



September 05, 2022

2588

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region

THRU : The Assistant Regional Director for Technical Services

FROM : The OIC, PENR Officer

SUBJECT : **RESULT OF ADMINISTRATIVE CONFISCATION PROCEEDINGS REGARDING THE TEN (10) PIECES OF LUMBER OF MAHOGANY AND GMELINA SPECIES WITH A TOTAL VOLUME OF 74.68 BD.FT APPREHENDED BY THE ELEMENTS OF STA. CRUZ MUNICIPAL STATION (P-2022-85439)**



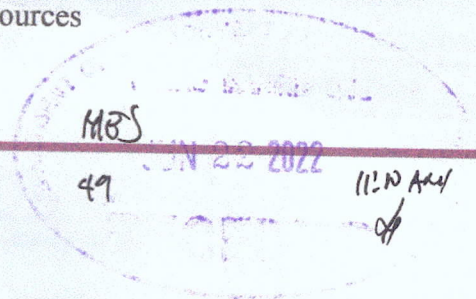
In compliance with the memorandum dated April 22, 2022 of ARD for Technical Services Vicente B. Tuddao, Jr., Ph.D., CESO IV, received by this Office on June 22, 2022 we are submitting the lacking documents such as Apprehension Receipt, Seizure Receipt/Order, Tally Sheet, Affidavit of PNP/Apprehending Officers, Photo documentations and other pertinent documents pursuant to DAO 97-32.

For information and further instruction.


IMELDA M. DIAZ



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



MEMORANDUM

TO : THE PENR OFFICER
Marinduque

FROM : THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT : RESULT OF ADMINISTRATIVE PROCEEDINGS
REGARDING THE TEN (10) PIECES OF LUMBER OF
MAHOGANY AND GMELINA SPECIES WITH A TOTAL
VOLUME OF 74.68 BOARD FEET APPREHENDED BY THE
ELEMENTS OF STA CRUZ MUNICIPAL POLICE STATION
[P-2022-85439]

DATE : APR 22 2022

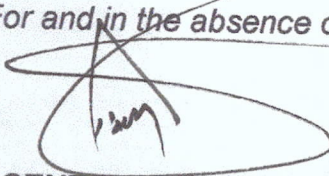
This is to acknowledge receipt of your Memorandum dated April 6, 2022, and its enclosures regarding the above subject.

After review and evaluation of the submitted report, there are lacking documents such as Apprehension Receipt, Seizure Receipt/Order, Tally Sheet, Affidavit of PNP/Apprehending Officers, Photo documentations and other pertinent documents pursuant to DAO 97-32. Premises considered, you are directed to submit such necessary documents to serve as basis for the issuance of administrative order by this Office.

Further, Forester 1 Don Gibson D. Mercado who conducted the administrative hearing on the apprehended item is not in accordance with the rules of DENR administrative Order No. 2016-07 dated May 19, 2016 entitled "DENR Manual of Authorities for Technical Matters". Be informed that this Office had already instructed all implementing PENROs and CENROs mandated to conduct administrative hearings and likewise to file corresponding criminal complaint before the Prosecutors Office. If in case that you are not available, please be guided on Section 3.2 of DAO 97-32.

For your guidance and reference.

"For and in the absence of The Regional Executive Director"


VICENTE B. TUDDAO, JR., Ph. D., CESO IV
ARD for Technical Services

ED/MUO/4-21-22



April 06, 2022

MEMORANDUM

**FOR : The OIC, Regional Executive Director
DENR-MIMAROPA Region**

THRU : The Assistant Regional Director for Technical Services

FROM : The OIC, PENR Officer

**SUBJECT : RESULT OF ADMINISTRATIVE CONFISCATION
PROCEEDINGS OVER THE APPREHENDED 10 PIECES
LUMBER OF MAHOGANY AND GMELINA WITH A TOTAL
VOLUME OF 74.68 BOARD FEET BY THE OPERATIVES OF PNP-
MPS STA. CRUZ, MARINDUQUE IN BRGY. TAYTAY, STA. CRUZ
MARINDUQUE ON JANUARY 22, 2022**

Respectfully forwarded is the result of the Administrative Confiscation Proceedings conducted by this Office regarding the apprehended lumber by the PNP-MPS Sta. Cruz Marinduque in Barangay Taytay of same municipality.

As per turned over receipt and report from the PNP-MPS regarding the above-mentioned subject the apprehended forest products received and scaled by this Office are the following:

No.	Description	Quantity	Volume
1	Gmelina Sawn Lumber 2x4x10	2 pcs.	61.34 bd.ft
2	Gmelina Sawn Lumber 2x3x16	6 pcs.	
3	Mahogany Sawn Lumber 2x4x10	2 pcs.	13.34 bd.ft
TOTAL		10 pcs.	74.68 bd.ft

In view of the foregoing, and pursuant to Section 7 of DAO 97-32, Notice of Hearing for Messrs, Edgardo Q. Palma, Eduardo F. Zulueta, Mark A. Ricafrente was scheduled on February 15, 2022. Based on their sworn statements, the following facts were found, to wit:

MR. EDGARDO Q. PALMA

- That, he admitted that he is the owner of chainsaw that was used for cutting of the said forest products.
- That, police officers told him that that he had no legal document/permit for the cutting of forest products
- That, he admitted that the chainsaw used for cutting has no permit from the DENR.
- That, they had no any legal documents

MR. EDUARDO F. ZULUETA

- That, he admitted that he is the owner of forest products.



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

- That, the police officers told him that he had no legal document/permit for the cutting of forest products
- That, the said forest products will be used for the house repair of his son.
- That, he had no any legal documents

MARK A. RICAFFRENTE

- That, he is ~~the~~ one of the laborers.
- That, the police officers told him that he had no legal document/permit for the cutting of forest products
- That, he was forced to help the owner of the said forest products on the said activity.

Considering the above-mentioned circumstances and based from records of this Office, it was established that the subject forest products are considered illegal due to lack of appropriate permits/documents in accordance with the existing environmental laws, rules and regulations, thus, this Office respectfully recommend for the issuance of the **CONFISCATION ORDER** for the **TWO (2) PIECES MAHOGANY AND EIGHT (8) PIECES GMELINA LUMBER WITH A TOTAL VOLUME OF 74.68 BOARD FEET** and dispose the same immediately to avoid loss of its economic value. Also, it is recommended that a criminal complaint be filed against **MESSRS. EDGARDO Q. PALMA, EDUARDO F. ZULUETA, MARK A. RICAFFRENTE** for violation of **Section 77 of PD 705**.

For consideration and further instruction.

 Digitally
signed
by Diaz
Imelda
Mendoza
IMELDA M. DIAZ 



28 February 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief Technical Services Division

FROM : The Hearing Officer

SUBJECT : RESULT OF ADMINISTRATIVE CONFISCATION PROCEEDINGS OVER THE APPREHENDED 10 PIECES LUMBER OF MAHOGANY AND GMELINA WITH A TOTAL VOLUME OF 74.68 BOARD FEET BY THE OPERATIVES OF PNP-MPS STA. CRUZ, MARINDUQUE AT BRGY. TAYTAY, STA. CRUZ MARINDUQUE ON JANUARY 22, 2022

In relation to the telephone call received from the PNP-MPS Sta. Cruz, Marinduque regarding the above-mentioned subject, please be informed that our forest officers assisted to the turn-over of apprehended undocumented forest delivered by PSMS Vermor R. Pernia to this Office.

Per the report submitted by the apprehending police officers, said forest products were apprehended from the possession of Edgardo y Palma (laborer), Eduardo y Zulueta (owner), Mark y Ricafrente (helper). Based from the records of this Office, no permit to the said person perpetrators.

Upon scaling of the apprehended forest products, it was found to be 8 pieces Gmelina and 2 pieces Mahogany with a total volume of 74.68 board feet. On January 22, 2022 the said forest products were hauled to the DENR PENRO Marinduque, under the custody of Forester I Don Gibson Mercado for safekeeping, pending conduct of Administrative Confiscation Proceeding in accordance with DAO 97-32.

