



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

SEP 05 2022



MEMORANDUM

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

THRU : The ARD for Technical Services

FROM : The OIC, PENR Officer

SUBJECT : RESOLUTION NO. 2022-062

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated August 26, 2022 regarding the result of administrative adjudication on the apprehended three hundred twenty seven (327) pieces of Taluto lumber with different dimensions having an aggregate volume of 1,718.66 board feet at Barangay Poblacion, Calintaan, Occidental Mindoro.

The said apprehended forest products are now temporarily impounded at DENR-CENRO San Jose Murtha Station for safekeeping.

For information and record.



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

AUG 26 2022

MEMORANDUM

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

THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

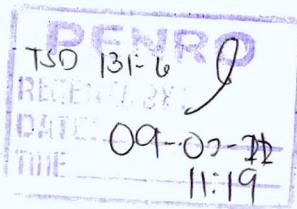
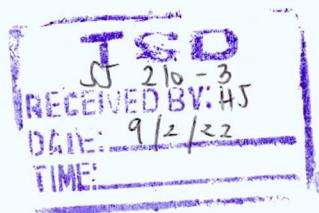
SUBJECT : RESOLUTION NO. 2022-062

Submitted herewith is the Resolution No. 2022-062 as a result of administrative adjudication on the apprehended three hundred twenty seven (327) pcs. Taluto lumber with different dimensions having an aggregate volume of 1,718.66 bdft. at Brgy. Poblacion, Calintaan, Occidental Mindoro on August 9, 2022.

For your information and record.



EFREN L. DELOS REYES



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



RE: APPREHENSION OF ABANDONED THREE HUNDRED TWENTY SEVEN (327) PCS. OF TALUTO LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 1,718.66 BDFT. AT BRGY. POBLACION, CALINTAAN, OCCIDENTAL MINDORO ON AUGUST 9, 2022 AT AROUND 3:23 IN THE AFTERNOON

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RESOLUTION No. 2022-062

This pertains to the apprehension of abandoned three hundred twenty seven (327) pieces of Taluto lumbers with different dimensions having an aggregate volume of 1,718.66 bdft. at Brgy. Poblacion, Calintaan, Occidental Mindoro on August 9, 2022 at around 3:23 in the afternoon by the Personnel of Enforcement and Monitoring Section (EMS) DENR- CENRO, San Jose, Occidental Mindoro.

The facts of the subject case are as follows, to wit:

1. That on August 9, 2022 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office headed by Forester I Augreth S. Saligumba conducted a monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there was stockpiled of lumber believed to be illegally cut at the vicinity of the Public Market of Brgy. Poblacion, Calintaan, Occidental Mindoro.
2. That indeed the report was confirmed and on the absence of the claimant, the team apprehended the above-subject lumber and hauled to Murtha Monitoring Station at Brgy. Murtha, San Jose, Occidental Mindoro for safekeeping. (*Please see attached spot report*)
3. That the corresponding Apprehension Receipt with CENRO Control No.2022-F456 was issued by the apprehending officer headed by Chief, EMS, Augreth S. Saligumba (*please see attached apprehension receipt*)
4. That the Seizure Order with CENRO Control Number 2022-F456 was issued by The Seizure Officer, Land Management Officer II Rhodora A. Garcia . (*please see attached seizure order*)
5. That a PABATID SA PUBLIKO (Notice to the Public) was posted on August 10, August 17 and August 24, 2022 in conspicuous places such as at Public Market of Poblacion Calintan and at the Brgy. Hall of Poblacion Calintan, Occidental Mindoro. (*please see attached Pabatid sa Publiko*)
6. That, no Administrative hearing was made because there was no claimant of the said abandoned forest products even though a Pabatid sa Publiko has been posted on three (3) separate dates and at the conspicuous places of the area of concern. (*please see attached Pabatid sa Publiko*)

The issues to be resolved in this case are as follow;

1. Whether or not the abandoned three hundred twenty seven (327) Taluto lumbers with different dimensions having an aggregate volume of 1,718.66 bdft. will be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products is valid, as the abandoned forest product is not supported with any cutting permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. — Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code

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SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation. — In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

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Department Administrative Order No. 97-32

Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

- a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.

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2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended abandoned three hundred twenty seven (327) Taluto lumbers with different dimensions having an aggregate volume of 1,718.66 bdft. shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation.

