



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



RCD

October 04, 2022

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR-MIMAROPA Region  
1515 L and S Bldg., Roxas Boulevard  
Ermita, Manila

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

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

**SUBJECT :** COPY OF THE RELEASE ORDER OF ONE (1) UNIT JITNEY  
MITSUBISHI L300 BEARING PLATE NUMBER TJR 610 AND  
THE CANCELLATION OF SURETY BOND SECURED BY TCT  
NO. 129859 REGISTERED IN THE NAME OF ARLY RACUYA

Respectfully forwarded is the memorandum of CENRO Puerto Princesa, Palawan dated September 27, 2022 submitting the copy of undated Release Order received by the PENRO on September 23, 2022 relative the above subject.

Further, this pertains on the instruction as per memorandum from the Regional Executive Director dated August 17, 2022.

For information and record.

Copy Furnished:  
CENRO Puerto Princesa, Palawan  
File/2022-011ACG MES Doc. Ref. No. 2022-8878

  
**FELIZARDO B. CAYATOC**

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**  
By Rhea  
Date 04 OCT 2022 CN. 2022-2588



Republic of the Philippines  
Department of Environment and Natural Resources  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
**PUERTO PRINCESA CITY**  
South National Highway, Bgy. Sta. Monica Puerto Princesa City  
Email Address: [cenropuertoprincesa@denr.gov.ph](mailto:cenropuertoprincesa@denr.gov.ph)  
Tel. Fax No.: (048) 717-0702

DENR PENRO  
PALAWAN RECORDS  
RECEIVED

17-27-2022 22-8878

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR MIMAROPA Region  
1515 L&S Bldg., Roxas Boulevard, Ermita, Manila

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

**FROM :** The OIC, Community Environment and Natural Resources Officer

**SUBJECT :** **COPY OF THE RELEASE ORDER OF ONE (1) UNIT JITNEY MITSUBISHI L300 BEARING PLATE NUMBER TJR-610 AND THE CANCELLATION OF SURETY BOND SECURED BY TCT NO. 129859 REGISTERED IN THE NAME OF ARLY RACUYA**

**DATE:** September 27, 2022

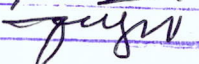
Respectfully forwarded is a copy of the Release Order of one (1) Unit Jitney Mitsubishi L300 bearing Plate Number TJR-610 and the cancellation of the surety bond secured by TCT No. 129859 registered in the name of Arly Racuya. This is based on the instruction as per Memorandum from the Regional Director dated August 17, 2022.

For your file and reference.

  
**PEDRO A. VELASCO**

DENR MIMAROPA REGION  
CENRO PUERTO PRINCESA

**RELEASED**

NO: 3978  
DATE: 09-28-22  
BY: 





Republic of the Philippines  
Department of Environment and Natural Resources  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
**PUERTO PRINCESA CITY**  
South National Highway, Bgy. Sta. Monica Puerto Princesa City  
Email Address: [cenropuertoprincesa@denr.gov.ph](mailto:cenropuertoprincesa@denr.gov.ph)  
Tel. Fax No.: (048) 717-0702

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IN RE : **RELEASE OF ONE (1) UNIT JITNEY MITSUBISHI L300  
BEARING PLATE NUMBER TJR-610 AND THE  
CANCELLATION OF SURETY BOND SECURED BY TCT  
NO. 129859 REGISTERED IN THE NAME OF ARLY  
RACUYA**

O R D E R

Records show that on June 23, 2007, a Composite- Team of Kilos Agad Action Center (KAAC)- Bantay Gubat City Government personnel and CIDG elements apprehend thirty-seven (37) pieces of Burawis and Akle lumber with an equivalent total volume of about 1.29 cu. m (545.79 bd. ft.) and one (1) unit Jeepney Mitsubishi L300 bearing Plate No. TJR-610 along the National Highway of Barangay San Miguel, Puerto Princesa City, Palawan.

Pursuant to Section 7 of DAO 97-32, an Administrative Hearing was conducted on July 03, 2007. During the Hearing, Mr. Rommel Aborot of Kilos Agad Action Center (KAAC) claimed that on the evening of June 22, 2007 their Office received an information from the North Sector, Bantay Gubat that there was a Shuttle Van bearing Plate No. TJR 610 bound for Puerto Princesa City loaded with lumber. The team tried to stop the vehicle at Barangay Sta. Lourdes, Puerto Princesa City, Palawan but did not stop. They chased the said VAN and finally, they overlook the Van in Barangay San Miguel. It was confirmed that the Van was loaded with lumber without legal documents. The van was driven by one Ruben Medina and accompanied by one Richard dela Cruz.