In view of the foregoing and pursuant to Section 7 of DAO 97-32, the undersigned prepared Notice of Hearing for the apprehended persons, Messrs, Edgardo Q. Palma, Eduardo F. Zulueta, Mark A. Ricafrente scheduled February 15, 2022 wherein based on his sworn statements, the following facts were found, to wit;

MR. EDGARDO Q. PALMA

- That, he admitted that he was the owner of chainsaw that used for cutting of the said forest products.
- That, the police officers told us that we had no legal document/permit for the cutting of forest products



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

- That, he admitted that the chainsaw used for cutting has no permit from the DENR.
- That, we had no any legal documents

MR. EDUARDO F. ZULUETA

- That, he admitted that he is the owner of forest products.
- That, the police officers told us that we had no legal document/permit for the cutting of forest products
- That, the said forest products will be used for housing repair of his son.
- That, we had no any legal documents

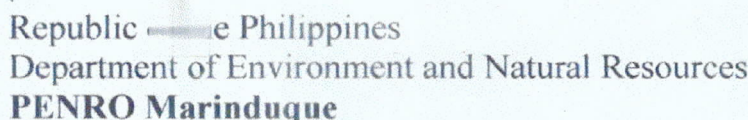
MARK A. RICAFFRENTE

- That, he was the one of the laborers.
- That, the police officers told us that we had no legal document/permit for the cutting of forest products
- That, he forced to help the owner of the said forest products on the illegal activity.

Considering the above-mentioned circumstances and based from records of this Office, it was established that the subject forest products are considered illegal due to lack of appropriate permits/documents in accordance with the existing environmental laws, rules and regulations, thus, I am respectfully recommending for the issuance of the **CONFISCATION ORDER** for the **10 PIECES MAHOGANY AND GMELINA LUMBER WITH A TOTAL VOLUME OF 74.68 BOARD FEET** and dispose the same immediately to avoid loss of its economic value. Also, it is hereby recommended that a criminal complaint be filed against **MESSRS. EDGARDO Q. PALMA, EDUARDO F. ZULUETA, MARK A. RICAFFRENTE** for violation of **Section 77 of PD 705**.

For information and further evaluation.

DON GIBSON  **MERCADO**



The Regional Executive Director
DENR IVB, MIMAROPA
ERMITA MANILA

SUBJECT: SPOT REPORT

THE SAID APPREHENDED FOREST PRODUCTS WERE IMPOUNDED IN THE DENR PENRO MARINDUQUE IN BRGY. BANGBANGALON, BOAC MARINDUQUE FOR SAFE KEEPING AND CUSTODY PENDING THE CONDUCT OF ADMINISTRATIVE CONFISCATION PROCEEDING (ACP) IN ACCORDANCE WITH DAO-97-32.

OIC-PENR Officer

LBC EXPRESS, INC.
5001 BOY D. STREET N.E. SUITE
MINNEAPOLIS
TEL. NO. 1-612-344-2222
VAT 115 800-733-1400-00155

02/08/22

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08-06-97 10:00 AM      * SLA-SMITH-BORG
Team Data             * C:\PROG\DATA\11-12-11.M
Delivery Date         * 01-11-1997   07:13/0000
Prod Deal            * MTRD-BENTL
From Type             * Delivery
Del-Days              * 11-02-97
Actual dt (Copy)     * 0-0

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Geo-tagged photos during the turn-over of apprehended forest products particularly two (2) Mahogany lumber and (8) pieces Gmelina lumber with a total volume of 74.68 board feet by PNP-MPS of Santa Cruz, Marinduque to DENR PENRO Marinduque

gk



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

08 Pebrero 2022

G. EDUARDO FERNANDEZ ZULUETA

Barangay, Taytay
Santa Cruz, Marinduque

G. Zulueta,

Magandang araw po!

Ito po ay hinggil sa nahuling sampung pirasong kahoy na Gmelina at Mahogany (10) na may kabuoang sukat na 74.68 board feet na nahuli ng operatiba ng PNP-MPS Santa Cruz, Marinduque noong ika- 22 ng Enero sa So. Paang Bundok, Barangay Taytay, Santa Cruz, Marinduque.

Para po sa inyong kaalaman, ang pag-puputol, pamumosisyon at pagbibiyaheng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland o Zona Forestal*, o maging sa mga *Alienable and Disposable land/ Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa "*Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines*" inameyendahan ng PD 1559 at Executive Order No. 277 at may katumbas na kaparusahan.

Base po sa ulat kayo po diumano ang nagmamay ari ng mga kahoy, kung kaya't kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika- **15** ng **Pebrero** 2022 araw ng **Martes** sa ganap na ika-**9:00** ng **umaga** dito sa tanggapan ng DENR PENRO Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng abogado o isang opisyal (Kagawad) o testigo na maari ninyong isama sa nasabing pandinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/license).

Aasahan po naming ang inyong pagdalo para na rin sa ikakalinaw ng usaping ito.

Maraming Salamat po.

Gumagalang,

Eduardo Zulueta

DON GIBSON D. MERCADO
In-Charge, MHS
Hearing Officer



Republic of the Philippines
Province of Marinduque
Municipality of Sta. Cruz
Barangay TAYTAY



ID NO. 000-263



NAME: ZULUETA, EDUARDO F.

PUROK: DOUNGAN

06-27-57
Date of Birth

M
Sex

Eduardo Zulueta
Signature or Thumbmark

Presbitero J. Velasco, Jr.
Provincial Governor



This is to certify that the bearer
whose picture appears in this ID is
a bonafide resident of this
Barangay.

DIOMEDES A. REVILLA
Punong Barangay

Antonio L. Uy, Jr. M.D.
Municipal Mayor

Eduardo Zulueta



**KATITIKAN SA PAGDINIG SA NAHULING SAMPUNG PIRASONG KAHoy NA
GMELINA AT MAHOGANY NA MAY KABUuang SUKAT NA 74. 68 BD.FT. NA NAHULI
NG OPERATIBA NG PNP MPS STA. CRUZ, MARINDUQUE NOON IKA-22 NG ENERO
2022 SA BARANGAY TAYTAY, STA. CRUZ, MARINDUQUE.**

TRANSCRIPT

of the minutes on the hearing taken down by the undersigned on the above-mentioned case

FORESTER I DON GIBSON D. MERCADO

(Acting Hearing Officer/Recorder)

Date of Hearing - Ika- 15 ng Pebrero 2022
Time of Hearing - Ika- 9:20 ng umaga
Place of Hearing - PENRO Office, Boac, Marinduque

APPEARANCES:

Forester I Don Gibson D. Mercado	- Acting Hearing Officer/Recorder
Forester I Bernadine I. Jasul	- Member
Forest Ranger Rica Quennie D. Radovan	- Member
G. Eduardo Fernandez Zulueta	- Alleged perpetrator
Kgd. Reneben P. Portento	- Witness

Hearing Officer : Magandang umaga po sa ating lahat. Ako po si Forester Don Gibson D. Mercado tumatayong hearing officer sa pagpupulong na ito. Kayo po ay aming pinatawag hinggil sa nahuling sampung pirasong kahoy na Gmelina at Mahogany na may kabuuang sukat na 74. 68 bd.ft. na nahuli ng operatiba ng PNP MPS Sta. Cruz, Marinduque noon ika-22 ng Enero 2022 sa barangay Taytay, Sta. Cruz, Marinduque. Sang-ayon po sa DAO No. 97-32 ang ganito pong *Administrative Hearing* o pagdinig ay isinasagawa upang malaman ang kabuuang katotohanan dito.

Sa ilalim po ng ating Saligang Batas, kayo po ay may kalayaang pumili ng inyong tagapagtanggol o testigo upang magpahayag ng inyong panig o kaya naman ay may kalayaan na sagutin o hindi ang mga tanong kung inaakala ninyo na ito ay maaaring gamitin laban sa inyo. Alam nyo po ba ang karapatan ninyong ito at nais nyo po bang ipagpatuloy ang pagdinig namin sa inyo.

