



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



September 21, 2022

MEMORANDUM

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

THRU : The OIC, ARD for Technical Services Division

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : **ADMINISTRATIVE ADJUDICATION OF THE RED TOYOTA INNOVA WITH PLATE NO. DCQ 2327 LOADED WITH 44 SACKS OF CHARCOAL OWNED AND DRIVEN BY MRS. MERCEDITA A. IBÁÑEZ APPREHENDED AT BARANGAY TAGBUROS, PUERTO PRINCESA CITY**

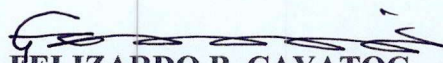
Respectfully forwarded is the memorandum of CENRO Puerto Princesa, Palawan dated September 13, 2022 relative the above subject.

Per memorandum, the apprehension was made on November 26, 2021 at around 7:27 A.M. during a hot pursuit operation when the driver did not stop after flagging down in the checkpoint at Sta. Lourdes Monitoring Station and then the vehicle managed to fully stopped near Toyota Company, along Barangay Tagburos, Puerto Princesa City, Palawan by the personnel of CENRO Puerto Princesa. The team apprehended the Red Toyota Innova with plate number DCQ 2327 loaded with forty-four (44) sacks of wood charcoal without the required permit in violation of Section 77 of PD 705, as amended. The estimated fair market value of vehicle is Php750,000.00 while the charcoal is Php8,800.00.


The apprehended items were brought to CENRO Puerto Princesa for safekeeping under the custody of Forest Ranger Neil James Verzosa. The driver and owner of apprehended vehicle loaded with charcoal is Ms. Mercedita A. Ibañez of Sitio Sta. Fe, Barangay Bacungan, Puerto Princesa City, Palawan.

Notices of hearings were sent to both parties and the hearings were conducted on December 14, 2021, January 25, 2022, March 11, 2022, June 02, 2022 and August 16, 2022 in relation to Section 7 of DAO 1997-32.

We concur with CENRO recommendation for the issuance of confiscation order of the apprehended vehicle and the forest product.


FELIZARDO B. CAYATOC

Copy Furnished
CENRO Puerto Princesa, Palawan
File/2022-005ACG/MES Doc. Ref. No. 2022-8352

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date 23 SEP 2022 CN 22-2473



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

MEMORANDUM

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


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

FROM : The OIC, Community Environment and Natural Resources Officer

SUBJECT : **ADMINISTRATIVE ADJUDICATION OF THE RED TOYOTA INNOVA WITH PLATE NO. DCQ 2327 LOADED WITH 44 SACKS OF CHARCOAL OWNED AND DRIVEN BY MRS. MERCEDITA IBANEZ APPREHENDED AT BRGY. TAGBUROS, PUERTO PRINCESA CITY**

DATE: September 13, 2022

DENR PENRO
PALAWAN RECORDS
RECEIVED

BY: 
DATE: 09-15-2022 22:5352

Respectfully submitted is the summary of Administrative Adjudication of the Red Toyota Innova with plate number DCQ 2327 apprehended by Sta. Lourdes Forest Product Monitoring Station at Brgy. Tagburos, Puerto Princesa City on November 26, 2021.

I. FACTS OF THE CASE

On November 26, 2021 at around 7:27 AM a Red Toyota Innova bearing Plate No. DCQ 2327 was apprehended at Brgy. Tagburos, Puerto Princesa City by the Sta. Lourdes Forest Product Monitoring Station. Prior to the apprehension, there was information from a concerned citizen that a Red Toyota Innova was spotted loading charcoal at Brgy. Lucbuan last November 11, 2021. The information was relayed to the Sta. Lourdes Monitoring Station. Since then, the station was already monitoring the said vehicle. However, the monitoring station was not able to apprehend the said vehicle on that date because it was running so fast when it passed through the checkpoint. On November 26, 2021, the said vehicle was spotted again by the rangers when asked to stop, they did not stop. A hot pursuit was conducted and it was apprehended at Brgy. Tagburos. The alleged driver who happened to be the owner of the vehicle, Ms. Mercedita Ibanez did not immediately stop despite signals of the chasing FPO Mark Andrew Arenas. Instead, she was trying to press off the road the Ranger who was pursuing her. The vehicle only stopped when the ranger was able to overtake her and positioned the motorcycle in front of her vehicle. There she started to slow down and eventually the vehicle came to stop near Toyota Company along Brgy. Tagburos. When the vehicle stopped, FPO Arenas introduced himself as DENR employee and he asked about her loaded cargo. She said it was charcoal. She was asked if she has legal transport documents of the forest products. She could not show any, then the ranger explained to her that transporting charcoal without proper permit was illegal. When asked for an identification card, she does not want to provide and she said that it was the first time she transported charcoal. She was also hesitant to submit herself to apprehension but instead voluntarily drive her vehicle to DENR-CENR Office. She was told that if she will not cooperate, she will be reported to Police Station for blotter since the vehicle plate number was already known. That was the time that she agreed to voluntarily bring her vehicle to CENRO Puerto Princesa compound for proper documentation and preparation of apprehension receipt.



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Tel. Fax No.: (048) 717-0702

During the 1st hearing, the respondent pleaded that she needs a lawyer to assist her in the administrative hearing, hence she did not give her testimony. The apprehending officer Forest Ranger Neil James Verzosa, was the one who gave his testimony to the case. In the testimony of Forest Ranger Verzosa, it was mentioned that Ms. Mercedita Ibañez was the driver of the Toyota Innova and with her was a guy with special needs. Mrs. Mercedita Ybanez said that her companion was a special child.

In the submitted affidavit executed by Mrs. Mercedita Ibañez dated December 29, 2021 duly notarized by Atty. Elgieraydolph Y. Buison, in paragraph three (3), she said that his nephew Christopher Cavite was the one driving the car when it was apprehended. In paragraph 6 she also attests that she has no knowledge and permission regarding the transport of 44 sacks of charcoal by his nephew.

“6. That I am executing this affidavit to attest to all the above facts and to testify that I have no knowledge or permission of whatsoever regarding the transportation of 44 sacks of charcoal by Christopher Cavite using my motor vehicle.”

In an affidavit executed by Forest Protection Officer Andrew Arenas, who was the one who chased the vehicle on November 26, 2021, he identified Mrs. Mercedita Ybanez as the driver of the vehicle. During the time of apprehension and based on documents submitted, she was also the owner of the seized vehicle, which was totally contrary to her stipulations in her notarized affidavit.

On the second hearing, the affiant sent a letter to this office requesting the postponement of the hearing for the reason that she was still collating supporting documents to prove her case.

On February 16, 2022, Mrs. Ibañez submitted a provisional receipt for the purchase of 30 sacks of charcoal from Mr. Dominador Paduga and a transport permit for 20 sacks of charcoal. However, the transport permit she submitted was issued February 4, 2022, and the apprehension happened on November 26, 2021. The transport permit she presented was consigned in the name of Anita Paduga and the vehicle indicated was Toyota-Revo with plate No. VRA-556 not her Toyota Innova.

During the 3rd hearing, on March 11, 2022, there were inconsistencies in her statements. On affidavit she mentioned that she has no knowledge and permission with regards to the transport of 44 sacks of charcoal, however, in her testimony during the hearing as quoted in page 2 of the minutes of the administrative hearing:

“Nung dumaan po kasi kami sa Sta. Lourdes may inovertakan ko yong nagsumbong sa kanila na may uling daw ako.”

On page 4 of the minutes of the administrative hearing:

“Yong iba po Sir kasi forty-four (44) yan lahat yong nabili namin thirty (30). May permit din po yan di lang namin nadala po.”

“Doon na po sa bahay yon kinarga yong trenta (30) hindi po talaga naming nadala yong permit na binigay ni Paduga gawa ng wala naman po kaming alam tungkol sa pagtransfer.”

Statements that did not support the affidavit she executed and did not in any way weaken the testimonies of the Forest Officers who apprehended her on November 26, 2021. In addition, on March 22, 2022, she submitted an affidavit of Mr. Dominador M. Paduga that the



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affiant bought charcoal from him on October 30, November 15, November 25, and December 2021. That was used to prove the legality of the source of her charcoal in support of the receipt she submitted. However, she still does not possess a valid transport permit. Based on records of the transport permits issued to Mr. Dominador Paduga, as shown in the certification, there was no transport permit consigned to Mercedita Ibañez and using the vehicle Toyota Innova DCQ-2327.

Hence, it was decided to set another hearing to shed light on the inconsistencies that was noticed. On the 4th hearing Mrs. Ibañez and Mrs. Paduga attended the hearing. Mrs. Ibañez submitted an affidavit of Mr. Christopher Cavite alleging that he was the driver during the apprehension. However, when the apprehending officer was called FR Neil Verzosa, she was identified as the driver. On the other hand Mrs. Paduga submitted an affidavit of her husband Mr. Dominador Paduga rectifying the previous affidavit dated March 22, 2022 that upon checking his records there was no sale of charcoal to Mrs. Mercedita Ibañez. And that he cannot remember any transaction with her that she mentioned in his previous affidavit.

In the interest of justice and the benefit of the doubt, it was mentioned in the 4th hearing that Mr. Cavite will be called for another hearing to validate his testimonies. Hence, 5th hearing was called on August 16, 2022. Mr. Cavite did not appear instead Mrs. Mercedita appeared together with her daughter Ms. Charlegne Geron. During the hearing, Mrs. Ibañez withdrew her statements in the affidavit she submitted dated December 29, 2021. She admitted that she was the driver during the time that her vehicle was apprehended. That the apprehended charcoal was not coming from Mr., Paduga but from their area in Bacungan. That they submitted various documents with the hope that her vehicle will be granted to be release. They generated that idea in their quest to seek help on how they can lighten the charge against her and be able to seek release of their vehicle.

II. NOTICE OF HEARING

The Notice of Hearings were released as follows:

Hearing	Date Released	Date of Hearing	Remarks
1 st Hearing	December 7, 2021	December 14, 2021	
2 nd Hearing	January 19, 2022	January 25, 2022	Ms. Mercedita Ibañez request for postponement
3 rd Hearing	March 10, 2022	March 11, 2022	
4 th Hearing	May 26, 2022	June 2, 2022	
5 th Hearing	August 4, 2022	August 16, 2021	

III. EVALUATION

Based on the foregoing facts and supporting documents, there is sufficient evidence to prove a violation of Section 77 of Presidential Decree 705 of the Forestry Code of the Philippines.

Section 77 "Cutting, gathering and/or collecting Timber, or other forest products without license- Any person who shall cut, gather, collect, removed timber or other products from any forest land, or timber from alienable or disposable land, or from private land, without any authority, or possess timber or other forest products without legal documents as required under existing forest laws and regulations, shall be punished with the penalties.... "

Holding a valid transport permit not registered in your name and using a different vehicle from what is stipulated in the transport permit, does not in any way legalize the shipment of forest



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products. As per DAO 97-32 Section 44.4 Fraudulent Misrepresentation prejudicial to the Government and No. 5 Conveyance Check:

"In case the violation noted involved the use of conveyance, as herein defined, the seizing officer will announce the apprehension thereof."

Sec. 7. Outline of Procedure for Summary Administrative confiscation.

3. (b) The registered owner and/or operator/driver of a conveyance used in the commission of the offense had full knowledge and willingly participated therein by providing the conveyance for the illegal purpose to which said conveyance was applied.

Based on the testimonies and evidence presented in this case, the owner of the conveyance was also the driver and the one who loaded and transported the charcoal. Hence, her participation in the commission of the offense cannot be denied.

IV. RECOMMENDATION

It is hereby recommended that a confiscation order be issued for the charcoal and the conveyance.




PEDRO A. VELASCO



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
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ANNEXES:

- ANNEX A – Spot Report supported with Geotagged Pictures
- ANNEX B – Apprehension Receipt
- ANNEX C – Notice of Administrative Hearing
- ANNEX D – Seizure Receipt
- ANNEX E – Seizure Order
- ANNEX F – Administrative Hearing Report
- ANNEX G – Minutes of Administrative Hearing with attendance sheet
- ANNEX H – Affidavit/ Sworn Statement of the Apprehending Officer
- ANNEX I – Photocopy of Driver's License
- ANNEX J – Photocopy of OR of the Vehicle
- ANNEX K – Request for postponement of 2nd Hearing
- ANNEX L - Affidavit of Mercedita Ibañez
- ANNEX M – Transport Permit
- ANNEX N – Provisional Receipt of 30 sacks of charcoal-
- ANNEX O – Affidavit of Dominador Paduga dated March 22, 2022
- ANNEX P – Affidavit of Dominador Paduga dated May 30, 2022
- ANNEX Q – Certificate of Issued Transport Permits to Dominador Paduga
- ANNEX R - Affidavit of Christopher Cavite
- ANNEX S – Request of Mercedita Ibañez for copy of Minutes
- ANNEX T – CENRO Reply to the Letter of Ibañez



November 26, 2021

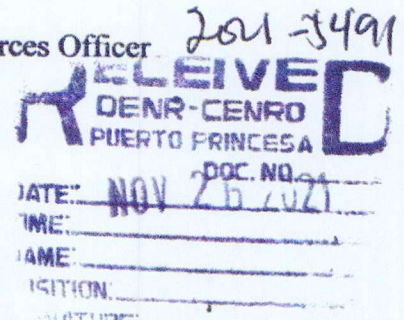
MEMORANDUM

FOR : The Community Environment and Natural Resources Officer
Puerto Princesa City

THRU : Chief, Monitoring and Enforcement Section

FROM : Sta. Lourdes Forest Product Monitoring Station

SUBJECT : **SPOT REPORT RE: APPREHENSION OF INNOVA VAN
LOADED WITH CHARCOAL**



1. **What:** Innova van loaded with 44 sacks of charcoal
2. **Where:** Barangay Sta. Lourdes, Puerto Princesa City.
3. **When:** November 26, 20021 at around 7:27 AM
4. **Who:** Mercedita Ibañez
5. **How/Why:** At around 7:27 a.m. a red Toyota Innova bearing plate number DCQ 2327 was apprehended at Brgy. Sta. Lourdes Monitoring Station. Prior to the apprehension, there was an information that there was a red Innova loading charcoal at Brgy. Lucbuan last November 11, 2021. The information was given to the Sta. Lourdes Station and since then the station was already monitoring the said vehicle. However, the monitoring station was not able to apprehend on the said vehicle on that date because it was running so fast when it pass through the check point. But this morning, the said vehicle was spotted and the monitoring station conducted hot pursuit. The driver and owner of the vehicle Ms. Mercedita Ibañez did not immediately come to stop despite the signals to stop her vehicle, instead she was trying of pressed off the road the ranger who was running after her. The vehicle only stopped when the FPO was able to overtake her and positioned in front of her vehicle, there she started to slow down. The vehicle come to stop near the GSMAXX at Brgy. Tagburos. When the vehicle stopped, it was explained to her that transporting charcoal without proper permit was illegal. When asked for Identification she does not want to provide and she said that it was the first time she transported charcoal. She was also hesitant to submit herself to apprehension and voluntary bring her vehicle to DENR-CENR Office, until she was told that if she will not do it, she will be reported to Police Station for blotter and report her and the plate number of her vehicle. That was the time that she agreed to voluntarily bring her vehicle to CENRO for proper documentation and preparation of apprehension receipt.
6. Attached are geotagged photos


NEIL JAMES D. VERZOSA
Forest Ranger



[Handwritten signature]




CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY, that the above geo-tagged pictures was taken by the undersigned show the apprehended Red Mica Toyota Inova bearing plate No. DCQ 2327 loaded with 44 Sacks of charcoal owned by Ms. Mercedita Ibanez Y. Abela.

Picture taken on November 26, 2021 at DENR-CENRO, Puerto Princesa City.


NOEL V. SUMIDO



R4B CENRO Puerto Princesa <cenropuertoprincesa@denr.gov.ph>

SPOT REPORT RE: APPREHENSION OF INNOVA VAN LOADED WITH CHARCOAL

1 message

R4B CENRO Puerto Princesa <cenropuertoprincesa@denr.gov.ph>

Mon, Dec 6, 2021 at 2:47 PM

To: "enforcement.mimaropa@gmail.com" <enforcement.mimaropa@gmail.com>, R4B PENRO Palawan
<penropalawan@denr.gov.ph>

Bcc: rodney verian <rodneyverian@gmail.com>

Good day!

Please see attached file and confirm receipt of this email. For your information and reference.

Thank you.