Forest Ranger Delfin Alfaro, Team Leader of DENR Sta. Lourdes Monitoring Station, testified that on June 22, 2007 at about 10 o'clock PM, together with the elements of KAAC, they apprehended a van with undocumented lumber.

Per Pinagsamang Sinumpaang Salaysay of PO3 Antonio Nangit Magbanua, Jr., active PNP member assigned with the Criminal Investigation and Detection Group (DILG) based at Barangay Tiniguiban, Puerto Princesa City together with Joven Soriano, Rommel Aborot, Edwin Naval and Elmer Javarez, members of Kilos Agad Action Center (KAAC)- Bantay Gubat of City Government, they claimed that on June 22, 2007 at 7:45 PM, they received an information that a passenger van with plate no, TJR-610 will be loading illegal lumber at Brgy. Bacungan, Puerto Princesa City. They proceeded to the target area and while on their way at Brgy. Sta. Lourdes they saw the coming passenger L-300 Van and tried to stop it but did not stop so they chased the said van and finally cornered it in Brgy. San Manuel, Puerto Princesa City. They discovered that the van was loaded with undocumented 37 pcs of Akle and Burawis lumber with a total volume of about 545.79 bd.ft.

On the part of Mr. Miguel Gonzales husband of the registered vehicle owner, Mrs. Merla Gonzales, stated that Ruben Medina, has been their driver for two (2) months. That on June 22, 2007 he (Miguel) was in their farm lot in Brgy. Napsan, Puerto Princesa City, Palwan. That on June 23, 2007 he went to see Ruben Medina in his residence to collect the "daily boundary" for the van but Ruben was not around. Brgy. Kagawad Rowena sent him a text message informing him that the van was apprehended by KAAC in Brgy. San Manuel loaded with lumbers.

Mr. Richard dela Cruz failed to attend the said hearing despite notice sent to him.

Criminal Complaint was filed in court. On October 5, 2010, a decision was promulgated for accused Ruben Medina who pleaded guilty. He was sentenced Indeterminate Sentence of one (1) year as minimum to four (4) years of *prision correccional* as maximum. While the decision for





Republic of the Philippines  
Department of Environment and Natural Resources  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
**PUERTO PRINCESA CITY**  
South National Highway, Bgy. Sta. Monica Puerto Princesa City  
Email Address: [cenropuertoprincesa@denr.gov.ph](mailto:cenropuertoprincesa@denr.gov.ph)  
Tel. Fax No.: (048) 717-0702

Mr. Richard Dela Cruz was promulgated on November 15, 2019 as GUILTY for violation of Sec. 77 of PD 705 as amended by PD No. 1559 and EO No. 277. Mr. Richard Dela Cruz was meted indeterminate Sentence of seven (7) years, as minimum to eleven (11) years of *prision mayor* as maximum.

The subject conveyance was Temporarily Released on July 6, 2007, in favor of the registered owner after complying with all the requirements pursuant to Sec. 9 of DAO 97-32 known as "1997 Rules for the Administrative Adjudication of illegal Forest Products and the Machineries, Equipment, Tools and Conveyance Used in Connection Therewith."

On August 5, 2010, apprehended lumbers were ORDERED FORFEITED in favor of the government while the vehicle was ordered temporary release to its registered owner.

On July 4, 2022, a certification from Regional Office Records Unit was issued stating that no motion for Reconsideration or Appeal was filed. In effect, the Order dated August 5, 2010, became final and Executory.

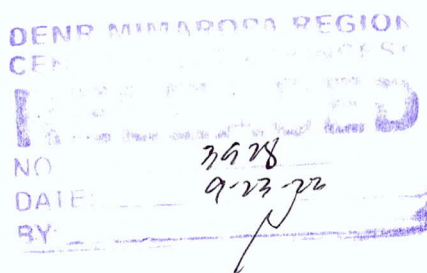
Section 9 (5) RETURN/CANCELLATION OF BOND — When the Decision in a case becomes final and executory as outlined above and administrative confiscation of the conveyance is not ordered by the Government, immediate return thereof to the owner and cancellation/return of the bond filed in connection therewith shall be ordered. Unless expressly mandated in the body of the Decision of the case, the Hearing Officer shall forthwith issue an Order citing said Decision, a copy of which shall thereto be attached, mandating the immediate release of the conveyance to the Owner thereof, together with an order for the cancellation of the surety bond or return of the cash bond submitted as hereinabove required.