Sagot : Opo.

Hearing Officer : Maluwag po ba sa inyong kalooban para mapasailalim sa aming pagdinig ngayon bilang pagtugon sa pinaiiral na patakaran ng aming ahensiya.

Sagot : Opo

Hearing Officer : Maaari po bang sabihin sa harap ng *Administrative Hearing* na ito ang mga bagay-bagay na mapagkakakilanlan ukol sa inyong pagkatao?

Sagot : Ako po si G. Eduardo Zulueta, 62 taong gulang, balo at naninirahan sa Barangay Taytay, Sta. Cruz, Marinduque.

Hearing Officer : Ano po ba ang hanap-buhay ninyo?

Sagot : Mangingisda.

Hearing Officer : Totoo po ba na ikaw ay kasangkot sa nasabing illegal na pagpuputol ng kahoy ng Gmelina at Mahogany sa Brgy. Taytay, Sta. Cruz Marinduque?

Sagot : Opo, ako po ang nagpa powersaw.

Hearing Officer : May nag-utos ba sa inyo upang gawin ito or kayo po mismo ang may ari ng kahoy?

Sagot : Akin po ang kahoy ng pinutol

Hearing Officer : Alam ba ninyo na walang itong kaukulang cutting permit na kinuha sa DENR?

Sagot : Wala po. Ang alam ko po pag nasa lupa naming at kame nagtanim nung kahoy ay pede na naming ipaputol.

Hearing Officer : Ilan po kayo nung ginagawa yung illegal na gawaing nabanggit?

Sagot : Tatlo po.

Hearing Officer : Sino sino po ang mga kasama ninyo?

Sagot : Ako, si Edgardo Palma at Mark Ricafrente.

Hearing Officer : Anu po ang inyong papel nung ginagawa yung illegal na pagpuputol ng kahoy?

Sagot : Ako ang may ari.

Hearing Officer : Kanino ang chainsaw na inyong ginamit at totoo bang ito ay hindi rehistrado sa DENR?

Sagot : Kay Eduardo Palma po. Hindi kopo alam kung may rehistro po.

Hearing Officer : Alam ba barangay ang isinagawa ninyong pagpuputol ng kahoy?

Sagot : Hindi na po ako nag paalam dahil ang alam kopo ay nasa sarili naman naming lupa

Hearing Officer : Sino ang awtoridad na nakahuli sa inyo?

Sagot : Hindi kopo kilala, sabi po nila sila ay pulis.

Hearing Officer : Ilang beses na ninyong ginagawa ang ganitong gawain?

Sagot : Ngayon lamang po.

Hearing Officer : Totoo po ba na kayo ang namilit kay Edgardo Palma na putulin young inyong kahoy?

Sagot : Totoo po.

Hearing Officer : Anu ang balak ninyong gawin sa mga naputol na kahoy?

Sagot : Gagamitin po na pamakuan ng yero sa bubong ng bahay ng anak ko.

Hearing Officer : Hindi po ba kayo nag dalawang isip na gawin ito ng walang permit?

Sagot : Maliit na piraso laang po kasi pandagdag laang sa pamakuan. Talaga laang po nadisgrasya at nahuli.

Hearing Officer : Ngayon ay binibigyan ka namin ng pagkakataon na magbigay ng sarili mong pahayag o saloobin na nais ninyong iparating sa DENR ukol sa pangyayari?

Sagot : Gusto ko na nga rin pong matapos ang mga hearing na ito. Malayo po kasi ang boac sa amin. Abala na din po sa trabaho. Sana po ay matapos na.

Hearing Officer : Nakahanda ka po bang lumagda sa ibaba nito upang patunayan na ang iyong mga sinabi sa pagdinig na ito ay pawang katotohanan at di kayo tinakot o pinilit?

Sagot : Opo.

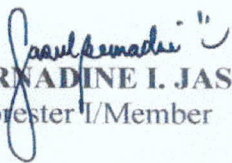
Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Eduardo Fernandez Zulueta at ay tinatapos ngayong ika- 9:40 ng umaga.

Pinanumpaang at nilagdaan ngayong ika-15 ng Pebrero 2022, dito sa PENR Office, Boac, Marinduque.


EDUARDO FERNANDEZ ZULUETA
 Siniyasat

Sinumpaang at nilagdaan sa harap namin ngayong ika-15 ng Pebrero 2022, dito sa PENR Office, Boac, Marinduque.


DON GIBSON D. MERCADO
 Acting Hearing Officer/Recorder


BERNADINE I. JASUL
 Forester I/Member


RICA QUENNIE D. RADOVAN
 Forest Ranger/Member

Mga Saksi: Kgd. Reneben P. Portento

/hearing doc.

Capitol Compound, Bangbangalon, Boac, Marinduque
 (042) 332-1490/ 332-1913



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

08 Pebrero 2022

G. MARK RICAFFRENTE ALVAREZ

Barangay Masaguisi
Santa Cruz, Marinduque

G. Alvarez,

Magandang araw po!

Ito po ay hinggil sa nahuling sampung pirasong kahoy na Gmelina at Mahogany (10) na may kabuoang sukat na 74.48 board feet na nahuli ng operatiba ng PNP-MPS Santa Cruz, Marinduque noong ika- 22 ng Enero sa So. Paang Bundok, Barangay Taytay, Santa Cruz, Marinduque.

Para po sa inyong kaalaman, ang pag-puputol, pamumosisyon at pagbibiyahe ng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland* o *Zona Forestal*, o maging sa mga *Alienable and Disposable land/ Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa “*Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines*” inameyendahan ng PD 1559 at Executive Order No. 277 at may katumbas na kaparusahan.

Base po sa ulat kayo po diumano ang nagmamay ari ng chainsaw na ginamit sa pagpuputol, kung kaya't kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika- **15** ng **Pebrero** 2022 araw ng **Martes** sa ganap na ika-**9:00** ng **umaga** dito sa tanggapan ng DENR PENRO Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng abogado o isang opisyal (Kagawad) o testigo na maari ninyong isama sa nasabing pandinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/license).

Aasahan po naming ang inyong pagdalo para na rin sa ikakalinaw ng usaping ito.

Maraming Salamat po.

Gumagalang,

Feb- 12, 2022

Marivic Palma

DON GIBSON D. MERCADO
In-Charge, MES
Hearing Officer



Republic of the Philippines
Province of Marinduque
Municipality of Sta. Cruz
Barangay MASAGUISI





MARK A. RICAFRENTE

Mark
Signature or Thumbmark

ID NO. 000-141

NAME: RICAFRENTE, MARK A.

PURDOK: RIVERSIDE

6-9-21
Date of Birth

M.
Sex



[Signature]
Presbitero J. Velasco, Jr.
Provincial Governor



MARINDUQUE
100
SENTENARYO

This is to certify that the bearer
whose picture appears in this ID is
a bonafide resident of this
Barangay.