DENR - CENRO PUERTO PRINCESA

PENRO Road, Bgy. Sta. Monica

Puerto Princesa City, 5300 Palawan

Email: cenropuertoprincesa@denr.gov.ph

Tel.No: (048) 433-0660

**A_001969.pdf**
3125K

Barangay Sta. Monica, Puerto Princesa City

APPREHENSION RECEIPT

RO Control No.:
IS No.:

APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Date of Birth/Age	Participation	Status of the Person
Edita Bance y Molina	Co. Sta. Fe, Brgy. Pralongan P. Pal.	Separated	Nov. 27, 1970	Driver & owner of conveyance & forest product	Detained

uant to the provision of P.D. 705 as amended by E.O. 277 and DENR Administrative Order
37-32 for the following Forest Products, Conveyances, Machinery/Equipment, Tool and
aments that have been apprehended to wit:

rest Products

OR FOREST PRODUCTS

Kind	Item	Source/Origin of Forest Products	Species Grouping	Species	Pieces	Volume/ Unit of Measurement	Estimated Value	Impounding Area	Custodian
	N/A								

OR FOREST PRODUCTS

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
Red charcoal	sack	44 sacks	Php 8,800.00	

veyance Involved

Type	Make/Model/Year	Plate No.	Color/Markings	O.R. No.
Diesel	Toyota Innova 2016	DCA 2327	Red Mica Metallic	2098411243

Conveyance Involved (Additional Details)

Engine No.	Chasis No.	Accessories	Custodian
2KD5594676	KUN41570748	-	

If Animal

Kind	Quantity	Gender	Age Adult/Young	Color	Color	Custodian
NA						

Equipment Involved

Type	Quantity	Details	Custodian
N/A			



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

December 07, 2021

NOTICE OF ADMINISTRATIVE ADJUDICATION

NEL JAMES D. VERZOSA
ANDREW B. ARENAS
Apprehending Officers

This is to inform you that on November 26, 2021 our field personnel apprehended one (1) unit of Toyota Innova loaded with forty-four (44) sacks of charcoal at Bgy. Sta. Lourdes without a transport permit issued by the DENR, thus a violation of PD 705 as amended by E.O. 277 Series 1986 and RA 7161.

Pursuant to DENR Administrative Order No. 97-32 the 1st Administrative Hearing is set on December 14, 2021 at exactly 10:00 in the morning at the Community Environment and Natural Resources Office, Bgy. Sta. Monica, Puerto Princesa City.

Non-attendance will mean a waiver of your rights to be heard.

Thank you!

[Signature] 12/10/21
ANDREW

[Signature]
FELIZARDO B. CAYATOC
OIC-CENRO

NO. 6688
DATE 12-7-21
BY *[Signature]*



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

December 07, 2021

NOTICE OF ADMINISTRATIVE ADJUDICATION

MEDECITA IBAÑEZ

So. Sta. Fe, Bgy. Bacungan,
Puerto Princesa City


This is to inform you that on November 26, 2021 our field personnel apprehended one (1) unit of Toyota Innova loaded with forty-four (44) sacks of charcoal at Bgy. Sta. Lourdes without a transport permit issued by the DENR, thus a violation of PD 705 as amended by E.O. 277 Series 1986 and RA 7161.

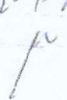
Pursuant to DENR Administrative Order No. 97-32 the 1st Administrative Hearing is set on **December 14, 2021 at exactly 10:00 in the morning at the Community Environment and Natural Resources Office, Bgy. Sta. Monica, Puerto Princesa City.**

Non-attendance will mean a waiver of your rights to be heard.

Thank you!

MEDECITA IBAÑEZ 12/14/21


FELIZARDO B. CAYATOC
OIC-CENRO

REGION IV - MIMAROPA REGION
PUERTO PRINCESA CITY
RECEIVED
NO. 6689
DATE: 12-7-21
BY: 



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

ANNEX"

C2

January 19, 2022

MERCITA IBAÑEZ

So. Sta. Fe By. Bacungan,
Puerto Princesa City

This is to inform you that on November 26, 2021 our field personnel apprehended one (1) unit of Toyota Innova loaded with forty-four (44) sacks of charcoal at Bgy. Sta. Lourdes without a transport permit issued by this office, thus a violation of PD75 as amended by E.O. 277 Series of 1986 and RA 7161.

Pursuant to DENR Administrative Order No 97-32 the 2nd Administrative Hearing is scheduled on January 25, 2022 at exactly 11:00 in the morning at the Community Environment and Natural Resources Office, Bgy. Sta. monica, Puerto Princesa City.

Non-attendance will mean a waiver of your right to be heard.

Thank you!

Very truly yours,

"For and in the absence of the CENRO"

RODNEY G. VERIAN
Forester III/ Chief MES/ ODMO
Officer-In-Charge

DENR MIMAROPA REGION
CENRO PUERTO PRINCESA

RELEASED

NO: 223
DATE: 01-19-22
BY: [Signature]

[Signature]



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

ANNEX" C3

March 09, 2022

3RD NOTICE OF HEARING

MEREDITA A. IBÁÑEZ

So. STa. Fe, Bgy. Bacungan,
Puerto Princesa City

This is to inform you that on November 26, 2021 our field personnel apprehended one (1) unit of Toyota Innova loaded with forty-four (44) sacks of charcoal at Bgy. Sta. Lourdes without a transport permit issued by this office, thus a violation of PD 705 as amended by EO 277 Series of 1986 and RA 7161.

Pursuant to DENR Administrative Order No. 97-32 the 3rd Administrative Hearing is set on March 11, 2022 at exactly 10:00 in the morning at the Community Environment and Natural Resources Office, Bgy. Sta. Monica, Puerto Princesa City.

Non-attendance will mean a waiver of your right to be heard.

Thank you!

Very truly yours,

DENR MIMAROPA REGIONAL
OFFICE - PUERTO PRINCESA

RELEASED

NO: 717
DATE: 3-10-22
BY: [Signature]

[Signature] 3-11-22

[Signature]
PEDRO A. VELASCO
Development Management Officer-IV
OIC-CENRO [Signature]



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

ANNEX"

C4

May 25, 2022

MS. MERCEDITA IBAÑEZ
Brgy. Bacungan, Puerto Princesa City

Ginang Ibañez,


Makakalikasang araw po sa inyo!


Sumulat kami sa inyo upang kayo ay imbitahan sa isa pang pagdinig patungkol sa inyong kasong Administratibo sa opisina ng DENR-CENRO Puerto Princesa. Ito po ay gaganapin sa **ika-1 ng Hunyo, 2022**, sa ganap na **ika-10 ng umaga** sa aming opisina sa PENRO Road, Brgy. Sta. Monica, Puerto Princesa City.


Ito ay gagawin upang malinawan ang ilang detalye sa inyong kaso at mapabilis ang pagresolba rito.

Maraming Salamat at inaasahan namin ang inyong pagdalo.

Ang inyong lingkod,


PEDRO A. VELASCO
Development Management Officer IV
OIC-CENRO

RECEIVED
DENR - MIMAROPA REGION
OFFICE OF THE REGIONAL DIRECTOR
PUERTO PRINCESA CITY
DATE: 22x2
5-22-22
BY: 


Mercedita A. Ibañez

June 2/2022



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

ANNEX"

C5

May 25, 2022

MR. DOMINADOR M. PADUGA
Brgy. San Pedro,
Puerto Princesa City

Ginoong Paduga,


Makakalikasang araw po sa inyo!


Sumulat po kami sa inyo upang kayo ay imbitahan sa isa pagdinig patungkol sa kasong Administratibo ni Mrs. Mercedita A. Ibañez sa opisina ng DENR-CENRO Puerto Princesa. Ito po ay gaganapin sa **ika-2 Hunyo, 2022**, sa ganap na **ika-10 ng umaga** sa aming opisina sa PENRO Road, Brgy. Sta. Monica, Puerto Princesa City.

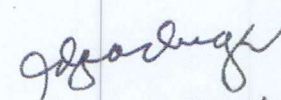
Ito ay gagawin upang mabigyang linaw ang ilang detalye sa isinumiteng ebedensiya na resibo ng pagbili ng uling galling sa inyo at ang inyong affidavit.

Maraming Salamat at inaasahan namin ang inyong padalo.

Ang inyong lingkod,


PEDRO A. VELASCO
Development Management Officer IV
OIC-CENRO


VSJ
5-26-22
w


ASITA D. PADUGA
May 26, 2022



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
South National Highway, Bgy. Sta. Monica, Puerto Princesa City
Email Address: cenroppchuc@yahoo.com
Tel Fax No.: (048) 433-0660

ANNEX 17C6 C4

July 29, 2022

G. CHRISTOPHER CAVITE
Brgy. Bacungan, Puerto Princesa City

Ginoong Cavite,

Makakalikasang araw po sa inyo!!

Nais po naming ipabatid sa inyo na kayo ay iniimbitahan namin sa ika-16th ng Agosto taong kasalukuyan (August 16, 2022) sa ganap na ika-10 ng umaga (10:00 AM) para sa isang administratibong pagdinig, kaugnay sa nahuling apat naput-apat na sakong (44 sacks) uling na karga ng Toyota Innova na may plakang DCQ 2327 na pagmamay-ari ni Gng. Mercedita Ibañez.

Ito ay kaugnay sa affidavit ninyo na isinumite sa aming opisina ni Gng. Mercedita Ibañez noong ika-2 ng Hunyo taong kasalukuyan bilang karagdagang ebedensiya sa nakabinbing kasong adminitratibo sa opisina ng ito.


Inaasahan po namin ang inyong pagdalo upang mabigyang linaw ang ilang katanungan at matapos ang pagdinig sa kasong nabanggit.

Maraming salamat po at inaasahan namin ang inyong pagdalo.

Ang iyong lingkod,


PEDRO A. VELASCO
OIC-CENRO

RELEASED
NO. 2841
DATE: 08-04-22
Jagm


8-12-22



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
South National Highway, Bgy. Sta. Monica, Puerto Princesa City
Email Address: cenroppchuc@yahoo.com
Tel Fax No.: (048) 433-0660

ANNEXⁿ

C7

July 29, 2022

GNG. MERCEDITA IBAÑEZ
Brgy. Bacungan, Puerto Princesa City

Ginoong Ibañez,

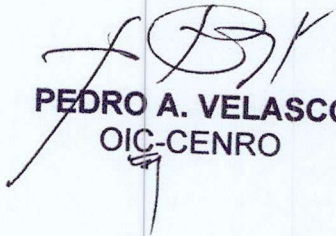
Makakalikasang araw po sa inyo!!

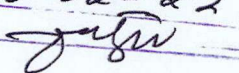
Nais po naming ipabatid sa inyo na kayo ay iniimbitahan namin sa ika-⁹⁰ ng Agosto taong kasalukuyan (*August 16, 2022*) sa ganap na ika-10 ng umaga (*10:00 AM*) para sa isang administratibong pagdinig, kaugnay sa nahuling apat naput-apat na sakong (*44 sacks*) uling na karga ng inyong Toyota Innova na may plakang DCQ 2327.

Inaasahan po namin ang inyong pagdalo upang mabigyang linaw ang ilang katanungan para sa inyong nakabinbin na administratibong kaso dito sa aming opisina.

Maraming salamat po at inaasahan namin ang inyong pagdalo.

Ang iyong lingkod,


PEDRO A. VELASCO
OIC-CENRO

RECEIVED
MIMAROPA REGION
CENRO PUERTO PRINCESA
RELEASED
NO: 2892
DATE: 08-02-22
8-12-2022
V. 

Republic of the Philippines
 Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
 Region IV
 Puerto Princesa City

December 6, 2021

SEIZURE RECEIPT

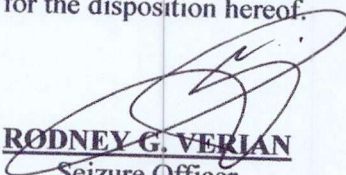
GREETINGS:

Before this Office is the Apprehension Receipt of the apprehending team re: the following forest products and/or machinery/equipment/tools/conveyance used in connection therewith, to wit:

QUANTITY	UNIT	ARTICLE & DESCRIPTION	ESTIMATED VALUE
1	Unit	Toyota Innova (DCQ-2327)	P750,000.00
44	Sacks	Charcoal	P8,800.00

NOTE: The apprehended vehicle is subject for appraisal.

Pursuant to the Provisions of Presidential Decree No. 705 otherwise known as Revised Forestry Code of the Philippines, as amended by Executive Order No. 277 and pursuant further to the recent DENR Administrative Order No. 97-32, Series of 1997 re: Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyance used in connection therewith, the above subject forest products and/or machinery/equipment/tools/conveyance are hereby seized hereof into government custody, pending formal administrative proceedings for the disposition hereof.


RODNEY G. VERIAN
 Seizure Officer



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

ANNEX" E n

SEIZURE ORDER

CENRO Control No: PPAL-CPPC-SO-2022I-003

E-FMS No:

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

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS

Kind	Item	Source/ Origin of Forest Products	Specie Group	Species	Pieces	Volume/ Unit of Measure ment	Estimate Value	Impounding Area	Custo dian
NA							NA		

Minor Forest Products

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
Charcoal	Sacks	44	7,920	DENR-CENRO

Conveyance Involved

Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
Innova Van	Toyota Innova Van/2016	DCQ-2327	RED MICA METALLIC		2098411243

Conveyance Involved (Additional Details)

Engine No.	Chassis No.	Accessories	Custodian*
2KDS594636	KUN415130348	NA	NA

*turned over to the highest officer of the Regional Office concerned if government-owned vehicle.

✓

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

Equipment Involved			
Type	Quantity	Details	Custodian
NA		NA	

Implements Involved			
Type	Quantity	Details	Custodian
NA		NA	

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

Name	Address	Civil Status	Age	Participation	Status of the Person
1. Mercedita Ibanez Y Abella	So. Sta. Fe, Brgy. Bacungan, Puerto Princesa City	Separated	52	Driver and Owner of conveyance and Forest product	RELEASED

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

Date and time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/ Municipality	Barangay	Sitio		
November 26, 2021/7:27AM	Palawan	Puerto Princesa	BGY. STA. LOURDES		Rodney G. Verian	Sec. 77 of PD 705

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Neil James Verzosa	November 26, 2021	7:27AM	BGY. STA. LOURDESS, PPC

After thorough evaluation of the Apprehension Report dated November 26, 2021 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 6th day of December, year 2021 at DENR – CENRO Office, Brgy. Sta. Monica, Puerto Princesa City, Palawan

RODNEY G. VERIAN
Seizure Officer



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
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Tel. Fax No.: (048) 717-0702

ANNEX" F

MEMORANDUM

FOR : The OIC, Community Environment and Natural Resources Officer
FROM : The In-charge, MES, Hearing Officer
SUBJECT : **ADMINISTRATIVE ADJUDICATION OF THE RED TOYOTA INNOVA WITH PLATE NO. DCQ 2327 LOADED WITH 44 SACKS OF CHARCOAL OWNED AND DRIVEN BY MRS. MERCEDITA IBAÑEZ APPREHENDED AT BRGY. TAGBUROS, PUERTO PRINCESA CITY**

DATE: September 9, 2022

Respectfully submitted is the summary of Administrative Adjudication of the Red Toyota Innova with plate number DCQ 2327 apprehended by Sta. Lourdes Forest Product Monitoring Station at Brgy. Tagburos, Puerto Princesa City on November 26, 2021.

I. FACTS OF THE CASE

On November 26, 2021 at around 7:27 AM a Red Toyota Innova bearing Plate No. DCQ 2327 was apprehended at Brgy. Tagburos, Puerto Princesa City by the Sta. Lourdes Forest Product Monitoring Station. Prior to the apprehension, there was information from a concerned citizen that a Red Toyota Innova was spotted loading charcoal at Brgy. Lucbuan last November 11, 2021. The information was relayed to the Sta. Lourdes Monitoring Station. Since then, the station was already monitoring the said vehicle. However, the monitoring station was not able to apprehend the said vehicle on that date because it was running so fast when it passed through the checkpoint. On November 26, 2021, the said vehicle was spotted again by the rangers when asked to stop, they did not stop. A hot pursuit was conducted and it was apprehended at Brgy. Tagburos. The alleged driver who happened to be the owner of the vehicle, Ms. Mercedita Ibañez did not immediately stop despite signals of the chasing FPO Mark Andrew Arenas. Instead, she was trying to press off the road the Ranger who was pursuing her. The vehicle only stopped when the ranger was able to overtake her and positioned the motorcycle in front of her vehicle. There she started to slow down and eventually the vehicle came to stop near Toyota Company along Brgy. Tagburos. When the vehicle stopped, FPO Arenas introduced himself as DENR employee and he asked about her loaded cargo. She said it was charcoal. She was asked if she has legal transport documents of the forest products. She could not show any, then the ranger explained to her that transporting charcoal without proper permit was illegal. When asked for an identification card, she does not want to provide and she said that it was the first time she transported charcoal. She was also hesitant to submit herself to apprehension but instead voluntarily drive her vehicle to DENR-CENR Office. She was told that if she will not cooperate, she will be reported to Police Station for blotter since the vehicle plate number was already known. That was the time that she agreed to voluntarily bring her vehicle to CENRO Puerto Princesa compound for proper documentation and preparation of apprehension receipt.