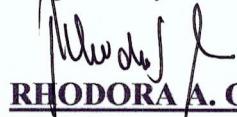
Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) the following are hereby recommended:

1. The abandoned three hundred twenty seven (327) Taluto lumbers with different dimensions having an aggregate volume of 1,718.66 bdft. shall be confiscated in favour of the government since those lumbers are products of an illegal act.

AUG 25 2022

Issued this _____ day of _____ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:



RHODORA A. GARCIA

LMO III

Hearing Officer/ Seizure Officer



Noted By:



EFREN L. DELOS REYES
CENR Officer

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



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

EMAIL FOR TRANSMISSION
AUGUST 10, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE HAD APPREHENDED THREE HUNDRED TWENTY SEVEN (327) PIECES OF TALUTO LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 1,718.66 BDFT AT BRGY. POBLACION CMA CALINTAAN CMA OCCIDENTAL MINDORO ON AUGUST 9, 2022 AROUND 3:23 IN THE AFTERNOON PD

BE FURTHER INFORMED THAT THE SAID MAJOR FOREST PRODUCTS WERE FOUND ABANDONED AND NO CLAIMANT APPEARED DURING THE TIME OF APPREHENSION PD

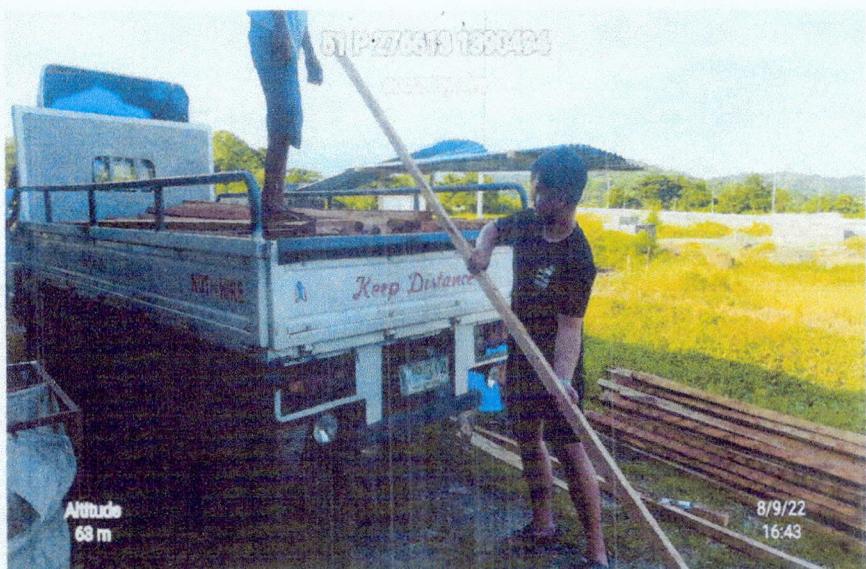
SAID UNDOCUMENTED MAJOR FOREST PRODUCTS WERE BROUGHT TO THE MONITORING STATION AT BRGY. MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR TEMPORARY SAFEKEEPING PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

CENRO DELOS REYES

SENDER:

EFREN L. DELOS REYES
CENR Officer



Republic of the Philippines
 Department of Environment and Natural Resources
CENRO SAN JOSE
Address: Labangan, San Jose, Occidental Mindoro

APPREHENSION RECEIPT

CENRO Control No.: 2022-F456

E-FMS No: 2022-175110-F456

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
ABANDONED					

pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 for the following Forest Products, Conveyances, Machinery/Equipment, Tool and Implements that have been apprehended, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS

Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
lumber		LUS	Taluto	54		2x3x14=378.00	17,010.00	Ranger Monitoring Station	LMO III Rhodora A. Garcia
				52		2x3x13=338.00	15,210.00		
				61		2x3x12=366.00	16,470.00		
				158		2x2x12=632.00	28,440.00		
				2		2x2x7=4.66	209.70		
Total:				327		1,718.66	77,339.70		

Minor Forest Products

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

Conveyance involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

Implements Involved	
Type	Quantity
N/A	N/A

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

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
Aug. 9, 2022 3:23 pm	OCC. MINDORO	CALINTAAN	POBLACION	N/A	DENR PERSONNEL	SECTION 77, PD 705 as amended