[Signature]
LEONARDO P. PEÑA
Punong Barangay

[Signature]
Antonio L. Uy, Jr. M.D.
Municipal Mayor

Mark



**KATITIKAN SA PAGDINIG SA NAHULING SAMPUNG PIRASONG KAHOY NA
GMELINA AT MAHOGANY NA MAY KABUUNANG SUKAT NA 74.68 BD.FT. NA NAHULI
NG OPERATIBA NG PNP MPS STA. CRUZ, MARINDUQUE NOON IKA-22 NG ENERO
2022 SA BARANGAY TAYTAY, STA. CRUZ, MARINDUQUE.**

TRANSCRIPT

of the minutes on the hearing taken down by the undersigned on the above-mentioned case

FORESTER I DON GIBSON D. MERCADO

(Acting Hearing Officer/Recorder)

Date of Hearing - Ika- 15 ng Pebrero 2022
Time of Hearing - Ika- 9:40 ng umaga
Place of Hearing - PENRO Office, Boac, Marinduque

APPEARANCES:

Forester I Don Gibson D. Mercado	- Acting Hearing Officer/Recorder
Forester I Bernadine I. Jasul	- Member
Forest Ranger Rica Quennie D. Radovan	- Member
G. Mark Alvarez Ricafrente	- Alleged perpetrator
Kgd. Reneben P. Portento	- Witness

mark
Grade
Hearing Officer : Magandang umaga po sa ating lahat. Ako po si Forester Don Gibson D. Mercado tumatayong hearing officer sa pagpupulong na ito. Kayo po ay aming pinatawag hinggil sa nahuling sampung pirasong kahoy na Gmelina at Mahogany na may kabuuang sukat na 74.68 bd.ft. na nahuli ng operatiba ng PNP MPS Sta. Cruz, Marinduque noon ika-22 ng Enero 2022 sa barangay Taytay, Sta. Cruz, Marinduque. Sang-ayon po sa DAO No. 97-32 ang ganito pong *Administrative Hearing* o pagdinig ay isinasagawa upang malaman ang kabuuang katotohanan dito.

Sa ilalim po ng ating Saligang Batas, kayo po ay may kalayaang pumili ng inyong tagapagtanggol o testigo upang magpahayag ng inyong panig o kaya naman ay may kalayaan na sagutin o hindi ang mga tanong kung inaakala ninyo na ito ay maaaring gamitin laban sa inyo. Alam nyo po ba ang karapatan ninyong ito at nais nyo po bang ipagpatuloy ang pagdinig namin sa inyo.

Sagot : Opo.

Hearing Officer : Maluwag po ba sa inyong kalooban para mapasailalim sa aming pagdinig ngayon bilang pagtugon sa pinairal na patakaran ng aming ahensiya?

Sagot : Opo

Hearing Officer : Maaari po bang sabihin sa harap ng *Administrative Hearing* na ito ang mga bagay-bagay na mapagkakakilanlan ukol sa inyong pagkatao?

Sagot : Ako po si G. Mark Alvarez Ricafrente, 19 taong gulang, walang asawa at naninirahan sa Barangay Masaguisi, Sta. Cruz, Marinduque.

Hearing Officer : Ano po ba ang hanap-buhay ninyo?
 Sagot : Mangingisda.
 Hearing Officer : Totoo po ba na ikaw ay kasangkot sa nasabing illegal na pagpuputol ng kahoy ng Gmelina at Mahogany sa Brgy. Taytay, Sta. Cruz Marinduque?
 Sagot : Opo
 Hearing Officer : May nag-utos ba sa inyo upang gawin ito?
 Sagot : Wala po.
 Hearing Officer : Alam ba ninyo na walang itong kaukulang cutting permit na kinuha sa DENR?
 Sagot : Alam kopo na wala.
 Hearing Officer : Ilan po kayo nung ginagawa yung illegal na gawaing nabanggit?
 Sagot : Tatlo po.
 Hearing Officer : Sino sino po ang mga kasama ninyo?
 Sagot : ako po, yung operator at yung matanda po.
 Hearing Officer : Anu po ang inyong papel nung ginagawa yung illegal na pagpuputol ng kahoy?
 Sagot : Ako po ang helper.
 Hearing Officer : Kanino ang chainsaw na inyong ginamit at totoo bang ito ay hindi rehistrado sa DENR?
 Sagot : Kay Edgrado Palma po. Hindi kopo alam kung may rehistro o wala.
 Hearing Officer : Alam ba ninyo na kailangang irehistro ang mga chainsaw sa DENR at iba pang ahensya ng gobyerno kagaya ng PCA?
 Sagot : Opo
 Hearing Officer : Alam ba barangay ang isinagawa ninyong pagpuputol ng kahoy?
 Sagot : Alam po nila.
 Hearing Officer : Sino ang awtoridad na nakahuli sa inyo?
 Sagot : Hindi kopo kilala. Pulis daw po
 Hearing Officer : Ilang beses na ninyong ginagawa ang ganitong Gawain?
 Sagot : First time ko lang po sumama dun.
 Hearing Officer : Hindi po ba kayo nag dalawang isip na gawin ito ng walang permit?
 Sagot : Bale pinilit laang po kame.

Hearing Officer : Ngayon ay binibigyan ka namin ng pagkakataon na magbigay ng sarili mong pahayag o saloobin na nais ninyong iparating sa DENR ukol sa pangyayari?

Sagot : Wala napo akong gusting sabihin.

Hearing Officer : Nakahanda ka po bang lumagda sa ibaba nito upang patunayan na ang iyong mga sinabi sa pagdinig na ito ay pawang katotohanan at di kayo tinakot o pinilit?

Sagot : Opo.

Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Mark Alvarez Ricafrente at ay tinatapos ngayong ika- 9:20 ng umaga.

Pinanumpaan at nilagdaan ngayong ika-15 ng Pebrero 2022, dito sa PENR Office, Boac, Marinduque.

Mark

MARK ALVAREZ RICA FRENTE

Siniyasat

Sinumpaan at nilagdaan sa harap namin ngayong ika-15 ng Pebrero 2022, dito sa PENR Office, Boac, Marinduque.

DON GIBSON D. MERCADO
Acting Hearing Officer/Recorder

Bernadine I. Jasul
BERNADINE I. JASUL
Forester I/Member

Rica Quennie D. Radovan
RICA QUENNIE D. RADOVAN
Forest Ranger/Member

Mga Saksi: Kgd. Reneben P. Portento

/hearing doc.

Capitol Compound, Bangbangalon, Boac, Marinduque
(042) 332-1490/ 332-1913

Attendance

February 15, 2022

Name	Address	Contact No.	Signature
Edgardo Palma	MASAOI	09701837626	Edgardo Palma
RENEBEN P. PORTENTO	DRGH. TAYTAY KAGAWAD	09454935787	RENEBEN P. PORTENTO
Eduardo Zulueta	Taytay SBT		Eduardo Zulueta
Mark A. Ricaprente	mangawisi		mark
BERNADINE J. JACUL	PENR PENRO Marinduque		Bernadine J. Jacul
Don Gibson D. Mercado	"		Don Gibson D. Mercado
Rica Jennie D. Rodoran	"		Rica Jennie D. Rodoran



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

08 Pebrero 2022

G. EDGARDO QUIMORA PALMA

Barangay Masaguishi
Santa Cruz, Marinduque

G. Palma,

Magandang araw po!

Ito po ay hinggil sa nahuling sampung pirasong kahoy na Gmelina at Mahogany (10) na may kabuoang sukat na 74.68 board feet na nahuli ng operatiba ng PNP-MPS Santa Cruz, Marinduque noong ika- 22 ng Enero sa So. Paang Bundok, Barangay Taytay, Santa Cruz, Marinduque.

Para po sa inyong kaalaman, ang pag-puputol, pamumosisyon at pagbibiyaheng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland* o *Zona Forestal*, o maging sa mga *Alienable and Disposable land* Pribadong lupa kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa "*Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines*" inameyendahan ng PD 1559 at Executive Order No. 277 at may katumbas na kaparusahan.

Base po sa ulat kayo po diumano ang katulong sa pagpuputol, kung kaya't kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika- **15** ng **Pebrero** 2022 araw ng **Martes** sa ganap na ika-**9:00** ng **umaga** dito sa tanggapan ng DENR PENRO Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng abogado o isang opisyal (Kagawad) o testigo na maari ninyong isama sa nasabing pandinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/license).

Aasahan po naming ang inyong pagdalo para na rin sa ikakalinaw ng usaping ito.

Maraming Salamat po.

Gumagalang,

DON GIBSON D. MERCADO

In-Charge, MES
Hearing Officer

Feb. 12, 2022

manvil palma



Republic of the Philippines
 Province of Marinduque
 Municipality of Sta. Cruz
 Barangay MASAGUISI





ID NO. 000-113

NAME: PALMA, EDGARDO Q.
PUROK: RIVERSIDE
Date of Birth 08-28-74 **Sex** M

Edgardo Palma
 Signature or Thumbmark

Presbitero J. Velasco, Jr.
 Provincial Governor



This is to certify that the bearer
 whose picture appears in this ID is
 a bonafide resident of this
 Barangay.