During the 1st hearing, the respondent pleaded that she needs a lawyer to assist her in the administrative hearing, hence she did not give her testimony. The apprehending officer Forest Ranger Neil James Verzosa, was the one who gave his testimony to the case. In the testimony of Forest Ranger Verzosa, it was mentioned that Ms. Mercedita Ibañez was the driver of the Toyota



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Innova and with her was a guy with special needs. Mrs. Mercedita Ybanez said that her companion was a special child.

In the submitted affidavit executed by Mrs. Mercedita Ibañez dated December 29, 2021 duly notarized by Atty. Elgieraydolph Y. Buison, in paragraph three (3), she said that his nephew Christopher Cavite was the one driving the car when it was apprehended. In paragraph 6 she also attests that she has no knowledge and permission regarding the transport of 44 sacks of charcoal by his nephew.

"6. That I am executing this affidavit to attest to all the above facts and to testify that I have no knowledge or permission of whatsoever regarding the transportation of 44 sacks of charcoal by Christopher Cavite using my motor vehicle."

In an affidavit executed by Forest Protection Officer Andrew Arenas, who was the one who chased the vehicle on November 26, 2021, he identified Mrs. Mercedita Ybanez as the driver of the vehicle. During the time of apprehension and based on documents submitted, she was also the owner of the seized vehicle, which was totally contrary to her stipulations in her notarized affidavit.

On the second hearing, the affiant sent a letter to this office requesting the postponement of the hearing for the reason that she was still collating supporting documents to prove her case.

On February 16, 2022, Mrs. Ibañez submitted a provisional receipt for the purchase of 30 sacks of charcoal from Mr. Dominador Paduga and a transport permit for 20 sacks of charcoal. However, the transport permit she submitted was issued February 4, 2022, and the apprehension happened on November 26, 2021. The transport permit she presented was consigned in the name of Anita Paduga and the vehicle indicated was Toyota-Revo with plate No. VRA-556 not her Toyota Innova.

During the 3rd hearing, on March 11, 2022, there were inconsistencies in her statements. On affidavit she mentioned that she has no knowledge and permission with regards to the transport of 44 sacks of charcoal, however, in her testimony during the hearing as quoted in page 2 of the minutes of the administrative hearing:

"Nung dumaan po kasi kami sa Sta. Lourdes may inovertakan ko yong nagsumbong sa kanila na may uling daw ako."

On page 4 of the minutes of the administrative hearing:

"Yong iba po Sir kasi forty-four (44) yan lahat yong nabili namin thirty (30). May permit din po yan di lang namin nadala po."

"Doon na po sa bahay yon kinarga yong trenta (30) hindi po talaga naming nadala yong permit na binigay ni Paduga gawa ng wala naman po kaming alam tungkol sa pagtransfer."

Statements that did not support the affidavit she executed and did not in any way weaken the testimonies of the Forest Officers who apprehended her on November 26, 2021. In addition, on March 22, 2022, she submitted an affidavit of Mr. Dominador M. Paduga that the affiant bought charcoal from him on October 30, November 15, November 25, and December 2021. That was used to prove the legality of the source of her charcoal in support of the receipt she submitted. However, she still does not possess a valid transport permit. Based on records of the transport permits issued to Mr. Dominador Paduga, as shown in the certification, there was no transport permit consigned to Mercedita Ibañez and using the vehicle Toyota Innova DCQ-2327.



Hence, it was decided to set another hearing to shed light on the inconsistencies that was noticed. On the 4th hearing Mrs. Ibañez and Mrs. Paduga attended the hearing. Mrs. Ibañez submitted an affidavit of Mr. Christopher Cavite alleging that he was the driver during the apprehension. However, when the apprehending officer was called FR Neil Verzosa, she was identified as the driver. On the other hand Mrs. Paduga submitted an affidavit of her husband Mr. Dominador Paduga rectifying the previous affidavit dated March 22, 2022 that upon checking his records there was no sale of charcoal to Mrs. Mercedita Ibañez. And that he cannot remember any transaction with her that she mentioned in his previous affidavit.

In the interest of justice and the benefit of the doubt, it was mentioned in the 4th hearing that Mr. Cavite will be called for another hearing to validate his testimonies. Hence, 5th hearing was called on August 16, 2022. Mr. Cavite did not appear instead Mrs. Mercedita appeared together with her daughter Ms. Charlegne Geron. During the hearing, Mrs. Ibañez withdrew her statements in the affidavit she submitted dated December 29, 2021. She admitted that she was the driver during the time that her vehicle was apprehended. That the apprehended charcoal was not coming from Mr., Paduga but from their area in Bacungan. That they submitted various documents with the hope that her vehicle will be granted to be release. They generated that idea in their quest to seek help on how they can lighten the charge against her and be able to seek release of their vehicle.

II. NOTICE OF HEARING

The Notice of Hearings were released as follows:

Hearing	Date Released	Date of Hearing	Remarks
1 st Hearing	December 7, 2021	December 14, 2021	
2 nd Hearing	January 19, 2022	January 25, 2022	Ms. Mercedita Ibañez request for postponement
3 rd Hearing	March 10, 2022	March 11, 2022	
4 th Hearing	May 26, 2022	June 2, 2022	
5 th Hearing	August 4, 2022	August 16, 2021	

III. EVALUATION

Based on the foregoing facts and supporting documents, there is sufficient evidence to prove a violation of Section 77 of Presidential Decree 705 of the Forestry Code of the Philippines.

Section 77 “Cutting, gathering and/or collecting Timber, or other forest products without license- Any person who shall cut, gather, collect, removed timber or other products from any forest land, or timber from alienable or disposable land, or from private land, without any authority, or possess timber or other forest products without legal documents as required under existing forest laws and regulations, shall be punished with the penalties.... “

Holding a valid transport permit not registered in your name and using a different vehicle from what is stipulated in the transport permit, does not in any way legalize the shipment of forest products. As per DAO 97-32 Section 44.4 Fraudulent Misrepresentation prejudicial to the Government and No. 5 Conveyance Check:

“In case the violation noted involved the use of conveyance, as herein defined, the seizing officer will announce the apprehension thereof.”



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Sec. 7. Outline of Procedure for Summary Administrative confiscation.

3. (b) The registered owner and/or operator/driver of a conveyance used in the commission of the offense had full knowledge and willingly participated therein by providing the conveyance for the illegal purpose to which said conveyance was applied.

Based on the testimonies and evidence presented in this case, the owner of the conveyance was also the driver and the one who loaded and transported the charcoal. Hence, her participation in the commission of the offense cannot be denied.

IV. RECOMMENDATION

It is hereby recommended that a confiscation order be issued for the charcoal and the conveyance.


ARJAY T. GREGAS



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
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ANNEXES:

- ANNEX A – Spot Report supported with Geotagged Pictures
- ANNEX B – Apprehension Receipt
- ANNEX C – Notice of Administrative Hearing
- ANNEX D – Seizure Receipt
- ANNEX E – Seizure Order
- ANNEX F – Administrative Hearing Report
- ANNEX G – Minutes of Administrative Hearing with attendance sheet
- ANNEX H – Affidavit/ Sworn Statement of the Apprehending Officer
- ANNEX I – Photocopy of Driver's License
- ANNEX J – Photocopy of OR of the Vehicle
- ANNEX K – Request for postponement of 2nd Hearing
- ANNEX L - Affidavit of Mercedita Ibañez
- ANNEX M – Transport Permit
- ANNEX N – Provisional Receipt of 30 sacks of charcoal-
- ANNEX O – Affidavit of Dominador Paduga dated March 22, 2022
- ANNEX P – Affidavit of Dominador Paduga dated May 30, 2022
- ANNEX Q – Certificate of Issued Transport Permits to Dominador Paduga
- ANNEX R - Affidavit of Christopher Cavite
- ANNEX S – Request of Mercedita Ibañez for copy of Minutes
- ANNEX T – CENRO Reply to the Letter of Ibañez



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

ANNEX"

G. 1

PEOPLE OF THE PHILIPPINES

*Plaintiff

CENRO Case No. _____

For

-versus-

Violation of Sec. 78 (Formerly Sec. 69) of
P.D. 705 as amended by EO 277 series of
1987 and RA 7161

MERCEDITA IBAÑEZ

*Respondents

1ST ADMINISTRATIVE HEARING

TRANSCRIPT

of the minutes of the 1st Administrative Hearing undertaken on the above-mentioned case on December 14, 2021 at 10:00 A.M. at the Community Environment and Natural Resources Office, Barangay Sta. Monica, Puerto Princesa City.

FORESTER III RODNEY G. VERIAN

Hearing Officer

ERNESSE VICA E. MARCELO

Acting Recorder

Appearances:

- | | | |
|----------------------------|---|----------------------|
| 1. Rodney G. Verian | - | Hearing Officer |
| 2. Mercedita Ibañez | - | Respondent |
| 3. Neil James D. Verzosa | - | Apprehending Officer |
| 4. Ernesse Vica E. Marcelo | - | Acting Recorder |

Hearing Officer:

Ako po si Forester III Rodney G. Verian ang tatayong Hearing Officer sa pagdinig dito sa nahuling Toyota Innova. Ito po ang ating unang pagdinig sa Administratibong aspeto. Kung malaman po namin na merong kriminal na aspeto dito ay pwede natin itaas sa korte ang kasong ito. Ngayon po ay Dcember 14, 2021 ngayon naka-schedule ang ating pagdinig. Nais ko lang din ipaalam na lahat ng sasabihin niyo dito ay pwedeng gamitin pabor o laban sa inyo sa ano mang hukuman na umabot ang kasong ito. Ang pagdinig na ito ay patungkol sa nahuling sasakyan na may lulang mga charcoal o uling na walang kaukulang papels o dokumento para mag biyahe at ito ay nahuli sa Sta. Lourdes, Puerto Princesa City. Ito ay paglabag sa Sec. 78 ng PD 705. Ngayon bago ko kayo hingian ng salaysay ay meron kayong katapatan na kumuha ng abogado para humalili sa inyo. Ikaw Mrs. Mercedita Ibañez bilang nahulihan at may-ari ng nasabing sasakyan, kailangan mo pa ba ng abogado?

Mercedita Ibañez:

Hindi na po, wala pong pera na pang bayad.

Hearing Officer:

Ngayon po kung kayo ay walang pambayad ay pwede kayo pumunta at manghingi ng tulong sa PAO o Public Attorney's Office kung pupwede sila tumulong sa inyo. Para maipalawanag yung inyong karapatan. Maghahanap po ba kayo?



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COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Mercedita Ibañez: Sige po maghahanap nalang po kami.

Hearing Officer: Okay po, for the record kukuha nalang po kayo ng abogado Mrs. Mercedita Ibañez para matulungan siya para sa mga sasabihin niya sa ating Administratibong Pagdinig.

Mercedita Ibañez: Opo.

Hearing Officer: Sige, ngayong mapunta tayo sa apprehending officer si Forest Ranger Neil James Verzosa, sir kailangan niyo pa po ba ng abogado?

Neil James D. Verzosa: Hindi na po, sir.

Hearing Officer: Kung hindi mo na kailangan ng abogado ituloy nalang natin yung first Administrative Hearing. Makinig po kayo ma'am Ibañez kung anong sasabihin niya kasi tatnungan ko siya at magpapaliawang siya ng mga totoong nangyari noong araw na iyon. Maari mo bang ilahad ngayon kung anong pangalan mo, anong partisipasyon po, at kung ano ang iyong trabaho?

Neil James D. Verzosa: Ako po si Neil James Verzosa po sir, Forest Ranger po. Ako po ang Team Leader ng Sta. Lourdes Monitoring Station. Kami rin yung naka-apprehend ng Innova na pula na pagmamay-ari ni Mrs. Ibañez. Nung araw po na iyon yung Friday, November 26, 2021 nakita po yung sasakyan niya na dumaan doon sa station. Bago po nun ay meron na po kaming impormasyon mula sa isang concerned citizen na nakita ang sasakyan ni Ma'am Ibañez na nagkakarga ng uling sa Bacungan so inabangan namin yun pero di namin inabutan nung araw na yun parang mga November 11, 2021 po iyon. Ang nangyari po niyan sir yung Innova na sinasabi ay minomonitor na po doon sa station hanggang sa punto nga po na nung araw ng November 26, 2021 ay na-aktohan po yung sasakyan na dumaan at yun na po yung time na hinabol na po siya ni Andrew Arenas na isang FPO sa aming station. Nakipaghabulan pa siya sa ating FPO at ginigitgit niya. Yung araw na iyon ay inabutan siya at napasama po siya dito sa ating opisina. Dito na rin po ginawa yung pag bilang ng mga kargang uling at mga dokumento na karampatang hanapin at ibigay kay Mrs. Ibañez.

Hearing Officer: Ano yung mga dokumento na ginawa niyo?

Neil James D. Verzosa: Yung seizure receipt po na naglalaman ng detalye na katulad ng sasakyan na nahuli at kung anong laman at yung mga pangalan ng apprehending officers at pangalan ni Mrs. Ibañez at detalye kagaya ng katulad nga na nahuli yung sasakyan na Innova na may kargang apatnapu't-apat (44) na sako ng uling at ito ay itinuturn-over muna sa pangangalaga ng DENR-CENRO.

Hearing Officer: Nung nag-iimbentaryo kayo sinong andoon?

Neil James D. Verzosa: Kasama po namin noon sir si Andrew Arenas yung isang apprehending officer pati po si Forest Ranger Noel Sumido, siya po yung nag dokumentaryo ng pagsusukat po at nagpicture po ng sasakyan at ng mga uling.



Republic of the Philippines
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Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Hearing Officer: Yung may-ari asan?

Neil James D. Verzosa: Andoon din siya sir.

Hearing Officer: Ano pong pangalan ng may-ari?

Neil James D. Verzosa: Mercedita Ibañez po.

Hearing Officer: Nung gumawa ba kayo ng apprehension receipt siya ba ay pumirma?
Nung November 26 yun hindi po ba?

Neil James D. Verzosa: Opo.

Hearing Officer: Sa ngayong asan na yung sasakyan at mga uling?

Neil James D. Verzosa: Ngayon po nakalagak ang mga iyon dito sa DENR-CENRO Puerto Princesa.

Hearing Officer: Ibig sabihin si maám Mercedita yung driver nung sasakyan, wala siyang ibang kasam noong araw na yon?

Neil James D. Verzosa: Opo siya po mismo ang driver ng kanyang sasakyan na puno ng uling. Meron po siyang kasama noon, pero di na po namin sinama sa gawa nga po ng may special needs po yung bata PersonWith Disability (PWD) po kaya hindi na namin sinama sa kaso.

Mercedita Ibañez: Special child po kasi.

Hearing Officer: Nung ginawa niyo lahat ng pag bibilang at pag iinspeksyon pa sa sasakyan andoon din yung may-ari?

Neil James D. Verzosa: Opo andoon naman po sila Maam.

Hearing Officer: Sige, may idadagdag ka pa ba Mr. Neil Verzosa?

Neil James D. Verzosa: Wala na po sir.

Hearing Officer: Kung wala na, maraming salamat sa inyong salaysay. Meron pa po tayong pangalawa (2) at pangatlong (3) hearing asna po ay dumalo si Mr. Andrew sa mga susunod na hearing para magbigay ng kaniyang salaysay. Tinatapos ko na ang pagdinig na ito. Maraming salamat po!

--END--

ERNESSE VICA E. MARCELO
Acting Recorder

NOTED BY:

RODNEY G. VERIAN
Forester III/Hearing Officer



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

December 14, 2021

FIRST ADMINISTRATIVE HEARING OF APPREHENDED ONE (1) UNIT OF TOYOTA INNOVA
LOADED WITH FORTY-FOUR (44) SACKS OF CHARCOAL WITHOUT TRANSPORT PERMIT THUS A
VIOLATION OF PD 705 AS AMENDED BY E.O. 277

ATTENDANCE

NAME	OFFICE/ADDRESS	CONTACT NO.	SIGNATURE
1. Meredith A. Ibañez	Bawingan	09380968234	
2. NEIL JAMES D. VERZOSA	DENR-CENRO	09179396565	
3. Remy Vitor	DENR-CENRO		
4.			
5.			
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14.			

NOTE:



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

ANNEX"

61

PEOPLE OF THE PHILIPPINES

*Plaintiff

CENRO Case No. _____

For

-versus-

Violation of Sec. 78 (Formerly Sec. 69) of
P.D. 705 as amended by EO 277 series of
1987 and RA 7161

MERCEDITA IBAÑEZ

*Respondents

2ND ADMINISTRATIVE HEARING

TRANSCRIPT

of the minutes of the 2nd Administrative Hearing undertaken on the above-mentioned case on January 25, 2022 at the Community Environment and Natural Resources Office, Barangay Sta. Monica, Puerto Princesa City.

