



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 : Assistant Regional Director
For Technical Services

FROM : The OIC PENR Officer

SUBJECT : APPREHENSION REPORT OF UNDOCUMENTED FOREST
PRODUCTS (18 PIECES OF MANGO LUMBER WITH A TOTAL
VOLUME OF 28 BOARD FEET AND ONE (1) UNIT OF CHAINSAW)
AT BARANGAY ARMADO, ABRA DE ILOG, OCCIDENTAL

Respectfully forwarded is the memorandum from CENR Officer Anastacio A. Santos dated September 8, 2022 regarding the above-cited subject.

The cases for violation of PD 705 and RA 9175 were filed by the Mamburao MPS- PNP against Raymar V. Garcia but due to inadmissible evidence , the instant cases have been dismissed by the Office of the Provincial Prosecutor.

On the other hand, the Administrative Case was filed against the same person for violation of Section 77 of PD 705 as amended . On July 15, 2022 the preliminary hearing was conducted , the Hearing Officer Forester II Ariston SJ. Ramos recommends the forfeiture of the apprehended forest products and machinery in favor of the government.

For your information, review and evaluation.


ERNESTO E. TAÑADA



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment And Natural Resources Office
So. Balud, Sto. Niño, Sablayan, Occidental Mindoro
Email: cenrosablayan@denr.gov.ph

September 8, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 L&S Bldg. Roxas Blvd. Ermita Manila

THRU : The Provincial Environment and Natural Resources Officer
Mamburao, Occidental Mindoro

FROM : The Community Environment and Natural Resources Officer
Sablayan, Occidental Mindoro

SUBJECT : **APPREHENSION REPORT OF UNDOCUMENTED
FOREST PRODUCTS (18 PIECES OF MANGO
LUMBER AND A CHAINSAW) WITH A TOTAL VOLUME OF 28
BOARD FEET AT BRGY. BALANSAY, MAMBURAO,
OCCIDENTAL MINDORO**

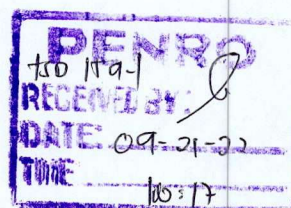
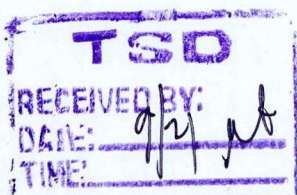
Respectfully submitted herewith is the detailed report on the administrative case and criminal case filed against Mr. Reyman Villar Garcia, together with other enclosures, to wit:

- I- Completed Staff Work (CSW) Report
- II- Criminal Case docketed as NPS-IV-06A-INQ-22E-00135 and NPS-IV-06A-INQ-22E-00136

- 1. Apprehension Receipt
- 2. Seizure Order
- 3. Seizure Receipt
- 4. Pictures and other attachment

For your information, review, and evaluation.

FOR. ANASTACIO A. SANTOS MPA.



**COMPLETED STAFF WORK REPORT ON THE APPREHENDED
UNDOCUMENTED FOREST PRODUCTS, IN VIOLATION OF SECTION 77 OF
PD 705 AS AMENDED BY RA 7161 AND DAO 97-32, SERIES OF 1997**

I. HISTORY

The case was filed against Mr. Reymar Villar Garcia, a resident of Barangay Balansay, Mamburao, Occidental Mindoro.

That on April 30, 2022, after they received an information from a concern citizen regarding an ongoing illegal logging at Sitio Cacawan, Barangay Balansay, Mamburao the complainants went there to verify the same. When they reached the place at about 4 o'clock in the afternoon, they saw respondent therein, along the lumber and chainsaw used.

Respondent could not present any documentation for the lumbers, which were determined to be of mango tree, and the chainsaw; hence he was arrested.

The subject logs were confiscated and turned over to the DENR-CENRO Sablayan Coordinating Office at Mamburao Occidental Mindoro.

On April 30, 2022, the accused was brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceedings. The Associate Provincial Prosecutor recommended that the case undergo a regular preliminary investigation .

On May 11, 2022, The Office of the Provincial Prosecutor dismissed the complaint file against Mr. Reymar Villar Garcia for lack of evidence.

On July 15, 2022, the administrative hearing for the above apprehended illegal forest products was held at the DENR-CENRO Sablayan Coordinating Office. EMS Chief Ariston SJ. Ramos facilitated the hearing. The accused was present and was given the chance to explain himself.

OBSERVATION/FACTS

1. That during the Anti-Illegal Logging Operations of the Mamburao Municipal Police Station, they apprehended 28 bd. ft. of Mango species and a chainsaw inside Mr. Reymar Garcia's compound at So. Cacawan, Brgy. Balansay, Mamburao, Occidental Mindoro.
2. That when ask for proper documentation of the said logs and chainsaw Mr. Garcia failed to present one.
3. That on April 30, 2022, the accused was brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceedings.
4. That on May 11, 2022, the case was dismissed for lack of evidence.

5. That as stated by the Associate Provincial Prosecutor's Resolution dated May 11, 2022, there is no probable cause for the police to arrest him. The police have neither caught him *in flagrante delicto* the mango tree into lumber using chainsaw, nor have they personal knowledge of the facts and circumstances that the person to be arrested has just committed the offense therefore, any evidence obtained during the apprehension will be inadmissible for any purpose in any proceeding.
6. That in the Administrative hearing conducted on July 15, 2022, Mr. Garcia appeared and was given the chance to explain himself.

II. SUMMARY OF ADMINISTRATIVE PROCEEDINGS

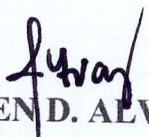
It appears that the accused were caught by the Mamburao Municipal Police Station. He was caught in possession of undocumented forest products which is in violation of Section 77 of PD 705 as amended by RA 7161.

Section 77 clearly states that possessing forest products without proper documents or permit from the proper authority is a violation under PD 705.

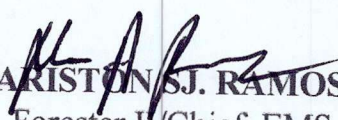
III. RECOMMENDATION

Based on the above statement of facts and result of the complaint filed, it is hereby recommended that all forest products and chainsaw still be forfeited in favor of the government.

Prepared by:


KARREEN D. ALVAREZ
Forest Technician II

Noted by:


ARISTON S. RAMOS
Forester II/Chief, EMS

July 15, 2022

ADMINISTRATIVE ADJUDICATION
For Violation of RA 9175
Administrative Case No. : 2022-07-15-21

ANG ADMINISTRATIBONG PAGDINIG AY GINANAP NGAYONG IKA- 15 NG HULYO 2022 SA GANAP NA IKA- 3:00 NG TANGHALI SA TANGGAPAN NG DENR-CENRO SABLAYAN COORDINATING OFFICE, MAMBURAO KANLURANG MINDORO SA LAYUNING MABIGYAN NG LINAW ANG ILANG BAGAY TUNGKOL SA CHAINSAW AT MGA KAHoy NA WALANG KAUKULANG DOKUMENTO NA NAHULI NG GRUPO NG MAMBURAO MUNICIPAL POLICE STATION NOONG IKA- 30 NG ABRIL, 2022.