LEONARDO P. PENA
 Fuyhong Barangay

Antonio L. Uy, Jr. M.D.
 Municipal Mayor

Edgardo Palma



**KATITTIKAN SA PAGDINIG SA NAHULING SAMPUNG PIRASONG KAHOY NA
GMELINA AT MAHOGANY NA MAY KABUUNANG SUKAT NA 74.68 BD.FT. NA NAHULI
NG OPERATIBA NG PNP MPS STA. CRUZ, MARINDUQUE NOON IKA-22 NG ENERO
2022 SA BARANGAY TAYTAY, STA. CRUZ, MARINDUQUE.**

TRANSCRIPT

of the minutes on the hearing taken down by the undersigned on the above-mentioned case

FORESTER I DON GIBSON D. MERCADO
(Acting Hearing Officer/Recorder)

Date of Hearing - Ika- 15 ng Pebrero 2022
Time of Hearing - Ika- 9:00 ng umaga
Place of Hearing - PENRO Office, Boac, Marinduque

APPEARANCES:

Forester I Don Gibson D. Mercado	- Acting Hearing Officer/Recorder
Forester I Bernadine I. Jasul	- Member
Forest Ranger Rica Quennie D. Radovan	- Member
G. Edgardo Quimora Palma	- Alleged perpetrator
Kgd. Reneben P. Portento	- Witness

Palma
Edgardo
Hearing Officer : Magandang umaga po sa ating lahat. Ako po si Forester Don Gibson D. Mercado tumatayong hearing officer sa pagpupulong na ito. Kayo po ay aming pinatawag hinggil sa nahuling sampung pirasong kahoy na Gmelina at Mahogany na may kabuuang sukat na 74.68 bd.ft. na nahuli ng operatiba ng PNP MPS Sta. Cruz, Marinduque noon ika-22 ng Enero 2022 sa barangay Taytay, Sta. Cruz, Marinduque. Sang-ayon po sa DAO No. 97-32 ang ganito pong *Administrative Hearing* o pagdinig ay isinasagawa upang malaman ang kabuuang katotohanan dito.

Sa ilalim po ng ating Saligang Batas, kayo po ay may kalayaang pumili ng inyong tagapagtanggol o testigo upang magpahayag ng inyong panig o kaya naman ay may kalayaan na sagutin o hindi ang mga tanong kung inaakala ninyo na ito ay maaaring gamitin laban sa inyo. Alam nyo po ba ang karapatan ninyong ito at nais nyo po bang ipagpatuloy ang pagdinig namin sa inyo.

Sagot : Opo.

Hearing Officer : Maluwag po ba sa inyong kalooban para mapasailalim sa aming pagdinig ngayon bilang pagtugon sa pinairal na patakaran ng aming ahensiya?

Sagot : Opo

Hearing Officer : Maaari po bang sabihin sa harap ng *Administrative Hearing* na ito ang mga bagay-bagay na mapagkakakilanlan ukol sa inyong pagkatao?

Sagot : Ako po si G. Edgardo Palma, 47 taong gulang, may asawa at naninirahan sa Barangay Masaguisi, Sta. Cruz, Marinduque.

Hearing Officer : Ano po ba ang hanap-buhay ninyo?

Sagot : Mangingisda at dating operator ng powersaw.

Hearing Officer : Totoo po ba na ikaw ay kasangkot sa nasabing illegal na pagpuputol ng kahoy ng Gmelina at Mahogany sa Brgy. Taytay, Sta. Cruz Marinduque?

Sagot : Opo

Hearing Officer : May nag-utos ba sa inyo upang gawin ito?

Sagot : Inakit po ako nung may ari ng kahoy na si Eduardo Zulueta.

Hearing Officer : Alam ba ninyo na walang itong kaukulang cutting permit na kinuha sa DENR?

Sagot : Sa barangay laang po ang permit na meron sya.

Hearing Officer : Ilan po kayo nung ginagawa yung illegal na gawaing nabanggit?

Sagot : Tatlo po.

Hearing Officer : Sino sino po ang mga kasama ninyo?

Sagot : Ako po, Eduardo Zulueta at Mark Ricafrente.

Hearing Officer : Anu po ang inyong papel nung ginagawa yung illegal na pagpuputol ng kahoy?

Sagot : Ako ang operator ng Powersaw.

Hearing Officer : Kanino ang chainsaw na inyong ginamit at totoo bang ito ay hindi rehistrado sa DENR?

Sagot : Sa akin po yung chainsaw. Wala poi tong rehistro sa DENR, meron po sa PCA ngunit expired na.

Hearing Officer : Alam ba ninyo na kailangang irehistro ang mga chainsaw sa DENR at iba pang ahensya ng gobyerno kagaya ng PCA?

Sagot : Opo

Hearing Officer : Alam ba barangay ang isinagawa ninyong pagpuputol ng kahoy?

Sagot : Ang alam kopo ay nagpa alam po yung may ari sa barangay.

Hearing Officer : Sino ang awtoridad na nakahuli sa inyo?

Sagot : Pulis po ng Sta. Cruz

Hearing Officer : Ilang beses na ninyong ginagawa ang ganitong Gawain?

Sagot : Ngayon lamang po. Napilitan lang po ako dahil makulit ang may ari ng kahoy.

Hearing Officer : Anu ang balak ninyong gawin sa mga naputol na kahoy?

Sagot : Gagamitin daw pong pamakuaan ng yero sa bubong ng bahay.

Hearing Officer : Hindi po ba kayo nag dalawang isip na gawin ito ng walang permit?

Sagot : Sa totoo lamang po ay ilang beses po akong kinulit ng may-ari. Bale parang tinulungan ko nalang po sya dahil kailangang kailangan na daw po ng may ari yung kahoy.

Hearing Officer : Ngayon ay binibigyan ka namin ng pagkakataon na magbigay ng sarili mong pahayag o saloobin na nais ninyong iparating sa DENR ukol sa pangyayari?

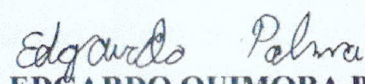
Sagot sa batas. : Ako po ay aminado na lumabag sa batas at alam kopo na ginawa ay labag

Hearing Officer : Nakahanda ka po bang lumagda sa ibaba nito upang patunayan na ang iyong mga sinabi sa pagdinig na ito ay pawang katotohanan at di kayo tinakot o pinilit?

Sagot : Opo.

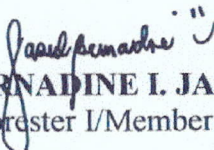
Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Edgardo Quimora Palma at ay tinatapos ngayong ika- 9:20 ng umaga.

Pinanumpaan at nilagdaan ngayong ika-15 ng Pebrero 2022, dito sa PENR Office, Boac, Marinduque.


EDGARDO QUIMORA PALMA
 Siniyasat

Sinumpaan at nilagdaan sa harap namin ngayong ika-15 ng Pebrero 2022, dito sa PENR Office, Boac, Marinduque.


DON GIBSON D. MERCADO
 Acting Hearing Officer/Recorder


BERNADINE I. JASUL
 Forester I/Member


RICA QUENNIE D. RADOVAN
 Forest Ranger/Member

Mga Saksi: Kgd. Reneben P. Portento

/hearing doc.