FORESTER III RODNEY G. VERIAN

Hearing Officer

ERNESSE VICA E. MARCELO

Acting Recorder

Appearances:

- | | | |
|----------------------------|---|-----------------|
| 1. Rodney G. Verian | - | Hearing Officer |
| 2. Ernesse Vica E. Marcelo | - | Acting Recorder |

Note:

The Respondent failed to attend on the scheduled date and time of hearing but informed the office via text message that she will submit necessary documents needed for the case.

January 25, 2022

1st Administrative Hearing on the apprehended Toyota Innova bearing Plate No. DCQ-2327 loaded with forty-four (44) sacks of charcoal on November 26, 20221

ATTENDANCE

NAME	ADDRESS/ AGENCY	CONTACT NO.	SIGNATURE
1. <i>Meredith Barnes</i>	<i>Sta Fe, Bawingan</i>	<i>0975 2032613</i>	<i>[Signature]</i>
2.			
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PEOPLE OF THE PHILIPPINES

***Plaintiff**

CENRO Case No. _____

For

-versus-

Violation of Sec. 78 (Formerly Sec. 69) of P.D. 705 as amended by EO 277 series of 1987 and RA 7161

MERCEDITA IBÁÑEZ

***Respondents**

3RD ADMINISTRATIVE HEARING

TRANSCRIPT

of the minutes of the 3rd Administrative Hearing undertaken on the above-mentioned case on December 14, 2021 at 10:00 A.M. at the Community Environment and Natural Resources Office, Barangay Sta. Monica, Puerto Princesa City.

FORESTER III RODNEY G. VERIAN

Hearing Officer

ERNESSE VICA E. MARCELO

Acting Recorder

Appearances:

- | | | |
|----------------------------|---|----------------------|
| 1. Rodney G. Verian | - | Hearing Officer |
| 2. Mercedita Ibañez | - | Respondent |
| 3. Anita Paduga | - | Respondent |
| 4. Neil James D. Verzosa | - | Apprehending Officer |
| 5. Ernesse Vica E. Marcelo | - | Acting Recorder |

Hearing Officer: Magandang umaga po sa inyo ito po ay pangatlo nating hearing dahil dati yung nag hearing ay si Forester Lim Bryan Kutat. Gumawa rin sila ng minutes nun hearing at may napansin ako na parang nagkalabo-labo na p kasi nag submit kayo ng mga documents dito kaya kailangan ko rin kayo matanong para magkaroon ako ng kaukulang rekomendasyon. Andito po sa inimbata natin si ma'am Ibañez at si ma'am Paduga. Sige poituloy po natin itong clarificatory dialogue na kasma sa ating 3rd hearing dahil nakapag-submit na rin naman po akyo ng Affidavit nung unang hearing.

Mercedita Ibañez: Sir ito po ibibigay kasi mali yung unang pagawa.

Hearing Officer: Yun nga po kasi yung sa inyong sinubmit ang nakalagay doon ay hindi kayo yung driver tapos sa hearing naman nagsabi kayo na kayo yung driver.

Mercedita Ibañez: Base sa ano? Nung nag anko kami? Wala sir, yan ba yung nakalagay sa minutes?



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- Hearing Officer: Oo nasa minutes, nagsasabi po dito.
- Mercedita Ibañez: Dapat pirmado ako sa minutes.
- Hearing Officer: Basahin ko po. Hearing officer: "Nung pumunta siya doon maám may dala na siyang uling ganon po ba ang sinasabi niyo?" Sabi niyo: "Opo ang una po kasi ang paalam niya sakín kukunin niya lang yung mga bata". Tanong ng hearing officer "Pag dating niya doon sinundo niya kayo, may dala na siyang uling asan siya galing nun?" sabi niyo "hindi ko alam basta dinaanan lang ako sa bahay" sabi ng hearing officer "tama po ba ang pagkakaintindi ko maám nung pagpunta sa inyo walang kargang uling tapos nung bumalik siya may karga na siyang uling?" "Yung uling p na yun nabili kay kuya Paduga". Tinanong kayo "Sino bumili?" ang sagot niyo si "Rosana Maro po". Sino po si Rosana Maro?
- Mercedita Ibañez: manugang ko po yan.
- Hearing Officer: "Siya po yung bumili nung time na yun at sabi niyo hindi niyo alam kasi dumating lang may dalang uling. Yung iba po kasi 44 yan lahat yun nabili namin yung 30 may permit po yun di lang namin nadala po." Tapos sabi nung hearing officer "Diba maám nabanggit niyo nung sinundo kayo ni Mr. Cavite may dala na siya?" "Hindi ko rin po sigurado" sabi mo. Pwede po ba kayong magbigay ng salaysay kasi naguguluhan po ako sa sinubmit niyong affidavit tapos sa hearing sinasabi niyo na kayo yung nagda-drive. Pwede po ba kayo magbigay ng konting salaysay tungkol dito. Saglit po yung Affidavit na ito na sinusubmit niyo ni Christopher? Kayo din po nag susubmit nito?
- Mercedita Ibañez: Opo yun pong pinaulit kasi mali kasi dapat daw siya ang pumirma hindi ako.
- Hearing Officer: Dapat po andito din si Christopher, anyway sige po nagbiga na din siya ng affidavit. Andito lang po ba siya?
- Mercedita Ibañez: Opo, nagtatrabaho din po yan siya di ko nga alam san siya nagtatrabaho.
- Hearing Officer: Gusto ko lang po siya makausap kasi baka mag bago nanaman siya ng sasabihin. Sige po irereceive ko lang tong affidavit ni Christopher Cavite ang gusto ko lang pong malaman ngayon kung ano po talagang nangyari ano ba talaga kasi baka naguguluhan lang kayo gusto ko kayo bigyan ng pagkakataon para maipaliwanag talaga kung anong nangyari nung araw na yon nung November 26. Baka po pwede kayo mgbigay ng salaysay, okay lang po ba?
- Mercedita Ibañez: Yung jan nalang po sa affidavit sir.
- Hearing Officer: Hindi po kasi iro kay Cavite ito kayo po yung naalala niyo lang po. Ito na rin po ba ang statement niyo na kayo po ang driver?
- Mercedita Ibañez: Wala ako nagsabi na ako ang driver sir.
- Hearing Officer: Sinong gumawa nito?
- Ernesse Vica Marcelo: Si sir Bryan po, maám lahat po kasi ng sinasabi sa hearing nakarecord po so lahat po ng nakalagay sa minutes yun din yung sa pinagusapan natin.
- Joy Tanay: Yun nga po icross exam lang kasi sa affidavit ni Drew si maám Ibañez ang nagdadrive at walang ibang driver kasama niya yung bata.



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- Hearing Officer: Sino yung kasama niyong bata?
- Joy Tanay: Hindi na naisama sa report kasi ang sabi niya ay may special needs yung bata.
- Hearing Officer: May kasama ka bang bata na may special needs? Paano nalaman na may special needs yung bata?
- Ernesse Vica Marcelo: Si maám po sa first hearing naka-state po.
- Joy Tanay: Tapos nung si sir Neil nagbigay ng statement yun din ang sabi niya na hindi na sinama kasi nga sabi kailangna ng special needs.
- Hearing Officer: Sino naman po itong si Christopher Cavite.
- Joy Tanay: Yun nga po yung hindi namin alam paano napasok yung Christopher Cavite.
- Hearing Officer: Diba may statement din siya na binanngit niya yun?
- Joy Tanay: Sa affidavit na sinubmit niya dun may nakalagay na Christopher na pangalan an yun daw nagdadrive pero nung cross examine sabi niya sa affidavit di niya alam na nagkarga ng uling pero dun sa third hearig lumalabas na magkasama sila sa sasakyan kaya nagkakaroon ng inconsistency.
- Hearing Officer: Maám ganito kasi si Chrsitopher Cavite sino to?
- Mercedita Ibañez: Pamangkin ko po.
- Hearing Officer: Pamangkin, sige po ulitin ko ang tanong ah sino pong kasama niyo nung araw na yun?
- Mercedita Ibañez: Si Christopher.
- Hearing Officer: Ito ba ay may sakit o wala?
- Mercedita Ibañez: Wala po.
- Hearing Officer: Sino nagsbai na may sakit yun?
- Mercedita Ibañez: Jan nalang po ako magsasalita jan nalang po sa affidavit po.
- Hearing Officer: Sige po andito si Forest Ranger Neil Verzosa. May lumalabas po kasi sir Neil na Christopher Cavite na yun daw yung nag dadrive nung sasakyan. Nandito po ba kayo nung gumawa tayo ng apprehension receipt?
- Neil James D. Verzosa: Opo.
- Hearing Officer: Ngayon may nakita ka bang kasama ni maám Mercedita?
- Neil James D. Verzosa: Meron po isang lalake.
- Hearing Officer: Base sa sinasabi kasi sa unang hearing yung lalake ay special child? Ngayon paano mo na-determine o nasabi na yung bata ay may special needs?
- Neil James D. Verzosa: Sabi niya. Diba misis kayo mismo nagsabi sakín na mentally challenged yung kasama niyo.



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- Hearing Officer: Nakilala niyo po ba yung special child na kasama? Nakuha niyo po ba yung pangalan?
- Neil James D. Verzosa: Hindi ko na nakuha yung pangalan kasi kung naalala mo maám sinita ko yung lalake nung ginagalaw niya yung sasakyan sinabihan niyo ko na “Hindi po yan siya may diperensya po yan sa pag-iisip.”
- Hearing Officer: Siya mismo ang nagsabi?
- Neil James D. Verzosa: Opo.
- Hearing Officer: Sige meron kasi siyang sinubmti dito na documents na nagsasabi na hindi raw siya ang nagdadrive ng sasakyan. Just incase na mapapunta natin yung tao na to makikilala niyo ba? Sige po yun lang po kasi inaalam ko lang kung makikilala niyo yung tao kung iimbitahn natin dito pag dating ng araw. Sige po maraming salamat po. Yun lang po ang gusto naming malaman sige po imbitahan po namin yung sinabi niya na Christopher.
- Neil James D. Verzosa: Sabi niya na yun yung nagdadrive?
- Hearing Officer: Meron po siyang affidavit na yun daw po ang nagdadrive. Sige po ganito nalang sir Neil ipapa-identify ko nalang sayo kung maimbitahan na natin yung tao. Salamat po.
- Neil James D. Verzosa: Sige po.
- Hearing Officer: Sige po diretso na po tayo, lumalabas po maám Mercedita na itong si Christopher Cavite ay kasama niyo, sige po iimbitahan nalang po natin si Mr. Cavite po. Sige po, meron pa ba kayong idadagdag sa inyong statement? Kung waala na po at sakaling imbitahan namin si Mr. Christopher Cavite available pa ba siya? Pwede po ba nating mapatawag? Mga early next week?
- Mercedita Ibañez: Sige po.
- Hearing Officer: Anyway nag submit din po si affidavit si Maám Paduga so irereceive di po natin dlawang affidavit ngayong araw. Maám Paduga isa lang po itatanong ko s ainyo, lehitimo kayo na may mga permit galing sa DENR sa inyong uling po, yes po? Mula anong taon po kayo nabigyan ng permit?
- Anita Paduga: Pandemic po ata.
- Hearing Officer: 2020-2021? Kasi yun po yung pandemic natin.
- Anita Paduga: Hindi ko na masyadong ma-recall.
- Hearing Officer: Hindi niyo na marecall, ilang taon na po kayo maám Paduga?
- Anita Paduga: Sixty-nine (69) years old.
- Hearing Officer: Sixty-nine (69) mejo makalimutin na po kayo ngayon, sige po. Dati kayo po ay teacher?
- Anita Paduga: Dati po akong sa airport nagtatrabaho sa x-ray sa OTS nag retire po ako nung 2016.
- Hearing Officer: Ah sa OTS po at nag resign kayo nung 2016. Matagal-tagal na rin po. Sige po, anyway yun lang po ang itatanong ko sa inyo kasi tantamount na din yung binigay niyong affidavit. Kung natatandaan niyo po ilang uling po ang inyong na produce mula nung may permit kayo?



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Anita Paduga: Hindi ko na po mabilang.

Hearing Officer: Sino po naghahandle ng inyong business dun sa area?

Anita Paduga: Yung sa uling po?

Hearing Officer: Opo.

Anita Paduga: Madami po.

Hearing Officer: Pwede po akoy magbigay ng pangalan?

Anita Paduga: Iba-iba kasi area namin sir meron sa Bahile, Bacungan.

Hearing Officer: Sino pong tao niyo sa Bahile at Bacungan?

Anita Paduga: Joseph po tapos asawa niya.

Hearing Officer: Joseph? Baka meron kayong apelyido? Tapos yung sa Bahile?

Anita Paduga: Yung sa Bahile po yun si Joseph.

Hearing Officer: Sa Bacungan po?

Anita Paduga: Hindi ko po maalala.

Hearing Officer: Ibig sabihin hindi kayo araw-araw andoon?

Anita Paduga: Hindi po.

Hearing Officer: Pwede po ba kaming makahingi ng pangalan ng mga tao niyo doon. Yan po ba ay mga planted trees di po ba?

Anita Paduga: Opo pero yung mga planted alng yung inuuling namin doon sir.

Hearing Officer: Naalala niyo po ba kung ilang piraso yun?

Anita Paduga: Yung sa Bacungan po kasi less than six (6) hectares yun pero hindi lahat inuling.

Hearing Officer: Yung nag-uling sila andoon din po ba kayo?

Anita Paduga: Opo pero pumupunta lang kami araw-araw.

Hearing Officer: Pag naghahango na sila?

Anita Paduga: Hindi rin naman lahat binibili naming uling sa Bacungan yung parte lang namin.

Hearing Officer: Pero may times na may pumupunta sa inyo para mag benta?

Anita Paduga: Mag benta wala.

Hearing Officer: Sa inyo lang talaga? Sa Bahile po?

Anita Paduga: Ganon din po.



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- Hearing Officer: Within your titled areas niyo lang? Sino nagtanim nun po?
- Anita Paduga: Kami rin po.
- Hearing Officer: Sige po so ang itatanong ko nalang po ay yung mga pangalan ng caretaker para malaman nalang po. Para maisama sa pag imbita kay Christopher Cavite kasi base sa iyo ay hindi kayo lagi andoon siyempre may mga leads dapat or kung meron man ay makapagsabi sila. Okay lang po ba yun?
- Anita Paduga: Opo pero pauntahin mo pa dito? Kasi ang layo at hindi na sila nag uuling ngayon.
- Hearing Officer: Ngayon po ba nag-uuling pa kayo?
- Anita Paduga: Ngayon po wala na po kasi wala na kaming kahoy na tumba po yung chainsaw namin ay sa PCSD. Walang uling ngayon.
- Hearing Officer: Wala p talaga kayong uling ngayon so ito pong permits ninyo wala na kayong binabiyahe so kung may ginagamit po ang pangalan niyo ngayon ilegal na po yun?
- Anita Paduga: Opo.
- Hearing Officer: Sige po anyway po meron na kayong sinubmit at meron na po akong knowledge kung paano yun processing sa inyong area wala na po. Isang hearing nalang po ako kasi yung kay maám Mercedita may binabangit po siyang pangalan na hindi na isali ipapatawag ko po siya by nectweek tapos pwede niyo po ba siyang sabihan kung pwede po next week. Yun lang po maraming salamat magandang umaga.

--END--

ERNESSE VICA E. MARCELO
Acting Recorder

NOTED BY:

FORESTER I ARJAY T. GREGAS
Forester I/Hearing Officer



PEOPLE OF THE PHILIPPINES

*Plaintiff

CENRO Case No. _____

For

-versus-

Violation of Sec. 78 (Formerly Sec. 69) of P.D. 705 as
amended by EO 277 series of 1987 and RA 7161

MERCEDITA IBAÑEZ

*Respondents

4TH ADMINISTRATIVE HEARING

TRANSCRIPT

of the minutes of the 4th Administrative Hearing undertaken on the above-mentioned case on June 2, 2022 at 10:00 A.M. at the Community Environment and Natural Resources Office, Barangay Sta. Monica, Puerto Princesa City.

FORESTER III RODNEY G. VERIAN

Hearing Officer

ERNESSE VICA E. MARCELO

Acting Recorder

Appearances:

- | | | |
|----------------------------|---|----------------------|
| 1. Rodney G. Verian | - | Hearing Officer |
| 2. Mercedita Ibañez | - | Respondent |
| 3. Anita Paduga | - | Respondent |
| 4. Neil James D. Verzosa | - | Apprehending Officer |
| 5. Ernesse Vica E. Marcelo | - | Acting Recorder |

Hearing Officer: Magandang umaga po sa inyo ito po ay pang-apat nating hearing dahil dati yung nag hearing ay si Forester Lim Bryan Kutat. Gumawa rin sila ng minutes nun hearing at may napansin ako na parang nagkalabo-labo na po kasi nagsubmit kayo ng mga documents dito kaya kailangan ko rin kayo matanong para magkaroon ako ng kaukulang rekomendasyon. Andito po sa inimbata natin si Ma'am Ibañez at si Ma'am Paduga. Sige po ituloy po natin itong clarificatory dialogue na kasama sa ating 4th hearing dahil nakapag-submit na rin naman po kayo ng Affidavit nung unang hearing.