PAALALA:

Ginoong Reymar Villar Garcia, kayo po ay inimbitahan na dumalo sa pagdinig na ito upang marinig ang inyong panig ukol sa pagkakahuli ng chainsaw at mga kahoy na walang kaukulang dokumento na nahuli ng mga kagawad ng Mamburao Municipal Police Station.

Karapatan ninyo na sumagot o manahimik lamang sa mga katanungan sa inyo. Ang inyong mga sasabihin o isasagot ay maaaring gamitin pabor o laban sa inyo sa anumang hukuman.

1. TANONG: Naiintindihan mo ba ang iyong karapatan?

SAGOT:

Opo.

2. TANONG: Ikaw ba ay handang magsabi ng katotohanan at pawang katotohanan lamang.

SAGOT:

Opo.

3. TANONG: Kung ganon maari na po ba tayong magpatuloy sa pagdinig?

SAGOT:

Opo.

4. TANONG: Maari mo ba ipakilala ang iyong sarili?

SAGOT:

Ako po si Reymar Garcia, 55 taong gulang, may asawa. Nakatira sa So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro. Ako po ay isang magbubukid.



5. TANONG: Nakakaintindi ka ba ng tagalog? Maalam ka ba magbasa at magsulat?

SAGOT:

6. TANONG: Tanong ko lang, bakit ka nandito ngayon sa aming opisina?

SAGOT:

Inakusahan po ako na ako ay nagchechainsaw ng walang dokumento.

7. TANONG: Sino ang nag akusa sa iyo?

SAGOT: Si Munar po. Pulis po

8. TANONG: Inakusahan ka na gumagamit ng chainsaw ng walang dokumento?

SAGOT:

Hindi po sa kin yun, dahil hindi po ako maalam magchainsaw.

9. TANONG: Kanino itong chainsaw?

SAGOT:

Sa katutubo po. Iniwan lamang po sa may likod ng bakuran ko

10. TANONG: Sino ang katutubo na ito?

SAGOT:

Siya po ung inupahan ko na maglinis ng aking bakuran mga ilang araw na ang nakalipas. Pinutol po ng katutubo ung mangga na nakatumba dahil ng nakaraang bagyo at ang chainsaw po ay iniwan niya sa likod bahay. At ang mga sanga ng mangga na pinutolay siyang pinambayad ko sa kanya.

11. TANONG: Bakit ikaw ang hinuli?

SAGOT:

Hindi ko po alam., habang ihinahanda po namin ang pagtataniman ng saging, Bigla pong dumating po ang grupo ni Munar. Tinanong po ako kung nagbebenta ako ng kahoy. Sinabi ko po na ang mga katutubo ang may-ari ng mangga. Tinawag po niya ang kasama ko na si Armando Constantino upang paandarin ang chainsaw pero hindi umandar. Tapos tinawag nila ako malapit sa chainsaw at mga kahoy para picturan at pagkapicture po, isinama na nila ako sa Police Station.

12. TANONG: Mga anong oras poi to nangyari?

SAGOT:

Mga 4:00 po ng Hapon.

13. TANONG: May kasama ka ba hinuli?

SAGOT:

Wala po

14. TANONG: Yung kasama mo inuutusan mag paandar ng chainsaw? Nakulong ba?

SAGOT:

Hindi po

15. TANONG: Ikaw ba ay nakulong?

SAGOT:

Hindi po.

16. TANONG: Hindi ka nakasuhan

SAGOT: Hindi po. Dahil nadismiss po ang kaso.

17. TANONG: Uulitin ko po. Ang sinasabi pong chainsaw na nahuli ng mga kawani ng DENR ay hindi mo pag mamay-ari, kundi sa katutubo.

SAGOT:

Opo. Hindi po sa akin.

18. TANONG: At sinasabi mo na ikaw ay inakusahan lamang nila. Tama po ba?

SAGOT:

Opo.

19. TANONG: Bibigyan kita ng pagkakataon na magsalita at sabihin ang iyong gustong iparating sa aming opisina. Anong gusto mong sabihin?

SAGOT: Gusto ko lamang po sana na maayos nap o ang problema na ito.

20. TANONG: Meron ka pang gusto idagdag o ibawas sa iyong salaysay?

SAGOT:

Wala na po.

21. TANONG: Handa mo bang lagdaan ang iyong salaysay o isinagot sa aming katanungan.

SAGOT:

Opo.

22. TANONG: At kung sakali po ba na kayo ay muling imbitahan ditto sa aming opisina, handa po ba kayong bumalik o makipa usap muli para sa karagdagang katanungan?

SAGOT:

Opo.

23.. TANONG: Kung ganon, pansamantala nating tatapusin ang administratibong pandinig na ito.

SAGOT:

Opo.

Sinumpaan at nilagdaan ngayong ika-15 ng Hulyo taong 2022 sa ganap na ika- 3:00 ng Tanghali sa tanggapan ng CENRO Sablayan, Coordinating Office Mamburao Occ. Mindoro.



REYMAR VILLAR GARCIA
Nagsalaysay

SAKSI:

Hearing Officer:



ARISTON S.J. RAMOS
Asst. Chief MES



KARREEN D. ALVAREZ
Forest Technician II

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Address Sablayan, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.:
E-FMS No.:

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age		Status of the Person
REYNALDO	Bray. Balansay	M	35		
VILLAR	AMB. OLI				
GARCIA	MINDORO				

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, tools and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS															
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.						Estimated Value	Impounding Area	Custodian	
MANGA				MANGA	8	1	X	2	X	9	12.00	BD.FT	Php 960.00	DENR PENRO COMPOUND	CENRO OFFICE
					4	1	X	2	X	6	4.00	BD.FT	Php 320.00		
					6	2	X	4	X	6	12.00	BD.FT	Php 960.00		
TOTAL					18	28.00						BD.FT	Php 2,240.00		

Minor Forest Products									
Kind	Unit of Measurement		No. of Units					Estimated Value	Custodian

Conveyance involved													
Type	Make/Model/Year	Plate No.	Color/Mark ings	CR No.	OR No.					Engine No.		Chassis No.	Accessories
	N/A									N/A			

If Animal									
Kind	Quantity						Gender		Color

Equipment Involved									
Type	CHAINSAW				WITHOUT SERIAL NO.				
					P15,000.00				

Implementation Involved									
Type									

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION								
Date and Time of Apprehension	Place of Apprehension						Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/ Municipality	Barangay		Sitio			
APRIL 30, 2022 (5:00 PM)	Occidental Mindoro	MAMBURAO	BALANSAY		CACAWAN		MAMBURAO MPS	Violation of Sec 77 of PD 705 Violation of RA 9175

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

Violation of SECTION 77 OF PD 705

Violation of RA 9175

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 30th day of April year 2022 at Sablayan, Occidental Mindoro.

