 August 18, 2022 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office headed by Deputy Chief of Enforcement and Monitoring Section Forester I Jomar B. Serquiña conducted a monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there were a stockpiled of lumber believed to be illegally cut at the vicinity of Brgy. Poblacion, Calintaan, Occidental Mindoro.
2. That indeed the report was confirmed and on the absence of the claimant, the team apprehended the above-subject lumber and hauled to Murtha Monitoring Station at Brgy. Murtha, San Jose, Occidental Mindoro for safekeeping. *(Please see attached spot report)*
3. That the corresponding Apprehension Receipt with CENRO Control No.2022-F457 was issued by the apprehending officer headed by Deputy Chief, EMS, Jomar B. Serquiña *(please see attached apprehension receipt)*
4. That the Seizure Order with CENRO Control Number 2022-F457 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 August 19, August 26 and September 2, 2022 in conspicuous places such as at Public Market of Poblacion Calintan and at the Brgy. Hall of Poblacion Calintan, 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 twenty four (24) Molave lumbers with different dimensions having an aggregate volume of 328.00 bdft. 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

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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 twenty four (24) Molave

lumpers with different dimensions having an aggregate volume of 328.00 bdf. shall be confiscated in favour of the government since those lumpers 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 twenty four (24) Molave lumpers with different dimensions having an aggregate volume of 328.00 bdf. shall be confiscated in favour of the government since those lumpers are products of an illegal act.

Issued this _____ day of **SEP 16 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

EMAIL FOR TRANSMISSION
AUGUST 19, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE HAD APPREHENDED TWENTY FOUR (24) PIECES OF MULAWIN LUMBER CMA WITH ASSORTED DIMENSIONS (2X8X10, 2X11X8, 2X15X7, 2X12X7, 2X9X7, 2X8X7, 2X14X11, 2X15X13, 2X19X7, 2X14X7, 2X6X7) ON AUGUST 18, 2022 AT AROUND 11:29 IN THE MORNING CMA WITH A TOTAL VOLUME OF 328.00 BDFT AT SO. ANAHAWIN CMA BRGY. POBLACION CMA CALINTAAAN CMA OCCIDENTAL MINDORO PD

BE FURTHER INFORMED THAT THE SAID FOREST PRODUCTS WERE FOUND ABANDONED AND NO CLAIMANT APPEARED DURING THE TIME OF APPREHENSION PD SAID UNDOCUMENTED MAJOR FOREST PRODUCTS WERE BROUGHT TO THE MONITORING STATION AT BRGY. MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEEPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

SEMS GACUAN

SENDER:

For the CENR Officer:



ORLINO B. GACUAN
SEMS/ Chief, CDS
In-Charge, Office of the CENRO

PHOTO DOCUMENTATION DURING THE APPREHENSION







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

August 19, 2022

MEMORANDUM

FOR : The CENR Officer

THRU : The Chief, EMS

FROM : The Staff EMS

SUBJECT : **SPOT REPORT ON THE APPREHENDED ABANDONED TWENTY FOUR (24) PIECES MULAWIN LUMBERS WITH A TOTAL VOLUME OF 328 AT SITIO ANAHAWIN, BRGY. POBLACION, CALINTAAN, OCCIDENTAL MINDORO ON AUGUST 18, 2022**

Please be informed that on August 18, 2022 at around 11:29 in the morning personnel of Enforcement and Monitoring Section led by Deputy Chief Forester I Jomar B. Serquina, together with Forest Technician II Loren Kaye Garcia, Forest Ranger Ronald D. Fresnillo, Delfin Casticimo Jr. and Forest Protection Officers Ednor Legaspi Jr., Sheryl O. Sajot and Dina P. Villaceran, had apprehended twenty four (24) pieces of Mulawin lumber with a total volume of 328 board feet while conducting monitoring and surveillance at Sitio Anahawin, Brgy. Poblacion, Calintaan, Occidental Mindoro.

Be further informed that the said apprehended abandoned lumbers were brought to the DENR CENRO, Monitoring Office located at Bgy. Murtha, San Jose Occidental Mindoro for safe keeping and proper documentation.

Attached herewith are the geotagged photos and scale sheet.

For information and further instruction.