Mercedita Ibañez: Sir ito po ibibigay kasi mali yung unang pagawa.

Hearing Officer: Yun nga po kasi yung sa inyong sinubmit ang nakalagay doon ay hindi kayo yung driver tapos sa hearing naman nagsabi kayo na kayo yung driver.

Mercedita Ibañez: Base sa ano? Nung nahuli kami? Wala sir, yan ba yung nakalagay sa minutes?

Hearing Officer: Oo nasa minutes, nasasabi po dito.



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- Mercedita Ibañez: Dapat pirmado ako sa minutes.
- Hearing Officer: Basahin ko po. Hearing officer: “Noong pumunta siya doon Maám may dala na siyang uling ganon po ba ang sinasabi niyo?” Sabi niyo: “Opo ang una po kasi ang paalam niya sakín kukunin niya lang yung mga bata”. Tanong ng hearing officer “Pag dating niya doon sinundo niya kayo, may dala na siyang uling asan siya galing noon?” sabi niyo “hindi ko alam basta dinaanan lang ako sa bahay” sabi ng hearing officer “tama po ba ang pagkakaintindi ko Maám noong pagpunta sa inyo walang kargang uling tapos nung bumalik siya may karga na siyang uling?” “Yung uling po na yun nabili kay Kuya Paduga”. Tinanong kayo “Sino bumili?” ang sagot niyo si “Rosana Maro po”. Sino po si Rosana Maro?
- Mercedita Ibañez: Manugang ko po yan.
- Hearing Officer: “Siya po yung bumili nung time na yun at sabi niyo hindi niyo alam kasi dumating lang may dalang uling. Yung iba po kasi 44 yan lahat yun nabili namin yung 30 may permit po yun di lang namin nadala po.” Tapos sabi nung hearing officer “Diba maám nabanggit niyo nung sinundo kayo ni Mr. Cavite may dala na siya?” “Hindi ko rin po sigurado” sabi mo. Pwede po ba kayong magbigay ng salaysay kasi naguguluhan po ako sa sinubmit niyong affidavit tapos sa hearing sinasabi niyo na kayo yung nagda-drive. Pwede po ba kayo magbigay ng konting salaysay tungkol dito. Saglit po yung Affidavit na ito na sinusubmit niyo ni Christopher? Kayo din po nagsubmit nito?
- Mercedita Ibañez: Opo yun pong pinaulit kasi mali kasi dapat daw siya ang pumirma hindi ako.
- Hearing Officer: Dapat po andito din si Christopher, anyway sige po nagbigay na din siya ng affidavit. Andito lang po ba siya?
- Mercedita Ibañez: Opo, nagtatrabaho din po yan siya di ko nga alam saan siya nagtatrabaho.
- Hearing Officer: Gusto ko lang po siya makausap kasi baka magbago na naman siya ng sasabihin. Sige po irereceive ko lang tong affidavit ni Christopher Cavite ang gusto ko lang pong malaman ngayon kung ano po talagang nangyari ano ba talaga kasi baka naguguluhan lang kayo gusto ko kayo bigyan ng pagkakataon para maipaliwanag talaga kung anong nangyari nung araw na yon nung November 26, 2021. Baka po pwede kayo mgbigay ng salaysay, okay lang po ba?
- Mercedita Ibañez: Yung dyan nalang po sa affidavit Sir.
- Hearing Officer: Hindi po kasi ito kay Cavite ito kayo po yung naalala niyo lang po. Ito na rin po ba ang statement niyo na kayo po ang driver?
- Mercedita Ibañez: Wala ako nagsabi na ako ang driver Sir.
- Hearing Officer: Maám ganito kasi si Chrsitopher Cavite sino to?
- Mercedita Ibañez: Pamangkin ko po.
- Hearing Officer: Pamangkin, sige po ulitin ko ang tanong ah sino pong kasama niyo nung araw na yun?
- Mercedita Ibañez: Si Christopher.
- Hearing Officer: Ito ba ay may sakit o wala?



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- Mercedita Ibañez: Wala po.
- Hearing Officer: Sino nagsabi na may sakit yun?
- Mercedita Ibañez: Dyan na lang po ako magsasalita dyan na lang po sa affidavit po.
- Hearing Officer: Sige po andito si Forest Ranger Neil Verzosa. May lumalabas po kasi Sir Neil na Christopher Cavite na yun daw yung nagdadrive nung sasakyan. Nandito po ba kayo nung gumawa tayo ng apprehension receipt?
- Neil James D. Verzosa: Opo.
- Hearing Officer: Ngayon may nakita ka bang kasama ni Maám Mercedita?
- Neil James D. Verzosa: Meron po isang lalake.
- Hearing Officer: Base sa sinasabi kasi sa unang hearing yung lalake ay special child? Ngayon paano mo na-determine o nasabi na yung bata ay may special needs?
- Neil James D. Verzosa: Sabi niya. Di ba misis kayo mismo nagsabi sakin na mentally challenged yung kasama niyo?
- Hearing Officer: Nakilala niyo po ba yung special child na kasama? Nakuha niyo po ba yung pangalan?
- Neil James D. Verzosa: Hindi ko na nakuha yung pangalan kasi kung naalala mo Maám sinita ko yong lalake nung ginagalaw niya yung sasakyan sinabihan niyo ko na “Hindi po yan siya may diperensya po yan sa pag-iisip.”
- Hearing Officer: Siya mismo ang nagsabi?
- Neil James D. Verzosa: Opo.
- Hearing Officer: Sige meron kasi siyang sinubmti dito na documents na nagsasabi na hindi raw siya ang nagdadrive ng sasakyan. Just in case na mapapunta natin yung tao na to makikilala niyo ba? Sige po yun lang po kasi inaalam ko lang kung makikilala niyo yung tao kung iimbitahn natin dito pagdating ng araw. Sige po maraming salamat po. Yun lang po ang gusto naming malaman sige po imbitahan po namin yung sinabi niya na Christopher.
- Neil James D. Verzosa: Sabi niya na yun yung nagdadrive?
- Hearing Officer: Meron po siyang affidavit na yun daw po ang nagdadrive. Sige po ganito na lang sir Neil ipapa-identify ko nalang sayo kung maimbitahan na natin yung tao. Salamat po.
- Neil James D. Verzosa: Sige po.
- Hearing Officer: Sige po diretso na po tayo, lumalabas po Maám Mercedita na itong si Christopher Cavite ay kasama niyo, sige po iimbitahan na lang po natin si Mr. Cavite po. Sige po, meron pa ba kayong idadagdag sa inyong statement? Kung wala na po at sakaling imbitahan namin si Mr. Christopher Cavite available pa ba siya? Pwede po ba nating mapatawag? Mga early next week?
- Mercedita Ibañez: Sige po.
- Hearing Officer: Anyway nag submit din po si affidavit si Maám Paduga so irereceive di po natin dalawang affidavit ngayong araw. Maám Paduga isa lang po itatanong ko s ainyo, lehitimo kayo na may



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mga permit galing sa DENR sa inyong uling po, yes po? Mula anong taon po kayo nabigyan ng permit?

- Anita Paduga: Pandemic po ata.
- Hearing Officer: 2020-2021? Kasi yun po yung pandemic natin.
- Anita Paduga: Hindi ko na masyadong ma-recall.
- Hearing Officer: Hindi niyo na marecall, ilang taon na po kayo Maám Paduga?
- Anita Paduga: Sixty-nine (69) years old.
- Hearing Officer: Sixty-nine (69) mejo makalimutin na po kayo ngayon, sige po. Dati kayo po ay teacher?
- Anita Paduga: Dati po akong sa airport nagtatrabaho sa x-ray sa OTS nagretire po ako noong 2016.
- Hearing Officer: Ah, sa OTS po at nagretire kayo nung 2016. Matagal-tagal na rin po. Sige po, anyway yun lang po ang itatanong ko sa inyo kasi tantamount na din yung binigay niyong affidavit. Kung natatandaan niyo po ilang uling po ang inyong na produce mula nung may permit kayo?
- Anita Paduga: Hindi ko na po mabilang.
- Hearing Officer: Sino po naghahandle ng inyong business dun sa area?
- Anita Paduga: Yung sa uling po?
- Hearing Officer: Opo.
- Anita Paduga: Madami po.
- Hearing Officer: Pwede po akyo magbigay ng pangalan?
- Anita Paduga: Iba-iba kasi area namin sir meron sa Bahile at Bacungan.
- Hearing Officer: Sino pong tao niyo sa Bahile at Bacungan?
- Anita Paduga: Joseph po tapos asawa niya.
- Hearing Officer: Joseph? Baka meron kayong apelyido? Tapos yung sa Bahile?
- Anita Paduga: Yung sa Bahile po yun si Joseph.
- Hearing Officer: Sa Bacungan po?
- Anita Paduga: Hindi ko po maalala.
- Hearing Officer: Ibig sabihin hindi kayo araw-araw andoon?
- Anita Paduga: Hindi po.
- Hearing Officer: Pwede po ba kaming makahingi ng pangalan ng mga tao niyo doon. Yan po ba ay mga planted trees di po ba?



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Anita Paduga: Opo pero yung mga planted lang yung inuuling namin doon sir.

Hearing Officer: Naalala niyo po ba kung ilang piraso yun?

Anita Paduga: Yung sa Bacungan po kasi less than six (6) hecatares yun pero hindi lahat inuling.

Hearing Officer: Yung nag-uling sila andoon din po ba kayo?

Anita Paduga: Opo pero pumupunta lang kami araw-araw.

Hearing Officer: Pag naghahango na sila?

Anita Paduga: Hindi rin naman lahat binibili naming uling sa Bacungan yung parte lang namin.

Hearing Officer: Pero may time na may pumupunta sa inyo para magbenta?

Anita Paduga: Magbenta wala.

Hearing Officer: Sa inyo lang talaga? Sa Bahile po?

Anita Paduga: Ganon din po.

Hearing Officer: Within your titled areas niyo lang? Sino nagtanim nun po?

Anita Paduga: Kami rin po.

Hearing Officer: Sige po so ang itatanong ko nalang po ay yung mga pangalan ng caretaker para malaman nalang po. Para maisama sa pag imbita kay Christopher Cavite kasi base sa iyo ay hindi kayo lagi andoon siyempre may mga leads dapat or kung meron man ay makapagsabi sila. Okay lang po ba yun?

Anita Paduga: Opo pero pauntahin mo pa dito? Kasi ang layo at hindi na sila nag uuling ngayon.

Hearing Officer: Ngayon po ba nag-uuling pa kayo?

Anita Paduga: Ngayon po wala na po kasi wala na kaming kahoy na tumba po yung chainsaw namin ay sa PCSD. Walang uling ngayon.

Hearing Officer: Wala po talaga kayong uling ngayon so ito pong permits ninyo wala na kayong binabiyahe so kung may ginagamit po ang pangalan niyo ngayon ilegal na po yun?

Anita Paduga: Opo.

Hearing Officer: Sige po, anyway po meron na kayong sinubmit at meron na po akong knowledge kung paano yun processing sa inyong area wala na po. Isang hearing nalang po ako kasi yung kay Maám Mercedita may binabangit po siyang pangalan na hindi na isali ipapatawag ko po siya by next week tapos pwede niyo po ba siyang sabihan kung pwede po next week. Yun lang po maraming salamat magandang umaga.



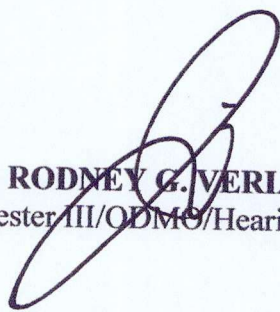
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--END--

for

ERNESSE VICA E. MARCELO
Acting Recorder

NOTED BY:


RODNEY G. VERIAN
Forester III/ODMC/Hearing Officer



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ANNEX"

64

PEOPLE OF THE PHILIPPINES
*Plaintiff

CENRO Case No. _____

For

-versus-

Violation of Sec. 77 (Cutting, Gathering and/or collecting Timber or Other Forest Products without License) formerly Sec. 68 of P.D. 705 as amended by EO 277 series of 1987 and RA 7161

MERCEDITA IBAÑEZ
Respondent

5th ADMINISTRATIVE HEARING

TRANSCRIPT

of the minutes of the 5th Administrative Hearing undertaken on the above-mentioned case on August 16, 2022 at 10:00 A.M. at the Community Environment and Natural Resources Office, Barangay Sta. Monica, Puerto Princesa City.

FORESTER I ARJAY T. GREGAS
Hearing Officer

MARK RAINER C. BONALES
Acting Recorder

Appearances:

- | | | |
|---------------------------|---|------------------------|
| 1. Arjay T. Gregas | - | Hearing Officer |
| 2. Mercedita Ibañez | - | Respondent |
| 3. Charlemagne Geron | - | Daughter of Respondent |
| 4. Neil James D. Verzosa | - | Apprehending Officer |
| 5. Mark Rainer C. Bonales | - | Acting Recorder |

Hearing Officer:

Good morning po sa ating lahat ako si Forester Arjay Gregas ang tatayong hearing officer para sa administrative hearing na ito. Pinatawag po namin kayo dahil sa continuation ng ating Administrative Hearing para sa apprehended INNOVA vehicle loaded with 44 sacks of charcoal. Basi po sa pinadala nating notice, pinatawag po natin si Mrs. Mercedita Ibañez. Basi po sa attendance natin nandito po si Mrs. Mercedita Ibañez, pinatawag din po natin si Mr. Christopher Cavite. For the record po hindi po umattend si Mr. Christopher Cavite at ating apprehending officer ay nandito si Forest Ranger Niel James Verzosa. Dahil pang apat na nating hearing ito, alam niyo na rin po ang mga karapatan ninyo bilang mga respondent dito sa ating pagdinig. Kung gusto niyong magkaroon ng abogado para maghalili sa inyo pwede niyo pong gawin yun. Tatanungin ko po ulit kayo Ma'am Mercedita Ibañez, kailangan nyo po ba ng abogado?

Mrs. Mercedita Ibañez

Hindi na po.

Hearing Officer:

Nandito din po si Ma'am Charlemagne Geron, Anak ni Ma'am Mercedita. Mag umpisa na po ako. Unahin kulang po ang apprehending officer noong November 26, 2021. Mayroong spot report na sinubmit na nagkaroon sila ng



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apprehension ng isang INOVA van na may laman na 44 sacks na charcoal. Basi dito sa report, ang sinsabi niyong may ari ay si Mrs. Mercedita Ibañez. Pa identify po, may nakalagay po dito na Niel James Verzosa report niyo po ba ito Sir.

Niel James Verzosa Yes, tama.

Hearing Officer Basi po sa unang ginawang administrative hearing noong December 14, 2021, alas dies ng umaga (10:00 AM), basi po sa inyong salaysay nakita nyo pong nagmamaneho ng na apprehend na van at ang may ari ng nasabing uling ay si Mrs. Mercedita Ibañez. Kasama niyo pong humuli ay si Andrew Arenas. Maaari nyo bang i-confirm itong inyong salaysay Sir kong sinabi niyo ba nung unang pagdinig noong December 14, 2021.

Niel James Verzosa Yes Sir.

Hearing Officer Sinasabi po ninyo na si Mrs. Mercedita Ibañez ang nagmamaneho ng na apprehend na van.

Niel James Verzosa Opo.

Hearing Officer Nakita niyo po ba na siya ang nagmanieho ng van, nabanggit din dito sa dukumento na nag isyu din kayo ng apprehension receipt, tama po ba Sir?

Niel James Verzosa Yes Sir.

Hearing Officer At sa apprehension receipt na inissue ninyo Sir, sino po ang nakapag receive at kung saan ninyo po to inissue?

Niel James Verzosa Yung apprehension po, dito na po yun sa office.

Hearing Officer Dito na sa office, ninyo binigay. Kanino nyo po binigay ang kopya ng apprehension receipt?

Niel James Verzosa Kay Mrs. Mercedita Ibañez po.

Hearing Officer Mayroon tayo dito Sir na record na isang apprehension receipt. Ito ba ang tinutukoy nyo sir na apprehension receipt?

Niel James Verzosa Yes Sir.

Hearing Officer Sinasabi niyo po na receive din ito ni Mrs. Mercedita Ibañez, ba't dito sa pinapakita ko sa inyo na apprehension receipt Sir, saan po dito ang patunay ninyo sinasabi ninyo na pinareceive nyo ito kay Mrs. Mercedita Ibañez?