In the memorandum dated August 17, 2022 of DENR MIMAROPA Regional Executive Director Lormelyn E. Claudio, the last paragraph states:

*"Thus, after the Order of Finality is issued, and considering that no administrative confiscation of the conveyance was ordered in the August 5, 2010 Order, the Hearing Officer of CENRO Puerto Princesa City may already issue an order mandating the immediate release of the conveyance to its registered owner and for the cancellation of the surety bond or return of the cash bond, if any pursuant to the above-cited provisions."*

WHEREFORE, FOREGOING PREMISES CONSIDERED, and pursuant to Sec. 9 (5) of DAO 97-32, the Mitsubishi Jitney with Plate Number TJR-610 is hereby **ORDERED RELEASED**, and the surety bond posted for the temporary release of the aforementioned vehicle is hereby **ORDERED CANCELLED**.

SO ORDERED.



  
**PEDRO B. VELASCO**



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

**MEMORANDUM**

TO : The Community Environment  
and Natural Resources Officer  
Puerto Princesa City, Palawan

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : **REQUEST FOR THE ISSUANCE OF ORDER OF FINALITY ON  
THE THIRTY-SEVEN (37) PIECES OF BURAWIS AND AKLE  
LUMBER WITH A TOTAL VOLUME OF 545.70 BD.FT. LOADED  
IN A ONE (1) UNIT MITSUBISHI JITNEY BEARING PLATE NO.  
TJR-610 APPREHENDED IN BRGY. SAN MANUEL, PUERTO  
PRINCESA CITY, PALAWAN (P-2022-77713)**

Furnished is the memorandum dated August 17, 2022 from Regional Executive Director Lormelyn E. Claudio, *CESO IV* relative the above subject.

Per memorandum, RED Claudio reiterates that after the Order of Finality is issued, and considering that no administrative confiscation of the conveyance was ordered in the August 05, 2010 Order, the Hearing Officer of CENRO Puerto Princesa may already issue an Order mandating the immediate release of the conveyance to its registered owner and for the cancellation of the surety bond or return of the cash bond, if any, pursuant to the provisions of DAO 1997-32.

For information and guidance.

Copy Furnished:

The RED, DENR MIMAROPA [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph)

The Enforcement Division, DENR MIMAROPA [enforcement.mimaropa@gmail.com](mailto:enforcement.mimaropa@gmail.com)

File/2022-028ACG/MES Doc. Ref. No. 2022-7800

**FELIZARDO B. CAYATOC**

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**

By *cha*

Date: \_\_\_\_\_ CN 22-7800

06 SEP 2022





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

**MEMORANDUM**


**TO :** THE PENR OFFICER  
Palawan

**ATTENTION :** THE OIC, CENR OFFICER  
Puerto Princesa City

**FROM :** THE REGIONAL EXECUTIVE DIRECTOR

**SUBJECT :** REQUEST FOR THE ISSUANCE OF ORDER OF FINALITY ON  
THE THIRTY-SEVEN (37) PIECES OF BURAWIS AND AKLE  
LUMBER WITH A TOTAL VOLUME OF 545.79 BD. FT. LOADED  
IN A ONE (1) UNIT MITSUBISHI JITNEY BEARING PLATE NO.  
TJR-610 APPREHENDED IN BRGY. SAN MANUEL, PUERTO  
PRINCESA CITY, PALAWAN [P-2022-77713]

DENR PENRO  
PALAWAN RECORDS  
**RECEIVED**

BY:   
DATE: 08-31-2022 22:38:00

**DATE :** AUG 17 2022

This pertains to your Memorandum dated March 20, 2022 forwarding the request of the CENRO Puerto Princesa City for the issuance of an Order of Finality on the Order dated August 5, 2010 confiscating thirty-seven (37) pieces of Burawis and Akle lumber, with a total volume of 545.79 board feet, and temporarily releasing one (1) unit Mitsubishi Jitney bearing Plate No. TJR-610, apprehended in Brgy. San Manuel, Puerto Princesa City [P-2022-77713]. The conveyance was owned by Mr. Arly D. Racuya.

Section 7 (4), last paragraph, of DAO 97-32 states in the last sentence that:

*Section 7 (4) Decision, last paragraph: xxx The Decision shall become final and executory upon the lapse of fifteen (15) regular business days unless a Motion for Reconsideration is filed as provided below.*

A Certification dated July 4, 2022 was already issued by the Records Unit stating that no Motion for Reconsideration or Appeal was filed on the Order dated August 5, 2010. This will be the basis in the issuance of the Order of Finality in this instance.