APPREHENDING OFFICERS

(Signature over Printed Name)

1. PSSg BERNARD CRIS GONZALES JR.
MAMBURAO MPS.

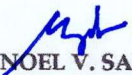
OWNER/CLAIMANT/REPRESENTATIVE/DRIVER
(Signature over Printed Name)

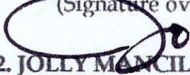
1. REYMAR VILLAR GARCIA
Position: _____
Address: _____

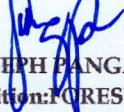
2. _____ N/A _____
Position: _____
Address: _____

WITNESSES

(Signature over Printed Name)

1.  NOEL V. SALGADO
Position:FOREST RANGER
Address: DENR CENRO - SBY.

2.  JOLLY MANCILLA
Position:FOREST RANGER
Address: DENR CENRO - SBY.

3.  JOSEPH PANGANIBAN
Position:FOREST RANGER
Address: DENR CENRO - SBY.

Signature over Printed Name

Signature over Printed Name

Remarks:

Republic of the Philippines
Department of Environment and Natural Resources
CENRO Sablayan, Occidental Mindoro

IN RE: _____

SEIZURE ORDER

CENRO Control No.: MCO
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

A. FOREST PRODUCTS

MAJOR FOREST PRODUCTS

Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.							Estimated Value
				MANGA	8	1	X	2	X	9	12.00	BD.FT	Php 960.00
				MANGA	4	1	X	2	X	6	4.00	BD.FT	Php 320.00
				MANGA	6	2	X	4	X	6	12.00	BD.FT	Php 960.00
													Php 0.00
TOTAL					18. Pcs					28.00	BD.FT		Php 2,240.00

Minor Forest Products

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

Conveyance involved

Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.					Engine No.		Chassis No.	Accessories
	N/A												

If Animal

Kind	Quantity	Gender					Color

Equipment Involved

Type		
CHAINSAW		WITHOUT SERIAL NO.
		P15,000.00

Implementation Involved

Type		

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION								
Date and Time of Apprehension	Place of Apprehension						Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/ Municipality	Barangay		Sitio			
APRIL 30, 2022 (5:00 PM)	Occidental Mindoro	MAMBURAO	BALANSAY		CACAWAN		MAMBURAO MPS	Violation of Sec 77 of PD 705 Violation of RA 9175

The subject Forest Products and items were apprehended while under the possession/ control/ownership of.

Name	Address	Civil Status	Age	Participation	Status of the Person
REYMAR VILLAR GARCIA		M	30		

After thorough evaluation of the Apprehension Report dated April 30, 2022 Submitted by _____ 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 DENR laws and regulations have been violated and that the offender is probably guilty of _____.

The specific violations committed are as follows:

- _____
- _____
- _____

So ordered this 30th day of APRIL, year 2022 At Sablayan, Occidental Mindoro.


ANASTACIO A. SANTOS
CENR OFFICER
SEIZURE OFFICER

Copy furnished: _____

C. EQUIPMENT AND OTHER IMOLEMENTS (Briefly describe the physical appearance and
These items are apprehended at So. Cacawan, Brgy. Balansay, Mamburao, Occ. Mindoro on April 30, 2022.

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
Community Environment and Natural Resources
Sablayan,Occidental Mindoro

SEIZURE RECEIPT

No. _____

The following apprehended items with Apprehension Receipt No. _____ are administrative seizure pursuant to Section 77 of PD 705.

A. FOREST PRODUCTS

MAJOR FOREST PRODUCTS											
Kind	Item	Species Grouping	Species	Pcs.	Estimated Volume or BD.FT.					Estimated Value	
			MANGA	8	1	X	2	X	9	12.00 BD.FT	Php 960.00
			MANGA	4	1	X	2	X	6	4.00 BD.FT	Php 320.00
			MANGA	6	2	X	4	X	6	12.00 BD.FT	Php 960.00
TOTAL				18	28.00 BD.FT					Php 2,240.00	

Note: Please use another sheet if necessary.

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

1.

2.

3.

B.

Name of Registered Owner: _____ N/A _____ Address: _____

Type of Vehicle: _____ Model: _____ With Plate # _____

Engine/Motor Serial No. _____ Chassis Serial No. _____

Certificate of Registration No.: _____ Field Office: _____

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each and estimated value/ Names/ Address of possession/owner).

These items are apprehended at So. Cacawan, Brgy. Balansay, Mamburao Occ. Mdo. on April 30, 2022

(Place) (Date)

Due to _____ and the same items _____


(State reason/s or offense committed)

Delivered to DENR PENRO COMPOUND on April , 30, 2022 .

Further, these apprehended items are now deposited at DENR PENRO COMPOUND for safe keeping.

That the undersigned hereby acknowledge that the above listed item(s) are now under ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the purpose of custodial egis.

Therefore issue this Seizure Receipt No. _____


ANASTACIO A. SANTOS
CENR Officer



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE – POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Municipal Compound Barangay 8, Mamburao, Occidental Mindoro



MEMORANDUM

FOR : Provincial Director
Occidental Mindoro PPO
(Attn: C, PIDMU)

FROM : Acting Chief of Police

SUBJECT : **Progress Report on Violation of P.D. 705**

DATE : May 2, 2022

1. Reference: Spot Report on Violation of PD 705 dated April 30, 2022.

2. This pertains to the phone call was received by Mamburao MPS from a concerned citizen informing that illegal logging activity was transpired at So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report resulting in the apprehension Reyman Villar Garcia seized from their possession and control are Eight (8) pcs of 1x2x9, Four (4) pcs of 1x2x6 and Six (6) pcs of 1x4x6 with a total of Twenty-Eight (28) board feet of Mango Tree. The arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while the confiscated lumber was turned over to CENRO personnel Noel V Salgado. The same personnel returned to this office at about 5:00 PM on the same date. Investigator On-Case, PSSg Bernard Cris Gonzales Jr with CP no. 09151181245.

3. Case for Violation of P.D. 705 was referred by Investigator-On-Case before the Office of the Deputy Provincial Prosecutor in this province against the suspect docketed under NPS Docket No. IV-O6a-INQ-22E-00135 and subsequently Associate Provincial Prosecutor Stephen A Lamanilao released Reyman Villar Garcia and hereby ordered to undergo Preliminary Investigation signed by Associate Provincial Prosecutor Stephen A Lamanilao dated May 2, 2022. (see attached Resolution)

4. For information.


RODOLFO O CAMBA
Police Major

Community Environment and Natural Resources Office
National Road, Barangay Sto. Niño, Sablayan, Occidental Mindoro
Email: denrcsby02@gmail.com

NARRATIVE ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

THIS IS TO ACKNOWLEDGE THE RECEIPT from DENA- CENRD Sablayan,
Occidental Mindoro, to wit:

No. of Pieces	Dimension	Species	Estimated Value	Remarks/bd.ft	
8	1x2x9	Norpa	28 4 x \$5.00	12	
6	1x2x6	Norpa	= \$980.00	3	
x	1x4x6	Norpa		12	
.		* chainsaw, \$15,000.00		28 left.	
1	unit # Chainsaw	- no original serial number			
UNIT	MODEL	MARKINGS	ENGINE #	CHASIS #	PLATE No.

Note: The chainsaw was found at the site.

Note: The above mentioned will be transported from Occidental Mindoro to DENR-CENRO Sublayan, Coordinating Office for additional documentation and safekeeping

Received this ____ day of _____ at _____ Occidental Mindoro.