Capitol Compound, Bangbangalon, Boac, Marinduque
 (042) 332-1490/ 332-1913

Attendance

February 15, 2022

Name	Address	Contact No.	Signature
Edgardo Palma	MASACI	09701837626	Edgardo Palma
RENEBEN P. PORTENTO	BRGY. TAYTAY KALAWAN	09454935787	RENEBEN P. PORTENTO
Eduardo Zulueta	Taytay SET		Zulueta
Mark A. Ricaprente	magagnisi		mark
BERNADINE J. JASUL	PENR PENRO Marinduque		Bernadine J. Jasul
Don Gibson D. Mercado	"		Don Gibson D. Mercado
Rica Jennie D. Rodoran	"		Rica Jennie D. Rodoran



Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Boac, Marinduque

CERTIFICATION

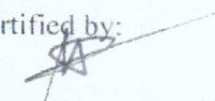
TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that based on records of this Office, the names **EDUARDO FERNANDEZ ZULUETA, EDGARDO QUIMORA PALMA and MARK ALVAREZ RICAFFRENTE**, residents of Sta.Cruz, Marinduque has not been issued any tree cutting permits.

This certification is issued upon request of **Chief Investigator PSMS VELMOR R. PERNIA** for whatever lawful purpose it may deem served.

Issued this 24th day of January 2022 at DENR-PENRO, Boac, Marinduque.

Certified by:


MANOEL CHRISTIAN S. MUNAR
Records Officer I

RECEIVED BY: PCPL MARVIN NANI
1-24-2022



Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Boac, Marinduque

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that based on records of this Office, the names **EDUARDO FERNANDEZ ZULUETA, EDGARDO QUIMORA PALMA and MARK ALVAREZ RICAFFRENTE**, residents of Sta.Cruz, Marinduque has not been issued certificates of chainsaw registrations.

This certification is issued upon request of **Chief Investigator PSMS VELMOR R. PERNIA** for whatever lawful purpose it may deem served.

Issued this 24th day of January 2022 at DENR-PENRO, Boac, Marinduque.

Certified by:

MANOEL CHRISTIAN S. MUNAR
Records Officer I

RECEIVED BY: PCPL
1-24-2022

ANNEX "H"



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
SANTA CRUZ MUNICIPAL POLICE STATION
Santa Cruz, Marinduque
Email: stacruzmps_4b@yahoo.com



January 24, 2022

The Provincial Chief

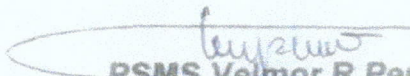
DENR
Boac, Marinduque

Dear Sir/Madam:

May we request your good office to furnish us Certification or photocopy of applied **PERMIT TO CUT** of Gemilina and Mahogany tree situated at Sitio Paang Bundok, Brgy Taytay, Santa Cruz, Marinduque (if there is any) of **Eduardo Fernandez Zulueta**, 62 years old, widow, jobless and resident of Brgy. Taytay, Sta Cruz, Marinduque (**owner of the sawn lumber**), **Edgardo Quimora Palma**, 47 years old, married, fisherman, (**chainsaw operator**); **Mark Alvarez Ricafrente**, 19 years old, single, fisherman (**helper**) and both residents of Brgy. Masaguisi, Sta Cruz, Marinduque.

Said certification will be use for filing of criminal case if the respondent failed to acquire said permit.

Thank you very much and we are looking for a positive response in this regard.


PSMS Velmor R. Pernia
Chief Investigator

ANNEX "H"



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
SANTA CRUZ MUNICIPAL POLICE STATION
Santa Cruz, Marinduque
Email: stacruzmps_4b@yahoo.com



January 24, 2022

The Provincial Chief

DENR

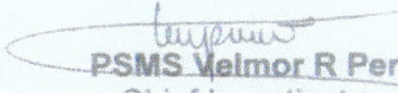
Boac, Marinduque

Dear Sir/Madam:

May we request your good office to furnish us Certification or photocopy of applied **CHAINSAW REGISTRATION** of chainsaw owned and operated by **Edgardo Quimora Palma**, 47 years old, married, fisherman, (**chainsaw operator**) and resident of Brgy. Masaguisi, Sta Cruz, Marinduque intercepted by personnel of this unit at Sitio Paang Bundok, Brgy Taytay, Santa Cruz, Marinduque (if there is any) together with **Eduardo Fernandez Zulueta**, 62 years old, widow, jobless and resident of Brgy. Taytay, Sta Cruz, Marinduque (**owner of the sawn lumber**) and **Mark Alvarez Ricafrente**, 19 years old, single, fisherman (**helper**) and resident of Brgy. Masaguisi, Sta Cruz, Marinduque.

Said certification will be use for filing of criminal case if the respondent failed to acquire said permit.

Thank you very much and we are looking for a positive response in this regard.


PSMS Velmor R Pernia
Chief Investigator



January 24, 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division

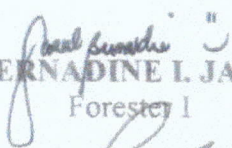
FROM : For. I Bernadine I. Jasul
For. I Don Gibson M. Mercado
FR Florante Fandialan Jr.
FR Jonathan Telan

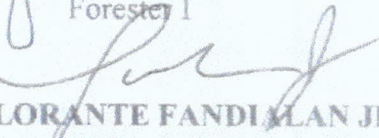
SUBJECT : REPORT ON THE TURN-OVER OF TWO (2) PIECES MAHOGANY LUMBER WITH A TOTAL OF 13.34 BOARD FEET AND EIGHT (8) GMELINA LUMBER WITH A TOTAL VOLUME OF 61.34 BOARD FEET WHICH WAS APPREHENDED BY PNP-MPS OF STA. CRUZ, MARINDUQUE AT SO. PAANG BUNDOK, BRGY. TAYTAY SANTA CRUZ MARINDUQUE ON JANUARY 22, 2022

Please be informed that on January 24, 2022 the undersigned personnel of Monitoring and Enforcement Section assisted on the turn-over of apprehended forest products which was delivered by PSMS Velmor R. Pernia of PNP-MPS Santa Cruz, Marinduque to this Office. The said apprehended forest products was scaled and documented which results to two (2) Mahogany lumber with a total of 13.34 board feet and eight (8) Gmelina lumber with a total of 61.34 board feet. The said undocumented forest products was put at DENR PENRO Marinduque lumber shed at Barangay Bangbangalon, Boac Marinduque for safe keeping and placed under the custody of For. I Don Gibson M. Mercado while Administrative Confiscation Proceedings (ACP) is undertaken by this Office.

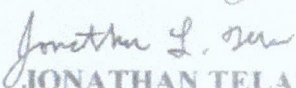
Attached is the geo-tagged photos.

For his information and record.


BERNADINE I. JASUL
Forester I


FLORANTE FANDIALAN JR.
Forest Ranger


DON GIBSON M. MERCADO
Forester I


JONATHAN TELAN
Forest Ranger



Geo-tagged photos during the turn-over of apprehended forest products particularly two (2) Mahogany lumber and (8) pieces Gmelina lumber with a total volume of 74.68 board feet by PNP-MPS of Santa Cruz, Marinduque to DENR PENRO Marinduque

1/4

ANNEX "J"



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
SANTA CRUZ MUNICIPAL POLICE STATION
Santa Cruz, Marinduque
Email: stacruzmps_4b@yahoo.com

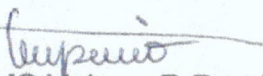


TURNED OVER RECEIPT

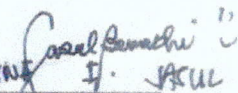
THIS IS TO CERTIFY that the following items wherein intercepted by Personnel of Sta Cruz Municipal Police Station at Sitio Paang Bundok, Brgy Taytay, Sta Cruz, Marinduque and the suspects were identified as : **Edgardo Quimora Palma**, 47 years old, married, fisherman, (powersaw operator) **Mark Alvarez Ricafrente**, 19 years old, single, fisherman(helper) and both residents of Brgy. Masaguisi, Sta Cruz, Marinduque and **Eduardo Fernandez Zulueta**, 62 years old, widow, jobless and resident of Brgy. Taytay, Sta Cruz, Marinduque (owner of the sawn lumber), described below were turned over to the DENR Office for proper disposition on January 24, 2022.