On the other hand, Section 9 (5) of DAO 97-32 states that:

*Section 9 (5) Return/Cancellation of Bond- When the decision in a case becomes final and executory as outlined above and administrative confiscation of the conveyance is not ordered by the Government, immediate return thereof to the owner and cancellation/return of the bond filed in connection therewith shall be ordered. Unless expressly mandated in the body of the decision of the case, the Hearing Officer shall forthwith issue an Order citing said decision, a copy of which shall thereto be attached, mandating the immediate release of the conveyance to the owner thereof, together with*

*an order for the cancellation of the surety bond or return of the cash bond submitted as hereinabove required.*

Thus, after the Order of Finality is issued, and considering that no administrative confiscation of the conveyance was ordered in the August 5, 2010 Order, the Hearing Officer of CENRO Puerto Princesa City may already issue an order mandating the immediate release of the conveyance to its registered owner and for the cancellation of the surety bond or return of the cash bond, if any, pursuant to the above-cited provisions.

  
LORMELYN E. CLAUDIO, CESO IV



Department of Environment  
and Natural Resources  
MIMAROPA Region



Doc ID: 77713

ED/MMM/07-04-22

DENR By the Bay Building, 1515 Roxas Boulevard, 1000 Ermita, Manila  
Telephone Number: (632) 84050046  
Website: <https://mimaropa.denr.gov.ph/>  
Email: [mimaroparegion@denr.gov.ph](mailto:mimaroparegion@denr.gov.ph)





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

27 MAY 2022  
P-2022-7773-ED  
1 INF  
2 OUTGOING  
DATE NO.

March 20, 2022

MEMORANDUM

**FOR :** The Regional Executive Director  
DENR-MIMAROPA Region  
1515 L and S Bldg., Roxas Boulevard  
Ermita, Manila

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

**SUBJECT :** FOLLOW-UP THE REQUEST FOR ORDER OF FINALITY FOR  
THE APPREHENDED 545.87 BD. FT. AKLE AND BURAWIS  
LUMBERS LOADED ON L300 BEARING PLATE NO. TJR 610,  
APPREHENDED ON JUNE 22, 2007 AT BRGY. SAN MANUEL,  
PUERTO PRINCESA CITY

Respectfully forwarded is the memorandum of CENRO Puerto Princesa, Palawan dated March 12, 2022 relative the above subject.

Per memorandum, CENRO Puerto Princesa requested and followed-up the issuance of Order of Finality for the above subject case which was forwarded at the Regional Office on December 13, 2021 and March 7, 2022 respectively.

The Confiscation Order for the apprehended lumbers was issued on August 5, 2010 (*copy hereto attached*) and the conveyance was temporarily released to the owner Mrs. Merla R. Gonzales duly secured with Surety Bond of the Certificate of Title No. 129859 in the name of Mr. Arly D. Racuya.

The Decision (*copy hereto attached*) of the criminal case filed in court was issued on November 15, 2019 and the accused Mr. Richard Dela Cruz had already served his sentence. Please be informed that Mr. Arly D. Racuya is consistently asked for the release of his Title being used for the temporary release of the subject conveyance.

In view of the above, we concur with CENRO recommendation to issue the Order of Finality and for the release of the Title (bond).

For information and further instruction.

For the PENRO:

  
**JOHNNY P. LILANG**  
OIC Chief, Technical Services Division  
Office In-Charge

Copy Furnished:  
CENRO Puerto Princesa, Palawan  
File/2022-004ACG MES Doc. Ref. No. 2022-4077

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**

By \_\_\_\_\_  
Date: \_\_\_\_\_ CN 22-127-2  
MAY 20 2022





Republic of the Philippines  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
REGION IV-B MIMAROPA  
L&S Building, 1515 Roxas Boulevard, Ermita, Manila

2007-18

Mrs. Merle Gonzales  
has already  
been cancelled  
6151

IN RE :

**FORFEITURE OF THIRTY - SEVEN (37) PIECES OF BURAWIS AND  
AKLE LUMBER WITH AN EQUIVALENT TOTAL VOLUME OF ABOUT  
1.29 CU. M. (545.79 BD. FT.) AND TEMPORARY RELEASE OF ONE (1)  
UNIT JITNEY MITSUBISHI L300 BEARING PLATE NUMBER TJR - 610  
APPREHENDED AT BRGY. SAN MANUEL, PUERTO PRINCESA CITY,  
PALAWAN**

**ORDER**  
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Records show that on June 23, 2007, a Composite - Team of Kilos Agad Action Center (KAAC) - Bantay Gubat City Government personnel and CIDG elements apprehended Thirty - seven (37) pieces of Burawis and Akle lumber with an equivalent total volume of about 1.29 cu. m. (545.79 bd. ft.) and One (1) Unit Jeepney Mitsubishi L300 bearing Plate No. TJR - 610 along the National Highway of Barangay San Manuel, Puerto Princesa City, Palawan. Subject items are presently deposited at KAAC Compound, Barangay San Pedro, Puerto Princesa City and placed under the custody of Tony Laab for safekeeping pending further investigation.