TURNED OVER BY: PSSg Bernard Cris Gonzales Jr
Agency/Address: Mamburao MPS, Mamburao, Occ Mindoro
Time and Date: 5:00 PM of April 30, 2022

RECEIVED BY:

Agency/Address:

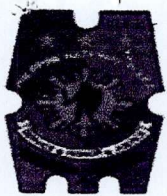
Time and Date

NEEL V. SALGADO BILLY MANCILLA

Direct Kangor Total Kangor
NENA = NENA Salakawan

4:00 PM OF April 30, 2022

JOSEPH A. DANKAN
First Name



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Brgy.8, Mamburao, Occidental Mindoro



MEMORANDUM

FOR : Provincial Director, Occ Mindoro PPO
(ATTN: C, PIDMU/PIU/POMU/PCADU)

FROM : Acting Chief of Police

SUBJECT : **Spot Report on Violation of RA 9175**

DATE : April 30, 2022

-
1. WHAT: Violation of RA 9175
 2. WHERE: So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro
 3. WHEN: At about 4:00 PM, April 30, 2022
 4. WHO: Suspect was identified as Reyman Villar Garcia, 55 years old, married, farmer and resident of So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro.
 5. WHY/HOW:
At about 3:30 PM of April 30, 2022, a phone call was received by Mamburao MPS from a concerned citizen informing that illegal logging activity was transpired at So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report resulting in the apprehension Reyman Villar Garcia seized from their possession and control are One (1) unit of Chain Saw un-registered (No permit). The arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while the confiscated chainsaw was turned over to CENRO personnel Noel V Salgado. The same personnel returned to this office at about 5:00 PM on the same date. Investigator On-Case, PSSg Bernard Cris Gonzales Jr with CP no. 09151181245.
 6. For information.


RODOLFO O CAMBA
Police Major



UNANG PABATID

July 11, 2022

G. REYMAR GARCIA
Barangay Balansay
Mamburao, Occidental Mindoro

Ginoo,

Ito po ay may kaugnayan sa chainsaw at mga kahoy mga kahoy na natagpuan sa inyong pagmamay-ari na may daming 28 bd ft. noong ika-30 ng Abril, 2022 sa Barangay Balansay, Mamburao, Occidental Mindoro na pawang walang pahintulot mula sa aming opisina.

Dahil po dito, kayo ay aming isasailalim sa isang pandinig (Administrative Hearing) tungkol sa "Violation of Section 77 of PD 705". Ang pagdinig ay gaganapin sa ika-3:00 ng hapon, July 15, 2022 sa tanggapan ng DENR-CENRO Sablayan Coordinating Office, Mamburao, Occidental Mindoro.

Inaasahan po namin ang inyong pakikiisa.

R. Garcia
R. Garcia
July 13 2022

Gumagalang,

[Signature]
FOR. ANASTACIO A. SANTOS, MPA
CENR Officer




P



Photo Taken By:
PSSg Bernard Cris Gonzales Jr
April 30, 2022



Photo Taken By:

PSSg Bernard Cris Gonzales Jr
April 30, 2022

Republic of the Philippines
Department of Justice
National Prosecution Service
OFFICE OF THE PROVINCIAL PROSECUTOR

Mamburao, Occidental Mindoro
oppmamburacooksimin@gmail.com

MPS-MAMBURAO, OCC. MINDORO,

Represented by:

PSSg RICKY E. MUNAR,

Complainant,

-versus-

NPS-IV-06a-INQ-22E-00135

For: Viol. of PD 705, as amended

REYMAR GARCIA y VILLAR,

Respondent.

x-----x

MPS-MAMBURAO, OCC. MINDORO,

Represented by:

PSSg RICKY E. MUNAR,

Complainant,

-versus-

NPS-IV-06a-INQ-22E-00136

For: Viol. of RA 9175

REYMAR GARCIA y VILLAR,

Respondent.

x-----x

JOINT RESOLUTION

For resolution are the complaints of the **MUNICIPAL POLICE STATION, MAMBURAO, OCCIDENTAL MINDORO** against **REYMAR GARCIA y VILLAR** of Barangay Balansay, Mamburao, Occidental Mindoro for violation of Presidential Decree No. 705, as amended, and of Republic Act No. 9175.

In support thereof are the: 1.) JA of PSSg Ricky E. Munar; 2.) JA of PSSg Bernard Cris Gonzales, Jr.; 3.) Inventory Sheet/receipt for Property Goods Recovered; Narrative Acknowledgment Receipt; and 5.) Pictures.

The instant cases were originally referred to this Office for Inquest Proceedings. However, in the resolution issued therefor, and for reasons cited therein, the undersigned recommended that the case undergo a regular preliminary investigation to the case at bar.

From the complainant's submissions, it appears that on April 30, 2022, after they received a tip from a concerned citizen regarding an ongoing illegal logging at Sitio Cacawan, Barangay Balansay, Mamburao, this province, complainants went thereto to verify the same. When they reached the place at about 4 o'clock in the afternoon, they saw respondent therein, along with the lumbers and the chainsaw used.

Respondent could not present any documentation for the lumbers, which were determined to be of mango tree, and the chainsaw; hence he was arrested. A DENR representative subsequently conducted an inventory of the lumbers and the chainsaw, and took custody thereof.

In his defense, respondent avers that he is the owner of the land where the lumbers and the chainsaw were found. He also avers that the subject lumbers were from his mango tree which was fallen by a past typhoon.

On April 25, 2022, he decided to have the place cleaned up so may use the land again with the aid of a mangyan volunteered to clean the place and to cut the fallen tree.

On April 30, 2022, while respondent, his wife, Armando Constantino, and Vergil Quiñones were preparing the land to plant banana, a policeman came and asked respondent whether he is selling the lumber. He replied that the same is owned by the mangyan who cleaned the area. Respondent was then asked if the chainsaw has a permit. Respondent replied that he doesn't know as the same is owned by the mangyan. The police then called a DENR representative. Armando Constantino was asked to power-up the chainsaw but it did not start. Respondent was then asked by the police to come closer to the lumbers and the chainsaw so they (police) may take his picture with the lumbers and chainsaw. He was thereafter brought to the station and charged with the instant cases.

Respondent pointed that the pictures presented by the police bolster his defense. It would be seen in the pictures that he is clean. Contrary to the police's allegation that they caught him in the act of sawing the tree and in use of the chainsaw. Hence there is no probable cause for the police to arrest and charge him with these cases.

He filed pictures of the trees fallen by the past typhoon.

Witnesses Armando Constantino and Susan Garcia corroborates the material assertions of the respondent.

We find in favor of the respondent.

X X X

08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?

SAGOT - Agad po akong nagtungo sa lugar para beripikahin ang nasabing report at nang makarating ako sa lugar ay nakita ko si Reymar Villar Garcia sa lugar at ang mga kahoy at gamit nilang chainsaw.¹ (Emphasis supplied.)

X X X

X X X

10. TANONG - Ano naman sumunod na nagyari?

SAGOT - Pagdating ko sa lugar ay nakita ko ang isang chainsaw at mga ginayat na kahoy at tinawagan ko na din ang CENRO personnel na si Noel Salgado para sap ag inventory ng kahoy at pag turned over ng mga iba pang ebedensya sa kanila.² (Emphasis supplied.)

X X X

There is no contest that the lumbers are of a mango tree. However, we are more inclined to believe respondent's version of the story. That, the subject lumber where from a mango tree fallen by a past typhoon, which was subsequently made into lumber for economic reasons.