No.	DESCRIPTION	Quantity
1	Gemilina Sawn Lumber 2x4x10	2 pcs
2	Gemilina Sawn Lumber 2x3x16	6 pcs
3	Mahogany Sawn Lumber 2x4x10	2 pcs
	-Nothing Follows-	

Turned-over by:


PSMS Velmor R Pernia
Chief Investigator
Date : January 24, 2022

Received by:


Name : BERNADINE I. JACUL
Designation: FORESTER I
Date/Time: January 24, 2022

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PROSECUTOR
Borac, Marinduque

PEOPLE OF THE PHILIPPINES
Plaintiff

CRIMINAL CASE NO. _____

For
Viol of PD 705

Edgardo Quimora Palma
Mark Alvarez Ricafrente
Eduardo Fernandez Zulueta

Accused

JOINT JUDICIAL AFFIDAVIT

Ang nagre-reklamo ay sina **PCpl Raymond S Pestaño, Pat Arnold R Pelobello**
at **Pat Words Warren N Mascariñas**, may mga sapat na taong gulang, at nakatalaga
sa Santa Cruz Municipal Police Station Sta Cruz Marinduque

Sila ay sumasagot sa mga tanong na tinatanong sa kanila sa saatang nanintindihan
at napunawaan nila. At alam nila sa kanilang sarili at pagkakaunawa na itong
pagre-reklamo nila ay saklaw ng isang panunumpa, na kung sakaling mapatunayan na
sila ay nagsisimungaling ay mahaharap sila sa kasong kriminal na di pagsasabi ng totoo
o perjury.

Ang pulis na nagsagawa at namahala ng pagtatanong sa mga nagre-reklamang
sina **PCpl Raymond S Pestaño, Pat Arnold R Pelobello** at **Pat Words Warren N**
Mascariñas ay si **PSMS Velmor R Pernia**, isang pulis na nakatalaga sa Investigation
Section at ang isinagawang pagtatanong ay ginanap sa Santa Cruz Municipal Police
Station.

PURPOSES:

1. Magsampa ng reklamo sa Hukuman
2. Patotohanan ang reklamo sa hukuman sa kasing paglabag sa PD 705

Mga tanong na tinanong ni **PSMS Velmor R Pernia** imbestigador sa harap ni **PCpl Marvin**
M Nansa at ang mga sagot na ibinigay nina **PCpl Raymond S Pestaño, Pat Arnold R**
Pelobello at **Pat Words Warren N Mascariñas**.

Q 1. Bakit kayo nandito sa loob ng silid siyasatan ng Himpilan ng Pulisya ng Santa Cruz,
Marinduque at nagbibigay ng kusang loob na salaysay?

A. 1. Gusto po naming magsampa ng demanda sa Hukuman laban kina **Edgardo**
Quimora Palma, 47 taong gulang, may-asawa, mangingisda (chainsaw operator),
Mark Alvarez Ricafrente, 19 taong gulang, binata, mangingisda (helper) pawang
nga nakatira sa Brgy Masaguisi, Sta Cruz, Marinduque at **Eduardo Fernandez**
Zulueta, 62 taong gulang, bala, walang trabaho (owner of the sawn lumber) nakatira
sa Brgy Taytay, Sta Cruz, Marinduque, dahilan sa ginawa nilang paglabag sa PD 705.

Q 2. Kailan, saan at anong oras naganap itong sinasabi ninyong pangyayari?

A. 2. Kanina po petsa 22 ng Enero 2022 oras humigit kumulang ika- 9:55 ng umaga doon
sa Sibong Paang Bundok, Brgy Taytay, Sta Cruz, Marinduque.

Q 3. Maaari mo bang isalaysay ang buong pangyayari kung paano naganap itong
paglabag sa batas nina **Edgardo Quimora Palma** (chainsaw operator), **Mark Alvarez**
Ricafrente, (helper) at **Eduardo Fernandez Zulueta** (owner of the sawn lumber)?

SA KATUNAYAN NG LAHAT, ako ay sumagot ng akong pangalan sa ibaba nito ngayong 22 ng Enero 2022 dito sa Santa Cruz, Marikina.


PCpt Raymond S. Pestano
Nagsalaysay


Pst Arnold P. Pristello
Nagsalaysay


Pst Zinedin Marden N. Mascarnhas
Nagsalaysay

SWORN ATTESTATION

Na ang nakalagda sa tala ay walang tatalid ng anumang ay nalathala at isinagulat ang pagtatanggap sa mga nagreklamo kung saan ang mga isinagot ay kanya. Sinasalathala din sa sagot na ibinigay ng mga nagreklamo.

Na walang ibang tao at maging ang nakalagda sa tala na mga pakikanganti sa oras ng pagtatanggap ang nagbigay ng sagot o sinabi ang dapat sagot ng mga nagreklamo sa mga tanong ng nakalagda.


PSMS Valmor R. Perma
Investigator

SUBSCRIBED AND SWORN before me this 22nd day of January 2022 at Santa Cruz, Marikina.


PMAJ DENNIS R. MAURICIO
Administering Officer
Pursuant to Section 50 of RA 6975



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

ON- SITE RECORD

Upon thorough inspection, there are indications of violations of forestry laws, rules and regulations and therefore, a probable cause exist an apprehension. Henceforth, the following on-site records have been taken.

1. Place, date and time of apprehension:

The apprehension was undertaken at Sto. Poang Bundok, Brgy. Taytay, Sta. Cruz Marinduque on January 22 2022 at 9:55 o'clock in the morning.

2. Name, signature, addresses and Community Tax Certificates of persons apprehended.

Name/ Signature	Address	Community Tax Certificate		
		Number	Date Issued	Place Issued
Edgardo Quimora Palma	Brgy. Macaguisi Sta Cruz, Marinduque			
Mark Ricafrek Alvarez				
Eduardo Fernandez Zulueta	Brgy. Taytay Sta. Cruz, Marinduque			

3. Quantities and description of items apprehended.

Quantities	Items	Descriptions
2 pcs/13.34bd-ft.	Mahogany	Lumber
8 pcs./41.34 bd-ft.	Gmelina	Lumber

January 22 2022

Place and Date Issuance

1. Patrol Man words warren Mascariñas
2. Patrol Man Arnold R. Pelobello
- 3.

Apprehending Officer

WITNESSES:

FR Florante G. Fandialan [Signature]
FR Jonathan Telan [Signature]

Note: In case of refusal to sign, indicate here the fact or circumstances and reasons, if any, or such refusal in their presence as proof of action.



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

ON-SITE REPORT

1. Place, date and time of apprehension.

The apprehension was undertaken at So. Poang Bundok, Bgy. Talyay, Sta Cruz, Marinduque on January 22, 2022 at 9:55 o'clock in the morning.

2. Name and address of Apprehending Officers.

Names	Address
Patrol Man words Warren Mascariñas Patrol Man Arnold R. Pelobello	PNP-MPS / Sta. Cruz Marinduque

3. Names and addresses of individuals/ officials assisted and witnessed the apprehension.

Names	Address

4. Circumstances that led to the apprehension (such as actual delivery of the item, spot check by monitoring base, intelligence report, etc.)

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5. Quantities and description of items apprehended.

Quantities	Items	Description
2 pcs. / 13.34 bd.ft.	Mahogany	Lumber
8 pcs. / 61.34 bd.ft.	Gmelina	Lumber

6. Place, time and date of origin and intended destinations, consignors and consignee of items apprehended.

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7. Nature of offense cited.

Sec. 68 of PD 705 as amended by E.O 277

8. Other date, comments and recommendations.

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Apprehending Officer/s:

Patrol Man words Warren Mascariñas

Patrol Man Arnold R. Pelobello



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

ON THE SPOT REPORT

The following items described below were apprehended at 6. Paang Bundok, Brgy. Tagtay, Sta. Cruz Marinduque on January 22, 2022 at around 9:55 in the morning the personnel/elements of PNP-MPS Sta. Cruz Marinduque for violation of forestry laws, rules and regulations.