Pursuant to Section 7, DAO 97-32, an Administrative Hearing was conducted on July 03, 2007. During the Hearing, Mr. Rommel Aborot of Kilos Agad Action Center (KAAC) claimed that on the evening of June 22, 2007 their Office received an information from the North Sector, Bantay Gubat that there was a Shuttle Van bearing Plate No. TJR 610 bound for Puerto Princesa City loaded with lumber. The Team tried to stop the vehicle at Barangay Sta. Lourdes, Puerto Princesa City, Palawan but did not stop. They chased the said VAN and finally, they overtook the Van in Barangay San Miguel. It was confirmed that the Van was loaded with lumber without legal documents. The Van was driven by one Ruben Medina and accompanied by one Richard dela Cruz.

Forest Ranger Delfin Alfaro, Team Leader of DENR Sta. Lourdes Monitoring Station, testified that on June 22, 2007 at about 10 o'clock P.M., together with the elements of KAAC, they apprehended a Van loaded with undocumented lumber.

Per Pinagsamang Sinumpaang Salaysay of PO3 Antonio Nangit Magbanua, Jr., active PNP member assigned with the Criminal Investigation and Detection Group (CIDG) based at Barangay Tiniguiban, Puerto Princesa City together with Joven Soriano, Rommel Aborot, Edwin Naval and Elmer Javarez, members of Kilos Agad Action Center (KAAC) - Bantay Gubat of City Government, they claimed that on June 22, 2007 at about 7:45 PM, they received an information that a Passenger VAN with Plate No. TJR-610 will be loading illegal lumber at Brgy. Bacungan, Puerto Princesa City. They proceeded to the target area and while on their way at Brgy. Sta. Lourdes they saw the coming passenger L-300 VAN and tried to stop it but it did not stop so they chased the said VAN and finally cornered it in Brgy. San Manuel, Puerto Princesa City. They discovered that the VAN was loaded with undocumented 37 pieces of Akle and Burawis lumber with a total volume of about 545.79 bd. ft.



On the part of Mr. Miguel Gonzales, husband of the registered vehicle Owner, Mrs. Merla Gonzales, stated that Ruben Medina, has been their driver for two (2) months. That on June 22, 2007 he (Miguel) was in their farm lot in Barangay Napsan, Palawan. That on June 23, 2007, he went to see Ruben Medina in his residence to collect the "daily boundary" for the Van but he (Ruben) was not around. Barangay Kagawad Rowena sent him a text - message informing that his Van was apprehended by KAAC elements in Barangay San Manuel loaded with lumbers.

Mr. Richard dela Cruz failed to attend the said Hearing despite said Notice sent to him.

Criminal Complaint was already filed before the City Prosecutors Office on July 24, 2007 against Ruben Medina and Richard dela Cruz for violation of Section 77 (formerly Section 68) of PD 705 as amended by E.O. 277 and further by R.A. 7161.

The subject conveyance was Temporarily Released on July 6, 2007 in favor of the registered owner after complying with all the requirements pursuant to Sec. 9 of DAO 97-32 known as "1997 Rules for the Administrative Adjudication of Illegal Forest Products and the Machineries, Equipments, Tools and Conveyance Used in Connection Therewith".

**WHEREFORE, FOREGOING PREMISES CONSIDERED**, the apprehended Thirty-seven (37) pieces of Burawis and Akle lumber with a total volume of about 1.29 cu. m. (545.79 bd. ft.) are hereby **ORDERED FORFEITED** in favor of the government while the One (1) unit Jitney Mitsubishi L300 bearing Plate No. TJR-610 is hereby **ORDERED TEMPORARILY RELEASED** to its registered Owner, Merla Gonzales who has neither knowledge nor participation in the commission of the offense, after complying with all the requirements set forth under to Section 9, DAO 97-32.

**SO ORDERED**

Manila, Philippines, AUG 05 2010 2010.

  
**ANTONIO G. PRINCIPE, CESO III**  
Regional Executive Director