As we have earlier resolve during the Inquest Proceedings hereof, there is no probable cause for the police to arrest him. The police have neither caught him *in flagrante delicto* cutting the mango tree into lumber using a chainsaw, nor have they personal knowledge of the facts and circumstances that the person to be arrested has just committed the offense, as can be gleaned from the above-quoted statements.

We find it more plausible that the mango tree was fallen by a past typhoon, and were cut a week earlier than what is alleged by the police operatives. The absence of saw dust on the lumbers and its environs, as well as on the respondent, negates police's assertion that the offense has just been committed by the respondent.

The police operatives have neither witnessed in their presence that respondent has committed, is actually committing, or is attempting to commit an offense; nor had they personal knowledge of the facts and circumstances with which to base probable cause that respondent has just committed an offense. That being the case, the police have no authority to enter the landholdings of the respondent, to locate the lumbers and chainsaw therein, and arrest the respondent absent any warrant.

¹ Tanong at Sagot Blg. 08, JA of PSSg Ricky E Munar.

² Tanong at Sagot Blg. 10, JA of PSSg Bernard Cris Gonzales, Jr.

x x x

Section 2. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched and the persons or things to be seized.³

Section 3. (1) x x x

(2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding.⁴ (Emphasis supplied.)

x x x

In as much as the lumbers and the chainsaw confiscated from the respondent stems from a violation of his constitutional right against unreasonable searches and seizures, the same is inadmissible in evidence in any proceedings, including the one before this Office.

WHEREFORE, premises considered, and the evidence being inadmissible, the instant cases are hereby **DISMISSED**.

SO RESOLVED.

Mamburao, Occidental Mindoro; May 11, 2022.

STEPHEN A. LAMANILAO⁵
Associate Provincial Prosecutor

Approved:


DANTE V. RAMIREZ⁶
Provincial Prosecutor

cc: All concerned.

³ Sec. 2, Art. III, 1987 Constitution.

⁴ Sec. 3, Id.

⁵ Roll of Attorneys No. 57985; MCLE Compliance No. VII-0012014; IBP 196269 – January 5, 2022.

⁶ Roll of Attorneys No. 35426; MCLE Compliance No. VI-0002079.

Republic of the Philippines
Department of Justice
OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

MPS-MAMBURAO, OCC. MINDORO
REP. BY:
PSSg RICKY E. MUNAR,
Complainant.,

NPS DOCKET NO. IV-
06a-INQ-22E-00135

-versus-

-for-

REYMAR GARCIA y VILLAR,
Respondent.,
X ----- X

VIOLATION OF PD 705

MPS-MAMBURAO, OCC. MINDORO
REP. BY:
PSSg RICKY E. MUNAR,
Complainant.,

NPS DOCKET NO. IV-
06a-INQ-22E-00136

-versus-

-for-

REYMAR GARCIA y VILLAR,
Respondent.,
X ----- X

VIOLATION OF RA 9175

JOINT RESOLUTION

For inquest before this office are the two (2) referral complaints filed by local PNP-Mamburao, Occidental Mindoro charging the above-named respondent for Violation of PD 705 and Violation of RA 9175.

In support of the complaint are the following evidence, to wit: **(a)** JA of PSSg Ricky Munar; **(b)** JA of PSSg Bernard Cris Gonzales, Jr.; **(c)** Spot Report; **(d)** Acknowledgment Receipt from DENR; **(e)** Photographs; and **(f)** Inventory Receipt.

From the sworn statement of witnesses, it appears that on April 30, 2022 at on or about 3:30 o'clock in the afternoon, Mamburao Municipal Police Station received a phone call from a concern citizen reporting that illegal logging activity was transpired at Sitio Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro. Acting on the said report, Intel personnel of MPS Mamburao led by PSSg Ricky E. Munar proceeded at the said place to verify said report. When they were at the area, they found the respondent's possession and control eight (8) pieces of 1x2x9, four (4)

Republic of the Philippines
Department of Justice
NATIONAL PROSECUTION SERVICE
OFFICE OF THE PROVINCIAL PROSECUTOR
MAMBURAO OFFICE
MAMBURAO, OCCIDENTAL MINDORO

To be accomplished by the Office:

Republic of the Philippines
Department of Justice
OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

INVESTIGATION DATA FORM

DATE RECEIVED _____

NPS DOCKET NO: N-069-IND-22E-00136

(Stamped and initialed)

Time Received : By: [Signature] Date: MAY 02 2022 8:21 AM

Receiving Staff : _____

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

PSSg Ricky E Munar

MAMBURAO MPS

CP # 09509873008

RESPONDENT/S: Name, Sex, Age, & Address

Reymar Villar Garcia

Brgy. Balansay, Mamburao Occ Mindoro

CP # 09976859926

LAW/S VIOLATED:

RA 9175

WITNESS/ES: Name & Address:

PSSg Ricky E Munar

PSSg Bernard Cris Gonzales Jr

MAMBURAO MPS

DATE & TIME of COMMISSION:

April 30, 2022 at about 3:30 NN

PLACE of COMMISSION:

**So. Cacawan, Brgy. Balansay, Mamburao,
Occidental Mindoro**

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

YES _____ NO _____

YES _____ NO _____

YES _____ NO _____

If yes, indicate details below.

If yes, indicate details below.

I.S. 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 I have not commenced any action or filed any claim involving the same issues in any court, tribunal, or quasi-judicial agency, and that if I should thereafter learn that a similar action has been filed and/or is pending, I shall report that fact to this Honorable office within five (5) days from knowledge thereof.

PSSg Ricky E Munar

(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this

MAY 02 2022

day of May 2022 in Mamburao, Occidental Mindoro.

STEVEN A. LAMANILAO
Associate Provincial Prosecutor
Administering Prosecutor/ Officer



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
MAMBURAO MUNICIPAL POLICE STATION



Mamburao, Occidental Mindoro
E-mail-Add: Mamburaomps.11@yahoo.com
Station Hotline: 09391460626

OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

May 2, 2022

The Honorable Deputy Provincial Prosecutor
Mamburao, Occidental Mindoro

RECEIVED
MAY 02 2022 8:25 AM
By: [Signature] Date: [Signature] Time: 8:25 AM

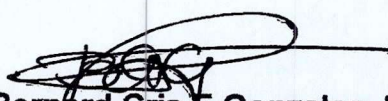
Madam/Sir,

May I have the honor to refer to your good office for appropriate action the herein attached criminal charges against Reyamar Villar Garcia, 55 years old, married, farmer and resident of So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro for Violation of RA 9175.

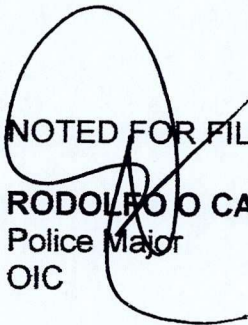
FACTS OF THE CASE:

At about 3:30 PM of April 30, 2022, a phone call was received by Mamburao MPS from a concerned citizen informing that illegal logging activity was transpired at So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report resulting in the apprehension Reyamar Villar Garcia seized from their possession and control are One (1) unit of Chain Saw un-registered (No permit). The arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while the confiscated chainsaw was turned over to CENRO personnel Noel V Salgado. The same personnel returned to this office at about 5:00 PM on the same date. Investigator On-Case, PSSg Bernard Cris Gonzales Jr with CP no. 09151181245.