Niel James Verzosa Pirma niya po.

Hearing Officer Ito po may nakalagay na Mercedita Ibañez may pirma sa itaas. Tanungin ko po si Mrs. Mercedita Ibañez, Ma'am nong November 26, 2021. Sinasabi po ng ating apprehending officer na may naibigay po sa inyo na apprehension receipt. Ipapakita ko po sa inyo kong, may natatandaan po kayong ganito. Pa confirm lang po, may naibigay po ba? Nakalagay din po dito sa likod Mercedita Ibañez



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narecieve may pirma sa itaas, pwedi Ma'am pa identify kong kayo po ang narecieve nito?

Mercedita Ibañez: OPO.

Hearing Officer: So pansamantala po wala na po akong maitatanong sa ating apprehending officer maliban nalang po may gusto ka pang idagdag sa inyong salaysay.

Niel James Verzosa: Wala na po

Hearing Officer: Kung wala na po okay na po excuse na kayo. Sa inyo Ma'am Mrs. Mercedita Ibañez quick recap lang po noong unang hearing po natin nabanggit ninyo na noong unang hearing basi po sa minutes ay nabanggit niyo na hindi po kayo ang nagmamaneho nung sasakyan. Base na rin doon sa sinubmit na salaysay tama po ba yon o may gusto po kayong baguhin sa salaysay niyo na nabanggit?

Mercedita Ibañez: Nung kinausap namin si Sir Rodney, at saka itong anak ko may kaibigang si Adato. Ikaw na ba mag explain, oo dahil yun ang start kaya nagkaroon ng ibang driver.

Hearing Officer: Sige po pakilala lang muna kayo Ma'am at tapos kung anong relasyon niyo doon sa may-ari.

Charlemagne Geron: Ako po si Charlemagne Geron, mother ko po si Mercedita Ibañez. So its true po na yung Mama ko was the driver ng innova na apprehended, but then yung pumunta kami dito for an update.

Hearing Officer: Wait lang Ma'am, so sinasabi niyo po Ma'am ang nagdadrive nung Toyota Innova nung nahuli, siya po ang driver. So, Mrs. Ibanez kinaconfirm niyo po ito na kayo po ang driver

Mercedita Ibañez: Ako po ang driver Sir.

Hearing Officer: Sige po.

Charmagne Geron: I just want to clarify. And then nung pumunta kami dito afternoon, to ask ang update kay Sir Rodney, kasi si Sir Rodney that time yung officer nag advice po siya ni relay niya kay Romel Adato. Na just to parang mapabilis yung process gusto niya raw kami tulungan. At sabi niya advice niya, na sinabi ni Rommel Adato. Maghanap kami ng isang driver na pwedeng gawing parang sacrificial siya na lang ang mag ako na nagdrive para na di na lang si Mama kunyari its out of her knowledge. Yon po ang advice sa amin. Kami naman, we know the truth since kami ay gusto mapabilis ang proseso, parang we follow para yun din kasi ang way na sana maacquit na at mapabilis ang paglabas ng sasakyan. So, yun po ang ginawa. Kaya po nakausap namin yung pamangkin, which is si Cristopher Cavite na siya nalang ang umako na nagdadrive at pumirma naman sa affidavit. Yon po ang advice ni Sir Rodney sa amin thru Rommel Adato.

Hearing Officer: Siya po ang nagsabi si Mr. Adato?



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Charmagne Geron: Pumasok siya that time dito kasi si Sir Rodney may meeting. So pumasok si Rommel tinanong niya si Sir Rodney at yun ang sinabi ni Rommel sa amin kaya po nagbigay po kami ng affidavit kasi yon ang sabi ni Sir Rodney.

Hearing Officer: Nagbigay ng affidavit Ma'am na ang driver si?

Charmagne Geron: Which is confirming na sana si Cavite ang driver.

Hearing Officer: Mayron kaming record dito Ma'am na sinasabi dito na si Mr. Cavite ang driver, nakapirma dito as affiant si Mrs. Mercedita Ibañez. Ma'am Mercedita Ibanez ito po ba yung sinasabi ng anak niyo salaysay?

Mercedita Ibañez: Si Mr. Adato na nag advice sa amin galing siya dito sa loob.

Hearing Officer: Sige Ma'am kayo Mrs. Ibanez, ano po yung sinasabi niyo Ma'am?

Mercedita Ibañez: Nakausap namin si Sir Rmome Adato diyan sa labas na sabi niya, siya na lang daw ang papasok kay Sir Rodney. Pagpasok niya kay Sir Rodney, paglabas niya yun ang sabi niya na nagkusap na pala kayo Ma'am ni Sir Rodney. Sabi niya, ang advice niya magkuha ka nalang ng ibang driver. Na hindi ikaw ang driver nung time na yon. Sinabi ko pa nga, pano mangyari alam ni Sir Neil Verzosa na ako ang driver at saka si yung nakahuli na si Andrew Arenas. Sabi ni Sir Rodney, siya nalang daw bahala, kaya wala kaming idea. Anong alam ko dito kaya pinagawa rin namin ang affidavit at sinubmit dito.

Hearing Officer : So, sinasabi niyo Ma'am ngayon itong salaysay niyo ngayon na may petsa December 29, 2021, ang nakasulat dito po ay hindi totoo at pinapawalang bisa mo?

Mercedita Ibañez: Oo, pinapawalang bisa ko dahil hindi naman totoo at ang hirap mag sinungaling.

Hearing Officer: Kung tama yung pagkakaintindi ko Ma'am, inaamin niyo na ngayon na kayo po talaga ang driver nung nahuli po na yun?

Mercedita Ibañez: Oo, ging hearing mo ko, hindi na ko nagsasalita dahil ang hirap magsinungaling Sir.

Hearing Officer: Yes Ma'am yung uling po, sino po ang may-ari ng uling na karga?

Mercedita Ibañez: Yung may-ari ng uling, doon yun galing sa amin. Talaga kay di ba may lupa rin ako doon.

Hearing Officer: Sino po ang may-ari Ma'am?

Mercedita Ibañez: Bali sa akin na yun Sir. Bali subdivision yun Sir, na ano na yon siya dahil nga kailangan namin siya tumbahin dahil nga subdivision yun. Yung kay Paduga naman, hindi yun totoo. Si Sir Rodney, siya rin na nag advice na mag ano doon ng permit hindi ko kilala yang matanda na yan eh.



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Hearing Officer: Sige po. So sinasabi niyo rin Ma'am na yung uling ay hindi po galing kay Mr. Paduga, galing po sa lupa ninyo? Sino din po yung nag uling niyon Ma'am?

Mercedita Ibañez: Yung mga ano doon dahil tinutumba sa ganyang subdivision.

Hearing Officer: Opo, so kayo na rin yung nag uling?

Mercedita Ibañez: Hindi. Inuling lang ng mga tao doon. Syempre sayang din tsaka may ano kayo ata Sir, yung nag inspection Sir. Di ba Sir sa naga uling doon, hindi kasi nag inspection din Sir nakita rin nila doon sa may area. Pero hindi ko utos yun pinang uling lang dahil kuhaan namin ng permit Sir kaya lang nagkaroon ng inspection. Kaso hindi na ano na esubmit kay matagal na kaso hindi na hanggang namatay yung manugang ko.

Hearing Officer: Hindi po nabigyan ng permit?

Mercedita Ibañez: Oo, hindi siya nabigyan ng permit.

Hearing Officer: So bali, nung time nag transport po kayo ng uling sinasabi niyo na hindi rin galing kay Mr. Paduga? So, wala po kayong dalang permit din nung time na yun?

Mercedita Ibanez: Saka yung uling na yan sa manugang ko yan Sir na maysakit namatay na nga Sir.

Hearing Officer: So kung sinasabi niyo po na kayo ang driver, so binabawi niyo po yung mga nauna niyong salaysay?

Mercedita Ibañez: Oo, hindi naman talaga totoo yan. Inadvice lang yan sa amin ni Sir Adato. Dito rin si Sir Adato pwede niyo ring ipatawag.

Hearing Officer: So enadvice lang sa inyo na gawin yun, pero ang totoo po at ang pinapahayag ninyo ngayon na kayo po talaga ang driver at kayo yung may ari ng uling?

Mercedita Ibañez: Hindi yung manugang ko na namatay Sir, kaya nga nagkuha siya ng permit hindi pa kasi siya binigyan ng permit.

Hearing Officer: So bali itong salaysay niyo Ma'am ay pinapawalang bisa niyo kasi ginawa niyo lang ito dahil sinasabi ninyo kanina dahil sa advise? So, si Mr. Cavite po nag execute din po ng affidavit basi din po sa inyong unang salaysay sinabi ng apprehending officer na special child yong kasama niyo na may disabilities (PWD). Mr. Cavite inafirm niyo rin po may kasama po kayo hindi si Cavite. Sorry for the records, may sinabing magkasama kayo noong time na nagdrive tapos ang kasama niyo ay special child tapos ang sinabi ng apprehending officer ay PWD at sinabi niyo pong special child, tama po ba nabanggit ninyo yun? So ito si Mr. Christopher Cavite, wala ito yung time na nahuli kayo?

Mercedita Ibañez: Wala, ng dahil sa advice wala rin alam.

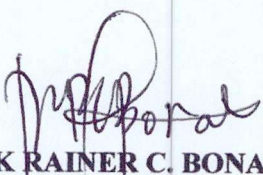
Hearing Officer: Pero ano naman ito Ma'am totoong tao din ito si Mr. Cavite?

Mercedita Ibañez: Driver, may license.



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- Hearing Officer: Pero wala siya yung time na yun noong naaprehend? Wala siya noon sa madaling sabi po, wala talaga siyang participation dito?
- Mercedita Ibañez: Kawawa naman yung tao.
- Hearing Officer: Opo, pero kasi notaryado itong dokumento na ito. Aware din ba siya sa mga pwede maging legal na implication na ito, sinubmit niya na affidavit dito sa amin.
- Mercedita Ibañez: Dahil ako rin sa kanya nakiusap ng dahil kay Sir Adato at Sir Rodney.
- Hearing Officer: Kaya po ba hindi na rin siya nag attend dito sa ating hearing?
- Mercedita Ibañez: Oo, kay siyempre ako na rin yung inano niya dito na kinausap niya.
- Hearing Officer: Sige po, so linawin ko lang po ulit yung affidavit niyo na naunang sinubmit ay pinapawalang bisa niyo na yan dahil sinasabi niyo ay hindi totoo si Mr. Cavite na nagsubmit ng affidavit? Dito sa amin ay sinubmit niya ito dahil sinasabi niyo kanina dahil sa pinakiusapan niyo. So, wala po siyang participation dito na nung time na apprehend kayo? Ikaw po ang nag dadrive at mayroon kayong kasama na sinasabi kanina sinasabi doon sa unang hearing ng apprehending officer person with disabilities yan yung kasama nung time na yon. So, hindi po ito si Mr. Cavite. Sige po, na yung uling na dala ninyo galing sa lupa ninyo sa subdivision ninyo inuling doon at tinatransport niyo pero yung time na yon wala kayong dalang permit.
- Mercedita Ibañez: Hindi sa manugang ko, kumuha siya dito ng permit hindi nga na ano kay hindi namin alam kay maysakit din nung time Sir.
- Hearing Officer: Opo, hindi pa na approved. So okay po. So far, Ma'am wala na akong gustong itanong sa inyo malinaw na rin po na establish na rin kung sinong driver at sino yung may-ari. Maliban na lang po pag may gusto kayong sabihin o may gusto kayo na idagdag sa salaysay ninyo. Wala na po. Sige po, kung wala na po mayroon pa po ba kayong gustong sabihin Ma'am? Wala na po. So, kung wala na po tinatapos ko na po ang ating hearing so bali ito na po ang ating last hearing. Maraming salamat po!


MARK RAINER C. BONALES
Acting Recorder

NOTED BY:


ARJAY T. GREGAS
Forester I/Hearing Officer

Republika ng Pilipinas)
Puerto Princesa City) S. S.

SINUMPAANG SALAYSAY NI FOREST PROTECTION OFFICER MARK ANDREW B. ARENAS SA HARAP NI FORESTER III RODNEY VERIAN NGAYONG IKA-10 NG MARSO TAONG 2022 SA DENR-CENRO PUERTO PRINCESA CITY SA PAMAMAGITAN NG TANONG AT SAGOT.

TANONG: Ikaw ba ay nakahandang magbigay ng kusang loob na salaysay at sasagutin lahat ng tanong sa inyo na pawang katotohanan lamang?
SAGOT : Opo

02 T: Kung ganoon, maari mo bang sabihin ang iyong tunay na pangalan, edad, tirahan at iba pang mapagkakilanlan sa iyong tunay na pagkatao?

S: Ako si MARK ANDREW B. ARENAS, 32 taong gulang, nakatira sa Sta. Monica, Puerto Princesa City, at kawani ng DENR-CENRO PPC.

03 T: Ano naman ang dahilan at nandito ka sa tanggapan ng CENRO PPC?

S: Ako po ay magbibigay ng sinumpaang salaysay hinggil sa pagkahuli ng Toyota Innova na may Plate No. DCQ 2327 noong Nobyembre 26, 2021 sa Brgy. Tagburos, Puerto Princesa City.

04 T: Nasaan ka noon mga araw na iyon?

S: Noong ika-26 ng Nobyembre taong 2021 humigit kumulang 7:27 ng umaga habang kami ay nasa check-point biglang na nakita ng aking kasama na si FPO Nathaniel Mendoza ang pulang Innova na aming binabantayan. Kaya bigla siyang sumigaw ng "Drew, ang Innova nandiyan na!" Ako ay sumampa agad sa Motor na lagi ng nakahandang nakaharap sa kalsada para sa biglaang paghahabol sa mga hindi humihinto sa check-point.

05 T: Bakit niyo binabantayan ang Pulang Innova?

S: Simula kasi noong ika-11 ng Nobyembre may nagtimbre sa amin sa check-point na may pulang Innova na nagtatransport ng uling tuwing umaga. Inaabangan na namin siya ng halos dalawang Linggo ngunit nagkakataon na hindi namin talaga natatimangan.

06 T: Ano ang sumunod niyong ginawa noong nakita niyong padaan na ang inaabangan niyong pulang Innova?

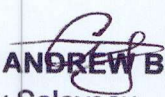
S: Mabilis ang takbo ng Innova pagdaan sa Check-point pero dahil nakaready na ang motor namin agad ko siyang hinabol, nag -overtake siya sa lahat ng sasakyan na nasa unahan hanggang sa naabutan ko siya sa pagdating sa may tulay ng Tagburos binubusinahan ko siya pero tuloy-tuloy pa rin ang takbo niya. Hindi niya ako nililingon pero pinipinahan niya ako para mapunta ako sa kabilang lane at mabangga ng mga kasalubong.

07 T: Ano ang kasunod na pangyayari?

S: Pagdating po sa tapat ng Toyota Company, nagkatapat na ako sa driver's seat at patuloy na nagbubusina pero hindi niya ako pinapansin. Hanggang sa bigla siyang lumigon, nakita niya akong sumisinyas na patabihin siya. Pero hindi pa rin niya ako pinansin, ilang ulit akong nagbusina at tumitingin siya sa akin na pinapatabi siya hanggang sa nung medyo bumagal na siya ay pumunta na ako sa harapan ng kanyang sasakyan kaya tuluyan na siyang huminto.