1. Quantities and description of items apprehended:

Quantities	Items	Descriptions
2 pcs. / 19.34 bd.ft.	Mahogany	Lumber
8 pcs. / 61.94 bd.ft.	Gmelina	

2. Nature of Offense (Please checked)

- ☒ Without the requisite authorization or permit.
☐ With incomplete required supporting documents.
☐ With genuine authorization or permits and/ or supporting documents that have an expired validity, have been cancelled or that contain forged entries.
☐ With spurious (fake) authorizations, permits and / or supporting documents.

3. Names of apprehended persons

Names	Signature
Edgardo Quimora Palma	<u>Edgardo Palma</u>
Mark Ricafrente Alvarez	<u>Mark</u>
Eduardo Fernandez Zulueta	<u>Eduardo Zulueta</u>

Place and Date Issuance
Patrol Man Wardo Warren Mascariñas

Apprehending Officer (s)
Patrol Man Arnold R. Pelobello

FR Florante G. Fendialan

WITNESSES
FR Jonathan G. Tela

Note: (Should the apprehended persons refused to sign or acknowledge in writing his receipt of the Apprehension Receipt or refused to take delivery thereof, such fact shall be stated hereof with an explanation thereof).



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

APPREHENSION RECEIPT

CENRO Control No. :
E-FMS No.

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Date of Birth/ Age	Participation	Status of the Person
Edgardo Q. Palma	Brgy. Masaguisi Sta. Marinduque	Married	08-28-1974	owner	
Mark A. Alvarez	Brgy. Masaguisi Sta. Marinduque	Single	06-9-2001	Helper	
Edwardo Zuleta	Brgy. Taytay Sta. Cruz Marinduque	widow	06-27-1959	owner	

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	Vol./Unit Of Measurements	Estimated Value	Impounding Area	Custodian
Lumber				Mahogany	2	13.34 bd.ft.	Php 783.7	DENR PENRO	For. 1
Lumber				Gmelina	8	61.34 bd.ft.	Php 3,373.7	Marinduque Lumberyard	Don Gibson Mercado

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

CONVEYANCE INVOLVED					
Type	Make/ Model/ Year	Plate No.	Color/ Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A



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CONVEYANCE INVOLVED (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian
N/A	N/A	N/A	N/A

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A		

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

Implements Involved			
Type	Quantity	Details	Custodian

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

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Legal Basis for Apprehension
	Province	City/ Municipality	Barangay	Sitio		
January 24, 2022	Marinduque	Sta. Cruz	Brgy. Taytay	St. Paang	Patrol Man w/ords warren Mascariñas Arnold R. Felobello	Sec. 68 of PD 705 as amended by E.O. No. 277

Apprehension was done under the following circumstances:

- E.g., person involved was transporting forest product but unable to show permit or valid authorization
-
-
-



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

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 Secretary of the Department of Environment and Natural Resources or his duly authorized representative\.

Done this 22 day of January year 2022 at _____.

APPREHENDING OFFICER
(Signature over Printed Name)

1. Words Warren Mascariñas
Position: Patrol man
Address: PNP-MPS Sta. Cruz Marinduque

3. Arnold R. Pelobello
Position: Patrol Man
Address: PNP-MPS Sta. Cruz Marinduque

2. _____
Position: _____
Address: _____

4. _____
Position: _____
Address: _____

FR Florante G. Fandiolan

WITNESSES: Jonathan L. Telan
FR Jonathan Telan

Copy Received by:

Signature over Printed Name

Date/ Time

Remarks:



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

SEIZURE ORDER

CENRO Control No. :
E-FMS No.

Pursuant to the provision of P.D 705 as amended by E.O No. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following forest products are hereby ordered seized, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Vol./Unit Of Measure ments	Estimated Value	Impounding Area	Custodian
Lumber				Mahogany	2	13.94 bd. ft.	Php 783.7	DENR PENRO	For. I
Lumber				Gmelina	8	61.34 bd. ft.	Php 3,373.3	Marinduque lumberyard	Don Gibson Merrado

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

CONVEYANCE INVOLVED					
Type	Make/ Model/ Year	Plate No.	Color/ Markings	CR No.	OR No.
N/A	N/A	N/A	N/A	N/A	N/A

CONVEYANCE INVOLVED (Additional Details)				
Engine No.	Chassis No.	Accessories	Custodian	
N/A	N/A	N/A	N/A	



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If Animal					
Kind	Quantity	Gender	Age (Adult/ Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A

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

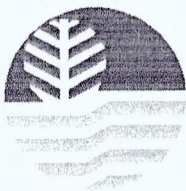
Implements Involved				
Type	Quantity	Details	Custodian	

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

Name	Address	Civil Status	Date of Birth/ Age	Participation	Status of the Person

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

SEIZURE					
Date and Time of Seizure	Place of Seizure				Legal Basis for Seizure
	Province	City/ Municipality	Barangay	Sitio	
January 24, 2022	Marinduque	Sta. Cruz	Brgy. Taytay	So. Paang	Ser. 62 of PD 705 as amended by
					E.O. 277



Republic of Philippines
Department of Environment and Natural Resources
PENRO Marinduque

Examination Conducted by Seizure Officer

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			
Patrol Man Women Mascariñas	January 24, 2022		DENR PENRO
Patrol Man Arnold R. Pelobello			Marinduque

After thorough evaluation of the Apprehension Report dated January 24, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

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

So ordered this 24 day of January, year 2022 at
DENR PENRO Marinduque.


IMELDA M. DIAZ
SEIZURE OFFICER

Copy furnished:



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

SEIZURE RECEIPT

The following items/ articles described below, which were seized and delivered to the undersigned custodian/s by Patrol Man Warren Mascariñas, Arnold R. Pelobello of PNP-MPS Sta. Cruz Marinduque on January 24, 2022 at _____ around _____

Quantities	Items/ Articles	Volume	Description
2 pcs. / 13.34 bd. ft.	Mahogany	13.34 bd. ft.	Lumber
8 pcs.	Gmelina	61.34 bd. ft.	Lumber

Place and Date Issuance: DENR PENRO Marinduque
January 24, 2022

For: Don Gibson Mercado
Name/ Signature of Custodian

WITNESSES

FR Florencio G. Fardialan

FR Jonathan I. Telan

APPREHENDING PERSONS/ OFFICERS

Patrol Man Warren Mascariñas
Name/ Signature

Patrol Man Arnold R. Pelobello
Name/ Signature

Authority: (Item 1, Section 6 of Dept. Administrative Order No. 97-32)

NOTE:

State hereof an explanation in case the custodian or apprehended person/s to sign or acknowledge his receipt (in writing of this receipt, or re-delivery thereof).



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

CUSTODY RECEIPT

I hereby acknowledgement receipt for temporary safekeeping from the apprehending Officers the following items listed below which were apprehended for violation of forest laws, rules and regulation.

Quantities	Items	Descriptions
2 pcs. / 13.34 bd.ft.	Mahogany	Lumber
8 pcs. / 41.34 bd.ft.	Gmelina	Lumber

As temporary custodian thereof, I shall ensure their safety and shall be responsible for their loss of damage while the same are in my possession and shall not deliver or release to anyone except upon order only of the DENR.

DENR PENRO Marinduque / January 24, 2022
Place and Date Issuance

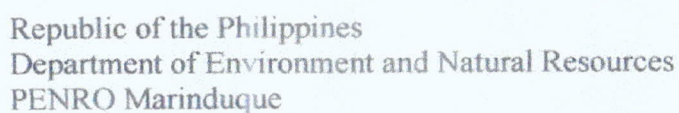
Don Gibson Mercado
Name and Signature of Custodian
Forester I
Designation of Custodian

Patrol Man ~~Ards Warren~~ Mascariñas
Apprehending Officer(s)

Patrol Man Arnold R. Pelobello

FR Florante G. Fondolan
Witnesses

FR Jonathon I. Telo
Jonathon Telo
Witnesses



SCALED BY: Jerameel L. Bronce

NOTED BY: For. 1 Don Gibson by Mercado
In-charge MES