Prepared by:

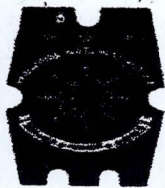

PSSg Bernard Cris F Gonzales Jr
Investigator-On-Case

NOTED FOR FILING;

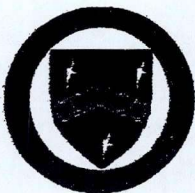

RODOLFO O CAMBA
Police Major
OIC

ATTACHMENTS;

Spot Report of PD 705
JA of PSSg Bernard Cris Gonzales Jr
JA of PSSg Ricky Munar
Inventory/receipt
Acknowledgment receipt
ed
Pictures



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Brgy.8, Mamburao, Occidental Mindoro



April 30, 2022
Date

INVENTORY SHEET/RECEIPT FOR PROPERTY/GOODS RECOVERED

ITEM NO.	QUANTITY	PARTICULAR	WHERE SEIZED/TAKEN
1	1 UNIT	CHAINSAW COLOR YELLOW NO ORIGINAL SERIAL NUMBER	POSSESSION AND CONTROL OF REYMAR VILLAR GARCIA AT SITION CACAWAN; BRGY. BALANSAY, MAMBURAO, OCC MINDORO
Nothing to follows			


PSSg Ricky Empuerto Munar
(Seizing Officer)

Republic of the Philippines
Department of Justice
NATIONAL PROSECUTION SERVICE
OFFICE OF THE PROVINCIAL PROSECUTOR
MAMBURAO OFFICE
MAMBURAO, OCCIDENTAL MINDORO

To be accomplished by the Office:

Republic of the Philippines
Department of Justice
OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro

INVESTIGATION DATA FORM

DATE RECEIVED

NPS DOCKET NO: N-069-INO-22E-00135

(Stamped and initial):

Time Received

Receiving Staff

RECEIVED
MAY 02 2022 8:21 AM

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

PSSg Ricky E Munar

MAMBURAO MPS

CP # 09509873008

RESPONDENT/S: Name, Sex, Age, & Address

Reymar Villar Garcia

Brgy. Balansay, Mamburao Occ Mindoro

CP # 09976859926

LAW/S VIOLATED:

P.D. 705

WITNESS/ES: Name & Address:

PSSg Ricky E Munar

PSSg Bernard Cris Gonzales Jr

MAMBURAO MPS

DATE & TIME of COMMISSION:

April 30, 2022 at about 3:30 NN

PLACE of COMMISSION:

**So. Cacawan, Brgy. Balansay, Mamburao,
Occidental Mindoro**

1. Has a similar complaint been filed before any other office?

YES ☐ NO ☐

2. Is this complaint in the nature of a counter-affidavit?

YES ☐ NO ☐ If yes, indicate details below.

3. Is this complaint related to another case before this office?

YES ☐ NO ☐ If yes, indicate details below.

I.S. 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 I have not commenced any action or filed any claim involving the same issues in any court, tribunal, or quasi-judicial agency, and that if I should thereafter learn that a similar action has been filed and/or is pending, I shall report that fact to this Honorable office within five (5) days from knowledge thereof.

PSSg Ricky E Munar

(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this MAY 02 2022 day of May 2022 in Mamburao, Occidental Mindoro.

STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

Administering Prosecutor/ Officer



Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
MAMBURAO MUNICIPAL POLICE STATION
Mamburao, Occidental Mindoro

E-mail Add: Mamburaomps_11@yahoo.com

Station Hotline: 09391460626

OFFICE OF THE PROVINCIAL PROSECUTOR
Mamburao, Occidental Mindoro



May 2, 2022

The Honorable Deputy Provincial Prosecutor
Mamburao, Occidental Mindoro

Madam/Sir,

RECEIVED
MAY 02 2022 8:25 AM

May I have the honor to refer to your good office for appropriate action the herein attached criminal charges against Reyamar Villar Garcia, 55 years old, married, farmer and resident of So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro for Violation of P.D. 705.

FACTS OF THE CASE:

At about 3:30 PM of April 30, 2022, a phone call was received by Mamburao MPS from a concerned citizen informing that illegal logging activity was transpired at So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro. Acting to the report, Intel personnel of Mamburao MPS led by PSSg Ricky Munar proceeded to the reported place to verify the veracity of the report resulting in the apprehension of Reyamar Villar Garcia seized from their possession and control are Eight (8) pcs of 1x2x9, Four (4) pcs of 1x2x6 and Six (6) pcs of 1x4x6 with a total of Twenty-Eight (28) board feet of Mango Tree. The arrested suspect was appraised on their constitutional rights and brought to Mamburao MPS for documentation while the confiscated evidence was turned over to DENR/CENRO personnel for custody. The same personnel returned to this office at about 5:00 PM of the same date. Investigator On-Case, PSSg Bernard Cris Gonzales Jr with CP no. 09151181245.

Prepared by:

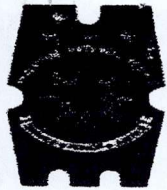
PSSg Bernard Cris F Gonzales Jr
Investigator-On-Case

NOTED FOR FILING;

RODOLFO O CAMBA
Police Major
OIC

ATTACHMENTS;

Spot Report of PD 705
JA of PSSg Bernard Cris Gonzales Jr
JA of PSSg Ricky Munar
Inventory/receipt
Acknowledgment receipt
EP
Pictures



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAMBURAO MUNICIPAL POLICE STATION
Brgy.8, Mamburao, Occidental Mindoro



April 30, 2022
Date

INVENTORY SHEET/RECEIPT FOR PROPERTY/GOODS RECOVERED

ITEM NO.	QUANTITY	PARTICULAR	WHERE SEIZED/TAKEN
1	8 PCS	1x2x9 Mango Lumber	POSSESSION AND CONTROL OF REYMAR VILLAR GARCIA AT SITION CACAWAN, BRGY. BALANSAY, MAMBURAO, OCC MINDORO
2	4 PCS	1x2x6 Mango Lumber	POSSESSION AND CONTROL OF REYMAR VILLAR GARCIA AT SITION CACAWAN, BRGY. BALANSAY, MAMBURAO, OCC MINDORO
3	6 PCS	1x4x6 Mango Lumber	POSSESSION AND CONTROL OF REYMAR VILLAR GARCIA AT SITION CACAWAN, BRGY. BALANSAY, MAMBURAO, OCC MINDORO
Nothing to follows			


PSSg Ricky Empuerto Munar
(Seizing Officer)

Republika ng Pilipinas)
Lalawigan ng Occidental Mindoro : S.S)
Bayan ng Mamburao)
x-----x

JUDICIAL AFFIDAVIT

AKO, si **PSSg Ricky Empuerto Munar**, nasa hustong gulang, may-asawa, kawani ng Pambansang Pulisya ng Pilipinas na kasalukuyang nakatalaga bilang Intel operative dito sa Mamburao Municipal Police Station, kasalukuyang naninirahan sa Sta Cruz, Occidental Mindoro, matapos makapanumpa ng naaayon sa ating saligang batas ay kusang loob na nagsasalaysay ng mga sumusunod:

PANGUNANG SALITA

Ang nagtatanong sa akin sa Judicial Affidavit kong ito ay si PSSg Von erick N Macabenta, isang pulis na nakatalaga sa Investigation and Detective Management Section ng Mamburao Municipal Police Station, Mamburao, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa Himpilan ding ito sa harap nina PSSg Suzzette Bacani, kasapi ng Mamburao Municipal Police Station ngayong April 30, 2022.