- 08 T: Anong kasunod na mga pangyayari kung meron man?
S: Nung napahinto ko siya ay binati ko siya ng *"Magandang Umaga po Ma'am, matanong ko lang po kung ano ang karga niyo. Ako po si FPO Andrew Arenas ng DENR-CENRO Puerto Princesa."*
- 09 T: Matapos kang magpakilala, anong sumunod na pangyayari?
S: Sinabi po ng driver na uling ang karga niya.
- 10 T: Anong sumunod na nangyari matapos niyang sabihin na uling?
S: Agad siyang nakiusap na panggamit niya lang daw, doon niya dadalhin sa Lola niya, yon lang daw kasi ang hanapbuhay niya kasi wala na daw siyang asawa. First time niya lang daw ginawa at may binaggit pa siya na pinaalam niya daw sa check-point ng Bantay Gubat kasi kakilala niya naman daw si Atty. Gomez. Kaya sinabi ko po sa kanya na hindi kami under ng City ENRO, ang DENR-CENRO ay National Government Agency. Sabay sbi niya na *"ay, ganun ba?"* At may tinatawagan na siya sa cellphone.
- 20 T: Anong pa ang mga sumunod na pangyayari?
S: Matapos na may kinukontak siya sa cellphone at nakiki-usap siya na palagpasin na lang siya at di na siya uulit, at ayaw niyang sumama sa opisina at ayaw niya rin magbigay ng pagkakilanlan. Nung nagmamatigas siya na ayaw niya talagang sumama at magpakilala, sinabi ko sa kanya na *"napicturan ko na po ang sasakyan niyo ipapablotter ko na lang po kayo sa PNP para mas mabilis kayong mahanap, At kung magmamatigas kayo, lalo pong madadagdagan ang kasong kakaharapin niyo."* Hanggang sa pumayag na siyang sumama sa opisina.
- 21 T: Pagdating sa opisina anong nangyari?
S: Pagdating po dito sa opisina inayos na ng aming team leader ang mga papeles ng kailangan tulad ng apprehension receipt, spot report at iba pa.
- 22 T: Nakilala niyo ba kung sino ang Driver at may-ari ng sasakyan?
S: Pagdating po sa office hiningian na namin siya ng driver's license at papeles ng saksakyan. Ang driver po ay si Mrs. Mercedita Abella Ibañez na siya rin po ang may-ari ng sasakyan dahil sa kanya din po nakapangalan ang papeles ng sasakyan ang OR pati na ang insurance ng sasakyan na hawak niya.
- 23 T: May maidadagdag ka pa ba sa iyong mga nasabi?
S: Wala na po.
- 24 T: Pansamantala ay wala na akong maitanong sa iyo, kusa mo bang lalagdaan ang salaysay na ito, ng hindi ka pinilit, tinakot o pinangakuan ng anumang pabuya?
S: Opo, ako ay lalagda.

WAKAS NG SALAYSAY


MARK ANDREW B. ARENAS
May Salaysay

SUBSCRIBED AND SWORN to before me this _____ day of _____ 2021 here Puerto Princesa City. I HEREBY CERTIFY that I have examined the affiant and am satisfied he understood and voluntarily executed his affidavit.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
LAND TRANSPORTATION OFFICE
PROFESSIONAL DRIVER'S LICENSE



Last Name, First Name, Middle Name
IBAÑEZ, MERCEDITA ABELLA

Nationality	Sex	Date of Birth	Weight (kg)	Height(m)
PHL	F	1970/11/23	70	1.57

Address
**SITIO STA FE BGY BACUNGAN FUERTO
PRINCESS CITY PALAWAN**

License No.	Expiration Date	Agency Code
D11-16-000443	2028/11/23	D11

Blood Type	Eyes Color
A+	BLACK

Residential	Credentials
1,2	NONE

Signature of Licensee


EDGAR C. SALVANTE
Assistant Secretary


OFFICIAL RECEIPT

2098411243

DATE: 07/08/2021

RECEIVED FROM (Last name, First name, MI)

TFSH LSD MERCEDITAABELLA IBANEZ

315-100-285-000

ADDRESS (No., Street, City, Municipality, Province, Zip Code)

32F GT TWR INTL AYALA AVE CORPUS CITY OF MARATHON FOURTH DISTRICT 0

PAYMENT DETAILS		BREAKDOWN OF PAYMENT	
Transaction	VREN01	Cost of Stickers	0.00
	010490070920210057 - 01	Legal Research Fund	10.00
Posted	Jul 0 2021	MYUC	2,000.00
PRIVATE	Utility Vehicle/UVDIE	Penalty	0.00
SEL/Red Micro Metallic		Comp Fee	169.06
File No.	040100000172611	***Nothing Follows***	
Plate No.:	DCQ2327		
Gross Weight	2320		
CASH	2,179.06		
A.R. R134a			
Not valid if not accompanied by CR and CRC if for hire.			
TOTAL AMOUNT PAID		2,179.06	
THE SUM OF (in pesos)			
Two Thousand One Hundred Seventy Nine And 06/100 Pesos Only			
MODE OF PAYMENT		CASH	
CHIEF OF OFFICE		CASHIER	
Electronic Signature/Date		Signature/Date	



**Travellers Insurance
Surety Corporation**
Since 1964

10/F G.E. Antonino Bldg., T.M. Kalaw Corner J. Bocobo St., Ermita, Manila • Tel. Nos. 8521-3822 • 8400-9327 • Fax Nos. 8521-4931 • 8525-1119

PRIVATE CAR POLICY

NAME AND ADDRESS OF INSURED IBAÑEZ, MERCEDITA PPC PALAWAN		BUSINESS/PROFESSION OWNER	POLICY NO. 4777374
		DATE ISSUED JULY 07, 2021	CERTIFICATE OF COVER NO.
		PERIOD OF INSURANCE FROM 12 JULY 07, 2021 TO 12 JULY 07, 2022	OFFICIAL RECEIPT NO.
SCHEDULED VEHICLE			
MODEL 2016	MAKE TOYOTA	TYPE OF BODY UV	COLOR RED MICA/MET
PLATE NO. DCQ2327	SERIAL/CHASSIS NO. KUN405130348	MOTOR NO. 2KD5594636	MV FILE NO. 0401-172611
SECTION I/II THIRD PARTY LIABILITY (Subject to the Schedule of Indemnities)		A MOUNTS LIMIT OF LIABILITY ₱ 100,000.00	UNLADEN WEIGHT Kgs
		PREMIUM PAID ₱ 560.00	

FOR CTPL USE ONLY

Section I/II	PREMIUMS
Documentary Stamps	₱
Value Added Tax	
Local Gov't Tax	
Others:	
TOTAL AMOUNT DUE ₱	

AUTHORIZED DRIVER:

Any of the following

(a) The Insured

(b) Any person driving on the Insured's order or with his permission.

Provided that the person driving is permitted, in accordance with the licensing law or other regulations, to drive the Scheduled Vehicle, or has been permitted, and is not disqualified by order of Court of Law or by reason of any enactment or regulation in the behalf, provided that for Section I and II only of this Policy an authorized driver shall include a duly licensed driver but whose license at the time of the accident had expired.

LIMITATIONS AS TO USE:

Use only for social, domestic and pleasure purposes, and for the Insured's business or profession. This Policy does not cover (1) Use for the hauling and / or carrying of logs, lumber, sand, gravel, bottled beverages, gasoline products and/or other inflammable articles or materials or for hire or reward.

(2) Use for racing, pacemaking, reliability trial or speed testing.

N. B. Provided that the limitations (1) and (2) above may be deleted and the risks named therein covered by this Policy upon agreement by and payment of 20% additional premium to the Company.

(3) Use for the carriage of PASSENGERS or for hire or reward.

(4) Use for any purposes in connection with the Motor Trade.

SECTIONS I and II of this Policy cover THIRD PARTY liability arising from bodily injury and/or death in amounts set forth under the Schedule of Indemnities.

IN WITNESS WHEREOF, the Company has caused this Policy to be signed by its duly authorized officer/representative at _____ Philippines, this _____ day of _____ 20 _____

Documentary Stamps to the value stated above have been affixed and properly cancelled on the office copy of this Policy.

IMPORTANT NOTICE

**Travellers Insurance
Surety Corporation**
Since 1964

TIN: 000-136-058-000 VAT

January 25, 2022

Rodney G. Verian

Forester-III Chief MTS/ODMO

DENR-CENRO Officer in Charge

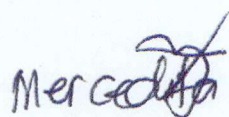
Dear Sir Verian:

Greetings!

I, Mercedesita Ibanez, would like to request the postponement of hearing in relation to my apprehended Toyota Innova unit loaded with forty-four sacks of charcoal as I am still in the process of collating supporting documents to prove my case.

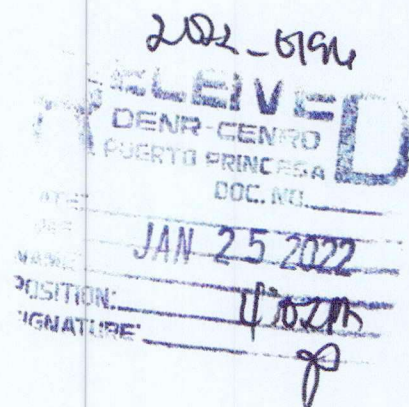
I sincerely request your kind consideration on this matter. Thank you and God bless!

Sincerely,

 Mercedesita Ibanez

0975-2032-6613

ANNEX" K



ANNEX" L L

2022-6228

RECEIVED
DENR-CENRO
PUERTO PRINCESA

DOC. NO.

DATE:

JAN 14 2022

TIME:

NAME:

POSITION:

SIGNATURE:

January 14, 2022

MR. FELIZARDO B. CAYATOC

OIC, Community Environment and Natural Resources Officer
Barangay Sta. Monica
Puerto Princesa City

Dear CENRO Cayatoc:

Greetings!

My name is **Mercedita Ibañez**, the owner of **Toyota Innova** with plate no. **DCQ 2327**
As instructed during my 1st hearing, I am submitting a sworn **AFFIDAVIT** regarding my case, this
day, Thursday, January 14, 2022.

I hereby affix my signature to confirm validity of this letter.

Thank you so much!

Sincerely,


Mercedita Ibañez

0975-2032613

AFFIDAVIT

I, MERCEDITA A. IBAÑEZ, Filipino, of legal age, married, with residence at Sitio Sta. Fe, Bgy. Bacungan, Puerto Princesa City, after having sworn according to law, hereby depose and state:

1. That I am the owner of Toyota Innova with OR/CR No. 245387973 that was apprehended by the officer of the City Environment and Natural Resources Office (CENRO) on November 26, 2021 in front of MKC Dressing Plant along the National Highway, Bgy. Tagburos, Puerto Princesa City;
2. That on November 26, 2021, one of my nephews, Christopher M. Cavite, borrowed said vehicle to which according to him he would use to pick up his children from Wescom Road, Puerto Princesa City.
3. That according to Christopher Cavite, while he was driving, a person not known to him, riding a motorcycle had overtaken the said car and approached him. Said person introduced himself in the name of Andrew Arenas of CENRO and requested him to follow him on the said office.
4. That upon apprehension, the said motor vehicle was impounded due to alleged illegal transportation of forty-four (44) sacks of charcoal. At present, said motor vehicle is under the custody of CENRO.
5. That the transportation of the said 44 sacks of charcoal is without my knowledge and permission.
6. That I am executing this affidavit to attest to all the above facts and to testify that I have no knowledge or permission of whatsoever regarding the transportation of 44 sacks of charcoal by Christopher Cavite using my motor vehicle;

IN WITNESS WHEREOF, I hereby affix my signature this 29 DEC 2021 day of _____ in Puerto Princesa City, Palawan.

MERCEDITA A. IBAÑEZ
Affiant

SUBSCRIBED AND SWORN to before me this 29 DEC 2021 at Puerto Princesa City. Affiant exhibited to me her I.D. No. D11-16-000443 issued by the LTO and valid until 2023/11/23. I hereby certify that I personally examined the affiant and satisfied that she voluntarily executed and fully understood the contents of her affidavit.

Doc. No. 477;
Page No. 97;
Book No. I;
Series of 2021.

ATTY. ELGIERAYDOLPH Y. BUISON
NOTARY PUBLIC FOR PALAWAN & PUERTO PRINCESA CITY
Until December 31, 2021
NPL No. 2020-052
Roll No. 75778
IBP OR No. 121045 / 25 Dec 2020
PTR No. 1512783 / 4 Jan 2021 / PPC
Banciao-Banciao, Puerto Princesa City

Merudita A. (batter)
owner Innovared

Control No. PPC-2022-0204-TR028

ANNEX" M

CERTIFICATION OF PLANTED TREES IN PRIVATE LAND

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that MR. DOMINADOR M. PADUGA is transporting 20 sacks of Charcoal made out of mahogany slabs, tops and branches gathered from titled property covered with OCT NO. 4180 located at Bgy. Bahile, Puerto Princesa City, Palawan and with CTPO No. PPC-045316-2018-033 issued by the CENR Officer Emer D. Garraez dated May 15, 2018 at DENR-CENRO Puerto Princesa City. The same will be transported from Bgy. Bahile, Puerto Princesa City, Palawan to Bgy. San Pedro, Puerto Princesa City, Palawan and it will be loaded to Toyota-Revo with plate No. VRA-556 consigned to Anita Paduga.

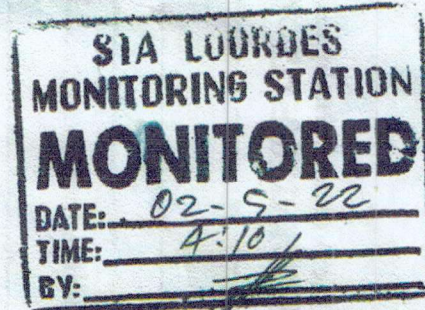
Any forest products other than those described in form, volume and species shall be considered illegal and will subject the entire shipment to outright confiscation in favor of the government.

This certification is valid until February 5, 2022 or upon discharge of the said product from point of origin into its final destination whichever comes first.

Issued this 4th day of February 2022 at Puerto Princesa City, Palawan.

Certified by:

FORESTER MARK KRIS O. CUTAY
Signature over Printed Name
Licensed No. 11324



This certification is issued pursuant to existing rules and regulation of the Department of Environment and Natural Resources (DENR). The DENR and other deputized government agencies may conduct random inspection of shipments. The shipment owner and forest certifier shall both be held liable for any violations found herein.

DENR - MIMAROPA REGION
CENRO - PUERTO PRINCESA
NO. 396
DATE: 2-4-22
BY: [Signature]

Control No.: PPC-2022-0204-TR028

TRANSPORT CERTIFICATE
OF PLANTED TREES IN PRIVATE LAND

This is to certify that the logs and/or derivatives contained in this shipment are planted trees from the Private plantation covered with OCT/CT/CLOA No. 4180 and CTPO/Private Tree Plantation Registration No. PPC-045316-2018-033.

Landowner	MR. DOMINADOR M. PADUGA
Contact No.	0917-595-5504
Location	Bgy. Bahile, Puerto Princesa City, Palawan
Total Area	5.0000 has
Species	Mahogany
Total Volume	20 Sacks of Charcoal

Forest Certifier	MARIE KRIS Q. CUTAY
Accreditation/License No.	11324/ RSO No. 380-2021
Contact Details	0935-511-4706

Authorized Signature

February 4, 2022
Date Certified

This certification is issued pursuant to existing rules and regulation of the Department of Environment and Natural Resources (DENR). The DENR and other deputized government agencies may conduct random inspection of shipments. The shipment owner and forest certifier shall both be held liable for any violations found herein.

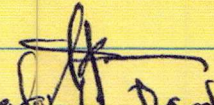
ANNEX "N."

VICTORY

Nov. 25, 2029

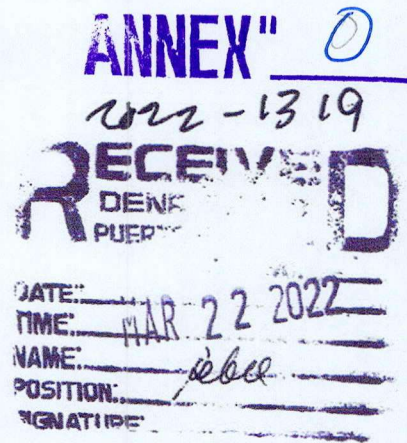
payment for 30 sacks
of charcoal \$3600

Received


Dominick H. Springer

Republic of the Philippines)
City of Puerto Princesa) s.s.
X-----X

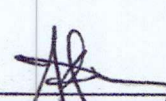
AFFIDAVIT



I, **DOMINADOR MANAEG PADUGA**, of legal age, married, Filipino citizen and a resident of Brgy. San Pedro, Puerto Princesa City, under oath do hereby depose and state:

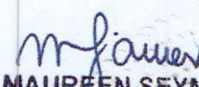
1. That on October 30, 2021, November 15, 2021, November 25, 2021, December 2021, January 2022 and February 2022, Mrs. Mercedita A. Ibanez bought a total of 210 sack of charcoal from me.
2. That I am executing this affidavit to attest to the truthfulness of the above-statements and other legal purposes this may serve.

IN WITNESS HEREOF, I have hereunto affixed my signature this MAR 22 2022 in Puerto Princesa City.


DOMINADOR MANAEG PADUGA
Affiant

SUBSCRIBED AND SWORN TO before me this MAR 22 2022 in Puerto Princesa City. Affiant has exhibited to me his SENIOR CITIZEN ID WITH NO. 31970 ISSUED BY DSCA-PPCTY ON MARCH 7, 2016

Doc. No. 77
Page No. 17
Book No. XXX
Series of 2022.