JOMAR B. SERQUINA

LOREN KAYE A. GARCIA

RONALD D. FRESNILLO

SHERYL O. SAJOT

DELFIN CASTICIMO JR.

EDNOR LEGASPI JR.

DINA P. VILLACERAN

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

TALLY SHEET OF THE APPREHENDED LUMBERS AT SITIO ANAHAWIN, BRGY.
POBLACION, CALINTAAN, OCCIDENTAL MINDORO

SPECIES	PIECES	THICKNESS	WIDTH	LENGTH	VOLUME
MULAWIN	1	2	8	10	13.33
MULAWIN	1	2	11	8	14.33
MULAWIN	5	2	15	7	87.5
MULAWIN	2	2	12	7	28
MULAWIN	1	2	9	7	12
MULAWIN	1	2	9	7	10.5
MULAWIN	1	2	8	7	9.33
MULAWIN	1	2	14	11	25.67
MULAWIN	1	2	15	13	32.5
MULAWIN	1	2	19	7	22.17
MULAWIN	1	2	14	7	16.33
MULAWIN	8	2	6	7	56
TOTAL	24				328 BOARD FEET

Scaled By:  RONALD B. FRESNILLO

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-F457
E-FMS No: 2022-175110-F457

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
lumber			Premium	Mulawin	1	2x8x10=13.33	933.10		
					1	2x11x8=14.67	1,026.90		
					5	2x15x7=87.50	6,125.00		
					2	2x12x7=28.00	1,960.00		
					1	2x9x8=12.00	840.00		
					1	2x9x7=10.50	735.00		
					1	2x8x7=9.33	653.10		
					1	2x14x11=25.67	1,796.90		
					1	2x15x13=32.50	2,275.00		
					1	2x19x7=22.17	1,551.90		
					1	2x14x7=16.33	1,143.10		
					8	2x6x7=56.00	3,920.00		
Total:					24	328.00	22,960.00		

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		
August 18, 2022 2:12 Pm	OCC. MINDORO	SAN JOSE	MURTHA	N/A	<i>Rhodon Garcia</i>	Section 77, of 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 18th day of August , year 2022 at Calintaan, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. JOMAR B. SERQUINA
Position: Forester I
Address: CENRO-San Jose

RONALD D. FRESNILLO
Position: Forest Ranger
Address: CENRO-San Jose

2. LOREN KAYE A. GARCIA
Position: Forest Technician II
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-F457
E-FMS No: 2022-175110-F457

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 Measurement	Estimated Value	Impounding Area	Custodian
lumber			Premium	Mulawin	1	2x8x10=13.33	933.10	Murtha Monitoring Station	LMO III Rhodora A. Garcia
					1	2x11x8=14.67	1,026.90		
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					1	2x14x7=16.33	1,143.10		
					8	2x6x7=56.00	3,920.00		
Total:					24	328.00	22,960.00		

Minor forest products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A



AUG 19 2022

UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG DALAMPU'T APAT (24) PIRASO NG MULAWIN NA KAHOY NA MAY IBA'T IBANG SUKAT AT MAY KABUUANG DAMI NA 328.00 BDFT. NA INIWAN AT INABANDONA SA SO. ANAHAWIN, BRGY. POBLACION, CALINTAN, OCCIDENTAL MINDORO NOONG IKA-18 NG AGOSTO, 2022 SA GANAP NA ALAS 11:29 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA RANGER MONITORING STATION SA BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY 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



AUG 26 2022

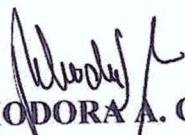
IKALAWANG PABATID SA PUBLIKO

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ANG NASABING KAHYO AY DINALA SA RANGER MONITORING STATION SA BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

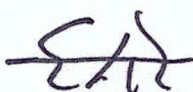

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LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III

Seizure Officer/ Hearing 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



SEP 02 2022

IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG DALAMPU'T APAT (24) PIRASO NG MULAWIN NA KAHOY NA MAY IBA'T IBANG SUKAT AT MAY KABUUANG DAMI NA 328.00 BDFT. NA INIWAN AT INABANDONA SA SO. ANAHAWIN, BRGY. POBLACION, CALINTAAN, OCCIDENTAL MINDORO NOONG IKA-18 NG AGOSTO, 2022 SA GANAP NA ALAS 11:29 NG UMAGA.

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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY 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