Sinagot ko ang mga tanong sa akin sa ilalim ng aking sinumpaang salaysay na magsasabi ng katotohanan lamang at batid ko na maaari akong managot kung sakaling ako ay magsinungaling.

MGA TANONG AT SAGOT:

01. TANONG - **PSSg Ricky Empuerto Munar**,
ikaw ba ay magsasabi ng buong katotohanan at
pawang katotohanan lamang sa pagsisiyasat na ito?
SAGOT - Opo.
02. TANONG - Ikaw ba ay handang magbigay ng iyong
malaya at kusang- loob na salaysay?
SAGOT - Opo.
04. TANONG - Ano naman ang dahilan at ikaw ay naririto sa
aming tanggapan at nagbibigay ng iyong malaya at
kusang- loob na salaysay?
SAGOT - Upang magbigay ng salaysay at ihabla sa paglabag
sa P.D. 705 at RA 9175 si Reymer Villar Garcia.
05. TANONG - Bakit nais mong kasuhan ng P.D. 705 at RA 9175 ang
Taong nabangit mo?
SAGOT - Dahil sa nahuli ko po siya na namomosesyon ng hindi
dokumentadong kahoy at hinde rehistradong
Chainsaw.
06. TANONG - Kailan at saan mo naman nahuli si Reymer Villar
Garcia na namomosesyon ng mga walang
dokumentadong kahoy at hinde rehistradong
Chainsaw?
SAGOT - Humigit kumulang 4:00 ng hapon, Abril 30, 2022
sa So. Cacawan, Barangay Balansay, Mamburao,

Occidental Mindoro

07. TANONG - Sa paanong paraan mo naman siya nahuli?
SAGOT - Ganito po iyon, nakatangap ng tawag ang aming himpilan galing sa isang concern citizen at ipinagbigay alam niya na mayroong nagaganap na illegal na pagpuputol ng mga walang dokumentong mga kahoy sa So. Cacawan, Barangay Balansay, Mamburao, Occidental Mindoro
08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?
SAGOT - Agad po akong nagtungo sa lugar para beripikahin ang nasabing report at nang makarating ako sa lugar ay nakita ko si Reymar Villar Garcia sa lugar at ang mga kahoy at ang gamit nilang Chainsaw.
09. TANONG - Ano naman sumunod na nangyari, kung meron man?
SAGOT - Tinanung ko si Reymar kung may mga dokumento ba ang kanyang mga kahoy na ginagayat at ang Chainsaw na gamit nya at sumagot naman siya na wala po.
10. TANONG - Nakilala mo ba yung taong naaktuhan mong na momosesyong ng mga kahoy at Chainsaw na walang permit?
SAGOT - Opo, si Reymar Villar Garcia.
12. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man?
SAGOT - Hinanapan ko siya ng permit para sa mga kahoy galing DENR at permit ng Chainsaw pero wala siyang maipakita sa akin.
14. TANONG - Ano pa ang mga sumunod na nangyari?
SAGOT - Tumawag ako sa stasyon para makapagpadala ng imbestigador at sa CENRO para naman sa inventory ng mga kahoy at Chainsaw na nahuli.
13. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man matapos wala siyang maipakitang permit?
SAGOT - Nang makarating na ang imbestigador at CENRO ay akin nang inaresto si kay Reymar Villar Garcia at Ipinaalam ko po na siya ay mahaharap sa kasong paglabag sa P.D. 705 at RA 9175 at ipinaalam ko sa kanya ang kanyang mga karapatan na naayon sa batas.
11. TANONG - Ano naman ang mga ebedenbsyang nakuha mo at nakumpiska sa kanya?
SAGOT - Walong (8) pirasong 1x2x9, Apat (4) na pirasong 1x2x6 at Anim (6) na pirasong 1x4x6 na may kabuuang volume na Twenty Eight (28) board feet ng Mangga na kahoy at Isang (1) Unit ng Chainsaw na walang permit.

15. TANONG - Ano pa ang mga sumunod na nangyari?
SAGOT - Matapos ma-inventory ng CENRO personnel ang lahat ng ebedensya at ng aming imbestigador ay dinala na ng CENRO ang kahoy at Chainsaw sa kanilang holding facility at dinala naman na namin si Reymar sa stasyon ng pulis para sa iba pang pagdodokumento.
16. T : Meron ba kayong gamit na Body Worn Camera o Alternative Recording Device na inuubliga ng batas ngayon?
S : Wala po kaming Body Worn Camera pero may Alternative Recording Device naman po kaming gamit na pasok at naaayon sa batas gamit ni PSSg Bernard Cris Gonzales Jr na isang OPPO Reno.
17. T : Sa anong kadahilanan at wala kayong gamit na body camera?
S : Wala po kaming issue na Body Worn Camera at ang pagkakadakis po kay Reymar Villar Garcia ay resulta ng police response at hindi planadong operasyon, may gamit rin po kaming alternative recording device na pasok sa itinatadhana ng batas.
18. T : Wala na akong itatanong sa iyo, mayroon ka pa bang nais idagdag o bawasin sa salaysay mo?
S : Wala na po.
19. T : Ikaw ba ay pinilit, tinakot, binigyan o pinangakuan ng anumang pabuya para gawin ang salaysay mong ito?
S : Hindi po.
20. T : Handa mo bang lagdaan ang salaysay mong ito?
S : Opo.


PSSg Ricky Munar
Nagsalaysay

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN TO BEFORE ME this MAY 02, 2022 th day of May 2022, at Mamburao, Occidental Mindoro and I hereby certify that I have personally examined the herein affiant and that I am convinced and satisfied that he fully understood the contents of his statement and executed the same freely and voluntary.


STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

ATTESTATION

I attest to the fact that I personally supervised the taking of the testimony of the witness **PSSg Ricky Munar**, the result was reduced in this Judicial Affidavit and I, further attest that the questions asked of the complainant and his answer to the same were faithfully record and that no one assisted or coached the complainant when he answered the question asked him.


PSSg Bernard Cris Gonzales Jr
Investigator

OATH AND CERTIFICATION

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STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

Republika ng Pilipinas)
Lalawigan ng Occidental Mindoro : S.S)
Bayan ng Mamburao)
X-----X

JUDICIAL AFFIDAVIT

AKO, si **PSSg Bernard Cris Gonzales Jr**, nasa hustong gulang, may-asawa, kawani ng Pambansang Pulisya ng Pilipinas na kasalukuyang nakatalaga bilang Asst. Investigator dito sa Mamburao Municipal Police Station, kasalukuyang naninirahan sa Barangay Balansay, Mamburao, Occidental Mindoro, matapos makapanumpa ng naaayon sa ating saligang batas ay kusang loob na nagsasalaysay ng mga sumusunod:

PANGUNANG SALITA

Ang nagtatanong sa akin sa Judicial Affidavit kong ito ay si PSSg Von erick N Macabenta, isang pulis na nakatalaga sa Investigation and Detective Management Section ng Mamburao Municipal Police Station, Mamburao, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa Himpilan ding ito sa harap ni Pat Julie anne Alvarez, kasapi ng Mamburao Municipal Police Station ngayong April 30, 2022.