ATTY. MAUREEN SEYMOUR dL
JAVIER PADERNAL
NOTARY PUBLIC (NPL NO. 2021-008)
UNTIL DECEMBER 31, 2022
PTR # 1621262 10153 2022
IBP # MD. 2022-183972 102022022
ROLL NO. 57553
TIN NO. 934-997-607
PUERTO PRINCESA CITY, PALAWAN
MCLE COMPLIANCE NO. VI-001356
VALID until April 14, 2022

Republic of the Philippines)
 City of Puerto Princesa) s.s.
 X _____ X

AFFIDAVIT OF RECTIFICATION

I, **DOMINADOR MANAEG PADUGA**, of legal age, married, Filipino Citizen and resident of Bgy. San Pedro, Puerto Princesa City, under oath do hereby depose and say:

1. That I would like to rectify my submitted affidavit dated March 22, 2022 on the following grounds:
 - a. That upon checking of my records, I realized that the sale of charcoal to Mrs. Mercedita A. Ibanez were not included in my record of sales.
 - b. That I cannot also remember that I had made transactions with her on the alleged dates mentioned in the 1st affidavit dated March 22, 2022
2. That I'm executing this affidavit to rectify my statement on the 1st affidavit dated March 22, 2022 as notarized by Atty. Maureen Seymour, on Mar. 22, 2022 at the City of Puerto Princesa under Doc. No. 77, Page No. 17, Book No. XXIX, Series of 2022.

IN WITNESS HEREOF, I have hereunto affixed my signature this 05 30 - 22 in Puerto Princesa City.

DOMINADOR MANAEG PADUGA
 Affiant

SUBSCRIBED AND SWORN TO before me this 05 30 - 22 in Puerto Princesa City. Affiant has exhibited to me his **SENIOR CITIZEN ID WITH NO. 31970** issued on March 7, 2016, at OSCA - Puerto Princesa City.

Doc. No. SD2
 Page No. 102
 Book No. CCCV
 Series of 2022.



ATTY. ROLAND E. PAY
 NOTARY PUBLIC
 EXTENDED UNTIL JUNE 30, 2022
 B.M. NO. 3795
 PTR NO. 0389617/01-03-2022
 ISP NO. 001822/10-29-2019
 ROLL NO. 32126
 NCLE COMPLIANCE NO. VI-0025887/4-29-2016



CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that MR. DOMINADOR M. PADUGA has been issued permit to transport charcoal by this office and that he is a holder of Certificate of Tree Plantation Ownership with CTPO No. PPC-045316-2018-033 covered by OCT No. 4180 located at Brgy. Bahile, Puerto Princesa City. Such charcoal are made out of the mahogany slabs, tops and branches gathered from the said titled property. That any forest products other than what is described in the issued permits in forms, volume and species shall be considered illegal and will subject the entire shipment to outright confiscation in favor of the government. And that this office shall be informed in case of change of conveyance during the transport for proper documentation.

The following are the transport permits issued to Mr. Dominador Paduga from October 2021 to March 2022.

Date Issued	Validity	Control No.	No. of Sacks	Consignee	Destination	Conveyance
Oct 4, 2021	Oct 5, 2021	PPC 2021-1004-TR002	35	Jade Paduga	Baheli to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Oct 4, 2021	Oct 5, 2021	PPC-2021-1004-TR003	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Oct 4, 2021	Oct 5, 2021	PPC-2021-1004-TR004	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Oct 4, 2021	Oct 5, 2021	PPC-2021-1004-TR005	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Oct 13, 2021	Oct 14, 2021	PPC-2021-1013-TR012	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Oct 13, 2021	Oct 14, 2021	PPC-2021-1013-TR013	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Oct 13, 2021	Oct 14, 2021	PPC-2021-1013-TR014	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Oct 25, 2021	Oct 29, 2021	PPC-2021-1025-TR031	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Nov 9, 2021	Nov 10,2021	PPC-2021-1109-TRO49	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Nov 9, 2021	Nov 10,2021	PPC-2021-1109-TRO50	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Nov 10, 2021	Nov 11, 2021	PPC-2021-1110-TRO55	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442



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

Date Issued	Validity	Control No.	No. of Sacks	Consignee	Destination	Conveyance
Nov 10, 2021	Nov 11, 2021	PPC-2021-1110-TRO56	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Nov 12, 2021	Nov 14, 2021	PPC 2021-1112-TR061	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Nov 12, 2021	Nov 14, 2021	PPC 2021-1112-TR062	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Dec 9, 2021	Dec 10, 2021	PPC-2021-1209-TRO90	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Dec 9, 2021	Dec 10, 2021	PPC-2021-1209-TRO91	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Dec 9, 2021	Dec 11, 2021	PPC-2021-1209-TRO92	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Dec 9, 2021	Dec 11, 2021	PPC-2021-1209-TRO93	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Dec 27, 2021	Dec 28, 2021	PPC-2021-1227-TR132	25	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Dec 27, 2021	Dec 28, 2021	PPC-2021-1227-TR133	25	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Jan 10, 2022	Jan 11, 2022	PPC-2022-0110-TR006	25	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Jan 10, 2022	Jan 11, 2022	PPC-2022-0110-TR007	25	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Jan 28, 2022	Jan 29, 2022	PPC-2022-0128-TR022	20	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Jan 28, 2022	Jan 29, 2022	PPC-2022-0128-TR023	20	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Feb 4, 2022	Feb 5, 2022	PPC-2022-0204-TR027	20	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Feb 4, 2022	Feb 5, 2022	PPC-2022-0204-TR028	20	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Feb 16, 2022	Feb 17, 2022	PPC-2022-0216-TR033	25	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556
Feb 16, 2022	Feb 17, 2022	PPC-2022-0216-TR034	25	Anita Paduga	Bahile to San Pedro	Toyota Revo Plate No. VRA-556




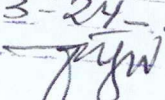
Republic of the Philippines
Department of Environment and Natural Resources
Region IV - MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Date Issued	Validity	Control No.	No. of Sacks	Consignee	Destination	Conveyance
Feb 21, 2022	Feb 21, 2022	PPC-2021-0221-TR035	35	Anita Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Feb 21, 2022	Feb 21, 2022	PPC-2021-0221-TR036	20	Anita Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Mar 1, 2022	Mar 2, 2022	PPC-2022-0301-TRO46	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Mar 17, 2022	Mar 18, 2022	PPC-2022-0317-TRO59	35	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442
Mar 17, 2022	Mar 19, 2022	PPC-2022-0317-TRO60	33	Jade Paduga	Bahile to San Pedro	Suzuki Mini Truck Plate No. MAA 5442

This certification is issued in connection with the pending administrative adjudication of Mrs. Mercedita A. Ibañez which was apprehended transporting undocumented charcoal last November 26, 2021. Mr. Dominador Paduga issued an affidavit that Mrs. Mercedita Ibañez bought charcoal from him.

Issued this 24th day of March, 2022 at DENR-CENRO Puerto Princesa City.


PEDRO A. VELASCO
Department Management Officer IV
OIC-CENRO


DENR MIMAROPA REGION
CENRO PUERTO PRINCESA
RELEASED
NO: 971
DATE: 03-24-22
BY: 

AFFIDAVIT

I, **CHRISTOPHER CAVITE**, Filipino, of legal age, married, with residence at Bgy. Bacungan, Puerto Princesa City, after having sworn according to law, hereby depose and state:

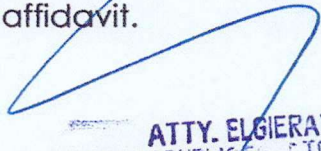
1. That I am the driver of Toyota Innova owned by Mercedita A. Ibañez with OR/CR No. 245387973 that was apprehended by the officer of the City Environment and Natural Resources Office (CENRO) on November 26, 2021 in front of MKC Dressing Plant along the National Highway, Bgy. Tagburos, Puerto Princesa City;
2. That on November 26, 2021, I borrowed said vehicle to use to pick up my children from Wescom Road, Puerto Princesa City.
3. While I was driving the said vehicle, a person unknown to me riding a motorcycle had overtaken the said car and approached me. Said person introduced himself in the name of Andrew Arenas of CENRO and requested me to follow him on the said office.
4. That upon apprehension, the said motor vehicle was impounded due to alleged illegal transportation of forty-four (44) sacks of charcoal. At present, said motor vehicle is under the custody of CENRO.
5. That I am executing this affidavit to attest to all the above facts and for whatever legal purpose this may serve;

IN WITNESS WHEREOF, I hereby affix my signature this MAY 25 day of _____ in Puerto Princesa City, Palawan.


CHRISTOPHER CAVITE
Affiant

SUBSCRIBED AND SWORN to before me this 1 MAY 25 2022 at Puerto Princesa City. Affiant exhibited to me his I.D. No. D11-19-006462 issued by the LTO and valid until 03/31/2023. I hereby certify that I personally examined the affiant and satisfied that he voluntarily executed and fully understood the contents of his affidavit.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2021.


ATTY. ELGIERAY DOLPH Y. EUISON
NOTARY PUBLIC FOR PT. PRINCESA AND PALAWAN
UNTIL JUNE 30, 2022
NPL NO. 2020-052
ROLI NO. 75778
IBP OR NO. 168663/28 DEC. 2021/PPC
PTR OR NO. 1625311/3 JAN. 2022/PPC
BANGAO-BANGAO, PPC

May 4, 2022

S
ANNEX" S

PEDRO A. VELASCO

Development Management Officer-IV

OIC- CENRO

Puerto Princesa City

Palawan

CENRO-CENRO
PUERTO PRINCESA
DOC. NO.

DATE: 04 2022
RECEIVED
J. V. P. M.

Sir:

Ako po si Mercedita Ibañez, may-ari ng Toyota Innova na nahuli ng inyong tanggapan at ako po ay pormal na humihingi ng lahat ng mga records hinggil sa aking kaso.

Ako po ay humihingi ng mga sumusunod na dokumento:

- (1) Minutes of 1st Hearing
- (2) Minutes of 2nd Hearing
- (3) Minutes of 3rd Hearing
- (4) Final Decision of my case

Inaasahan ko po ang inyong agarang aksyon sa aking request. Maaari po ninyo akong tawagan sa numerong 09380968234.

09752032413

Maraming Salamat po!

Gumagalang,

Mercedita Ibañez



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY

ANNEX"



May 19, 2022

MS. MERCEDITA IBAÑEZ
Brgy. Bacungan, Puerto Princesa City

Dear Ms. Ibañez,

Makakalikasang araw po sa inyo!

This is to acknowledge the receipt of your letter request dated May 4, 2022, requesting copies of the minutes, and the results and findings of your administrative adjudication from our office.

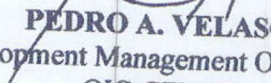
Please be informed that as much as we want to serve you, the information/records you have requested fall on the **List of Exceptions to the Right of Access to Information under Annex C.**


"8. Disclosure of confidential source, investigation proceedings, and records of assigned hearing officers, investigators, and deputized inspectors, when the premature disclosure thereof may result in endangering the life, safety, and security of any individual and pre-empt the resolution of the case."


Hence, we cannot provide you with the said documents. Rest assured that you will be immediately informed once there is an update on your case.

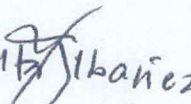
Thank you and we are happy to serve you.

Very truly yours,


PEDRO A. VELASCO
Development Management Officer IV
OIC-CENRO


MIMAROPA REGION
CENRO - PUERTO PRINCESA
RELEASED

NO. 2215
DATE: 5-23-22
BY: 


Mercedita Ibañez

South National Highway, Bgy. Sta. Monica, Puerto Princesa City
Email Address: cenroppchuc@yahoo.com
Tel Fax No.: (048) 433-0660

✓ 5/31/22

243
5
SEP 25 2017

July 3, 2017

MEMORANDUM

TO : The OIC-PENR Officer
Palawan

FROM : The OIC, Regional Director

SUBJECT : LETTER DATED MAY 30, 2017 OF MR. DOMINGO CARCELLER TO
THE CENRO ROXAS, PALAWAN

DENR MIMAROPA
PALAWAN REGION
RECEIVED

BY: *Pro*
DATE: 09/25/17 17-4082

This refers to your Memorandum dated June 6, 2017 requesting for clarification whether or not an investigation report in general is considered a restricted document.

It is provided under Item No. 5¹ that the following are exceptions to the Right of Access to Information:

5. Information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government entities, tribunals, boards, or officers, in relation to the performance of their functions, or to inquiries or investigation conducted by them in the exercise of their administrative, regulatory, or quasi-judicial powers.

7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged

In the same vein, Item No. 8 of DAO 2016-29² provides this exception: disclosure of confidential source, investigation proceedings, and records of assigned hearing officers, investigators, and deputized inspectors, when the premature disclosure thereof may result to the endangering the life, safety and security of any individual, and pre-empt the resolution of a case.

In this regard, an investigation report falls within the exception of the Right of Access to Information.

For information and record.



Natividad Y. Bernardino
NATIVIDAD Y. BERNARDINO, CESE

¹ Memorandum dated November 24, 2016 issued by Executive Secretary Salvador C. Medialdea re: Inventory of Exceptions to Executive Order No. 2 (S. 2016)
² DENR Freedom of Information Manual dated November 25, 2016

DAO
2016-89

ANNEX "C"

LIST OF EXCEPTIONS (NON-DISCLOSURE OF INFORMATION)

1. Any information that directly relates to national security or defense and its revelation may cause grave damage to national security or internal or external defense of the state.

At the very least, this jurisdiction recognizes the common law holding that there is a governmental privilege against public disclosure with respect to state secrets regarding military, diplomatic and other national security matters.

2. Executive privilege involving information relating to the President as Commander-in-Chief, appointing, pardoning authority and diplomatic powers.
3. Any information pertaining to the foreign affairs of the Republic of the Philippines, when its revelation or disclosure, shall unduly weaken the negotiating position of the government in an ongoing bilateral or multilateral negotiation or seriously jeopardize the diplomatic relations of the Philippines with one or more states.
4. Any information or inter-government exchanges prior to the conclusion of treaties and executive agreements may be subject to reasonable safeguards for the sake of national interest.
5. Disclosure of information on the Presidential communication's privilege.
6. Any information requested which pertains to internal or external defense, law enforcement and border control, when the disclosure thereof may:
 - 6.1 Lead to the disclosure of the identity of a confidential source, including a government, or foreign agency or authority or any private institution which furnished information on a confidential basis and, in the case of a record or information compiled by a law enforcement authority or agency, in the course of an intelligence investigation involving national security.
 - 6.2 Disclosure of legitimate techniques, procedures and guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably result to circumvention of the law.
 - 6.2.1 Endanger the life, safety and security of any individual.
 - 6.2.2 Deprive a person of the right to a fair trial and impartial adjudication.
7. On criminal matters such as classified law enforcement information relating to the apprehension, prosecution and detention of criminals, which the courts may not inquire into prior to such arrest, prosecution and detention.
8. Disclosure of confidential source, investigation proceedings, and records of assigned hearing officers, investigators, and deputized inspectors, when the premature disclosure thereof may result to the endangering the life, safety and security of any individual, and pre-empt the resolution of a case.

9. Disclosure of proceedings before the Committee on Decorum and Investigation (CODI) during preliminary investigation.
10. Personal and sensitive information concerning natural persons resulting in invasion of privacy unless waived in writing by the person concerned pursuant to Republic Act No. 10173 (Data Privacy Act of 2012).
11. Prohibition of disclosure of the identity of persons who furnish information on any violation of the law to public officers.
12. Disclosure of information such as drafts of proceedings, orders, resolutions, decisions, memoranda or audit reports by any administrative or quasi-judicial body in the exercise of its regulatory and adjudicatory functions.
13. Information pertaining to trade secrets and commercial or financial information submitted by a natural or juridical person obtained in confidence or covered by privileged communication, and /or filed in connection with an application in a government agency, the revelation of which would prejudice the interests of such natural or juridical person in trade, industrial, financial or commercial competition.
14. Any information related to the Republic Act 9160 (Anti-Money Laundering Act of 2001 as amended).
15. Disclosure of confidential information under the National Internal Revenue Code.
16. Disclosure of information related to the Republic Act No. 8293 (Intellectual Property Rights Act).
17. Disclosure of information related to the Republic Act No. 10055 (Philippine Technology Transfer Act of 2009).
18. Disclosure of information related to the Republic Act 9285 (Alternative Dispute Resolution Act of 2004).
19. Disclosure of information on an on-going evaluation, review of bids or proposals being undertaken by the Bids and Awards Committee (BAC) or its technical working group (TWG) which are not yet considered as official acts, transactions, or decisions.
20. Disclosure of information related to identity of news informants or sources under Republic Act No. 1477 (The Shield Law).
21. Disclosure of information in violation of Republic Act No. 4200 (The Anti-Wiretapping Law).
22. Disclosure of Statement of Assets, Liabilities and Net Worth shall be subject to approval of the Office of the Ombudsman and/or the Civil Service Commission (CSC).
23. Disclosure of information concerning the nature and specific location of a potentially significant cave pursuant to Republic Act No. 9072 (National Caves and Cave Resources Management and Protection Act of 2001).