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

- _____
- _____
- _____

The subject forest products, conveyances, machinery/equipment, tool and implements and others apprehended should be kept and protected from defacement in any manner, destruction or loss and should not be altered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 9th day of August , year 2022 at Calintaan, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. AUGRETH S. SALIGUMBA

Position: Forester I
Address: CENRO-San Jose

4. MARYJEAN M. BAROLO

Position: Forest Ranger
Address: CENRO-San Jose

2. LOREN KAYE A. GARCIA

Position: Forest Technician I
Address: CENRO-San Jose

3. TRISTAN V. RENDORIO

Position: Forest Ranger
Address: CENRO-San Jose

WITNESSES:

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

1. _____

Position: _____
Address: _____

3. _____

Position: _____
Address: _____

2. _____

Position: _____
Address: _____

4. _____

Position: _____
Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

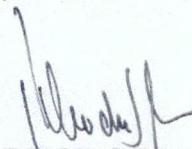
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated August 9, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is *prima facie* evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

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

So ordered this 9th day of August, 2022 at Brgy. Murtha, San Jose, Occidental Mindoro.



RHODORA A. GARCIA
Seizure Officer

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2022-F456

E-FMS No: 2022-175110-F456

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 Fore st Pro duct s	Species Grouping	Species	Piec es	Volume/Unit of Measurement	Estimated Value	Impoundin g Area	Custodian
lumber		LUS	Taluto	54	2x3x14=378.00	17,010.00	Murtha Monitoring Station	LMO III Rhodora A. Garcica	
				52	2x3x13=338.00	15,210.00			
				61	2x3x12=366.00	16,470.00			
				158	2x2x12=632.00	28,440.00			
				2	2x2x7=4.66	209.70			
Total				327	1,718.66	77,339.70			

Minor forest products

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

Conveyance Involved

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

Conveyance Involved (Additional Details)

Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	N/A

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

If Animal

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

Equipment Involved

Type	Quantity	Details	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A

Implements Involved

Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

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

Name	Address	Civil Status	Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

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

SEIZURE

Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Sitio		
Aug. 9, 2022 5:00 pm	OCC. MINDORO	SAN JOSE	MURTHA	N/A	LMO III Rhodora A. Garcica	SECTION 77, PD 705 as amended



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

AUG 10 2022

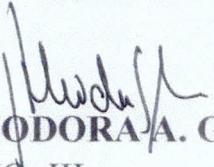
UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG TATLONG DAAN AT DALAMPU'T PITONG (327) PIRASO NG TALUTO NA KAHOY NA MAY IBA'T IBANG SUKAT AT MAY KABUUANG DAMI NA 1,718.66 BDFT. NA INIWAN AT INABANDONA SA BRGY. POBLACION, CALINTAAN, OCCIDENTAL MINDORO NOONG IKA-9 NG AGOSTO, 2022 SA GANAP NA ALAS 3: 23 NG HAPON.

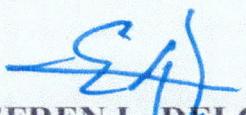
ANG NASABING KAHOY AY DINALA SA RANGER MONITORING STATION SA BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III
Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DELOS REYES
CENR Officer



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

AUG 17 2022

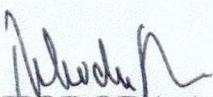
IKALAWANG PABATID SA PUBLIKO

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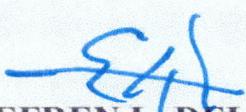
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KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III
Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DE LOS REYES
CENR Officer



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

AUG 24 2022

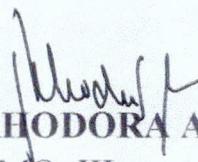
IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG TATLONG DAAN AT DALAMPUT PITONG (327) PIRASO NG TALUTO NA KAHOY NA MAY IBA'T IBANG SUKAT AT MAY KABUUANG DAMI NA 1,718.66 BDFT. NA INIWAN AT INABANDONA SA BRGY. POBLACION, CALINTAAN, OCCIDENTAL MINDORO NOONG IKA-9 NG AGOSTO, 2022 SA GANAP NA ALAS 3: 23 NG HAPON.

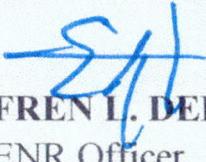
ANG NASABING KAHOY AY DINALA SA RANGER MONITORING STATION SA BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III
Seizure Officer/ Hearing Officer

NOTED BY:


EFREN L. DELOS REYES
CENR Officer