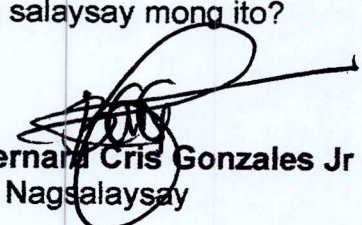
Sinagot ko ang mga tanong sa akin sa ilalim ng aking sinumpaang salaysay na magsasabi ng katotohanan lamang at batid ko na maaari akong managot kung sakaling ako ay magsinungaling.

MGA TANONG AT SAGOT:

- | | | | |
|-----|--------|---|---|
| 01. | TANONG | - | PSSg Bernard Cris Gonzales Jr ,
ikaw ba ay magsasabi ng buong katotohanan at
pawang katotohanan lamang sa pagsisiyasat na ito? |
| | SAGOT | - | Opo. |
| 02. | TANONG | - | Ikaw ba ay handang magbigay ng iyong
malaya at kusang- loob na salaysay? |
| | SAGOT | - | Opo. |
| 04. | TANONG | - | Ano naman ang dahilan at ikaw ay naririto sa
aming tanggapan at nagbibigay ng iyong malaya at
kusang- loob na salaysay? |
| | SAGOT | - | Upang magbigay ng salaysay sa paglabag sa PD 705
at RA 9175 ni Reymer Villar Garcia. |
| 06. | TANONG | - | Kailan at saan nangyari ang nasabing paglabag? |
| | SAGOT | - | Humigit kumulang ika-4:00 ng hapon, April 30, 2022,
sa Sitio Cacawan, Barangay Balansay, Mamburao,
Occidental Mindoro. |
| 07. | TANONG | - | Sa paanong paraan naman siya na nahuli? |
| | SAGOT | - | Ganito po iyon, nakatangap ng tawag ang aming
himpilan galing sa isang concern citizen at
ipinagbigay alam niya na mayroong nagaganap na
pamumutol ng puno dahil sa naririnig nilang paggamit ng
chain saw sa Sitio Cacawan, Barangay Balansay,
Mamburao, Occidental Mindoro |

08. TANONG - Ano naman ang ginawa ninyong aksyon matapos ninyong matanggap ang impormasyon?
SAGOT - Agad po nagtungo sa lugar si PSSg Ricky Munar ang aming intel personnel upang beripikahin ang nasabing report.
09. TANONG - Ano naman sumunod na nangyari, kung meron man?
SAGOT - Tumawag na sa akin si PSSg Munar at sinabi na kompirmado ang nasabing report kaya pumunta na kami sa lugar para sa pag iimbistiga.
10. TANONG - Ano pa ang sumunod na nangyari?
SAGOT - Pagdating ko sa lugar ay nakita ko ang isang chain saw at mga ginayat na kahoy at tinawagan ko na din ang CENRO personnel na si Noel Salgado para sa pag inventory ng kahoy at pag turned over ng mga iba pang ebedensya sa kanila.
11. TANONG - Nakilala mo ba yung taong responsable gawaing iyong nabangit?
SAGOT - Opo, si Reyman Villar Garcia, 55 taong gulang, may asawa at isang magsasaka na nakatira sa Sitio Cacawan, Brgy Balansay, Mamburao, Occidental Mindoro.
12. TANONG - Ano naman ang mga ebedensyang nakuha mo at nakumpiska sa kanya?
SAGOT - Walong (8) piraso ng 1x2x9, Apat (4) na piraso ng 1x2x6, Anim (6) na piraso ng 1x4x6 na may kabuuang volume na Twenty Eight (28) board feet at isang (1) chainsaw na walang permit at walang serial number na siyang ginamit para putulin at tablahin ang puno ng Manga.
13. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man?
SAGOT - Hinanapan ko siya ng permit para sa Chain Saw at permit sa pagputol ng puno ng manga, ngunit wala siyang maipakita sa akin.
14. TANONG - Ano pa ang mga sumunod na nangyari, kung meron man matapos wala siyang maipakitang permit?
SAGOT - Inaresto na si Reyman Villar Garcia ni PSSg Ricky Munar sa paglabag sa RA 9175 at PD 705 at ipinaalam din sa kanya ang kanyang karapatan na naaayun sa batas at dinala na din namin siya sa stasyon para sa iba pang pagdodokumento.
15. T : Meron ba kayong gamit na Body Worn Camera o Alternative Recording Device na inuubliga ng batas ngayon?
S : Wala po kaming Body Worn Camera pero may Alternative Recording Device naman po kaming gamit na pasok at naaayon sa batas gamit ko ang isang OPPO Reno.
16. T : Sa anong kadahilanan at wala kayong gamit na body camera?
S : Wala po kaming issue na body camera at ang pagkakadakil po kay Reyman Villar Garcia ay resulta ng police response at hindi planadong operasyon, may gamit rin po kaming alternative recording device na pasok sa itinatadhana ng batas.

17. T : Wala na akong itatanong sa iyo, mayroon ka pa bang nais idagdag o bawasin sa salaysay mo?
S : Meron po, ang mga ebedensya po ay ibinigay ko sa pangangalaga ng CENRO personnel para sa kanilang kustodiya. Ako rin po ang nagsisilbing evidence custodian at ako rin po mismo ang kumuha ng video sa aming police response at mga picture gamit ang aking OPPO Reno 4g na nagsilbing ARD, ang lahat po ng video na nakuha sa ARD ay aking inilipat sa aming desktop at isinalin sa CD upang magamit na ebedensya.
18. T : Ikaw ba ay pinilit, tinakot, binigyan o pinangakuan ng anumang pabuya para gawin ang salaysay mong ito?
S : Hindi po.
19. T : Handa mo bang lagdaan ang salaysay mong ito?
S : Opo.


PSSg Bernard Cris Gonzales Jr
Nagsalaysay

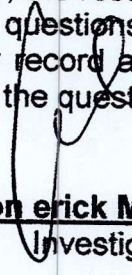
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STEPHEN A. LAMANILAO
Associate Provincial Prosecutor

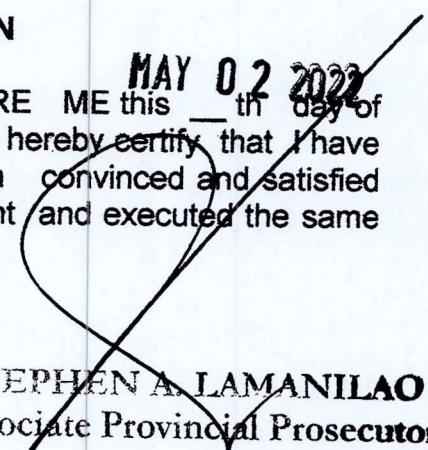
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PSSg Von erick Macabenta
Investigator

OATH AND CERTIFICATION

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