



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

AUG 26 2022

MEMORANDUM

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

THRU : Assistant Regional Director
For Technical Services

FROM : The OIC PENR Officer

SUBJECT : REPORT ON THE APPREHENSION OF UNDOCUMENTED FOREST
PRODUCTS (21 PIECES OF DUGUAN AND GUIJO LUMBER) WITH
AN AGGREGATE VOLUME OF 207 BOARD FEET AT BARANGAY
LUMANGBAYAN , MAMBURAO, OCCIDENTAL MINDORO

Respectfully forwarded is the memorandum from CENR Officer Anastacio A. Santos dated August 17, 2022 relative to the apprehension of Twenty One (21) pieces of Duguan and Guijo species by the personnel of Sta. Cruz Municipal Police Station while conducting an anti-illegal logging operation in the vicinity of Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro.

The said apprehended forest products were turned over to DENR-CENRO Coordinating Office located at PENRO compound for safekeeping and proper disposition. The Criminal Case was filed against Mr. Reynaldo Aguilar for violation of Section 77 of PD 705 as amended by RA 7161 and docketed as Criminal Case No. Z-3601.

For your information and record.


ERNESTO E. TAÑADA



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

August 17, 2022

MEMORANDUM

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

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

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

SUBJECT : **APPREHENSION REPORT OF UNDOCUMENTED
FOREST PRODUCTS (21 PIECES OF DUGUAN AND GUIJO
LUMBER) WITH A TOTAL VOLUME OF 207 BOARD FEET
AT BRGY. LUMANGBAYAN, STA. CRUZ, OCCIDENTAL
MINDORO**

RECORDED
Date: 8-22-22
By: 9

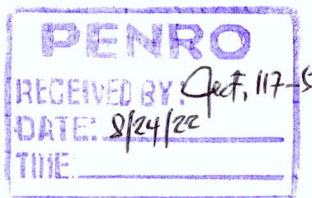
Respectfully submitted herewith is the detailed report on the administrative case and criminal case filed against Mr. Reynaldo Flores Aguilar, together with other enclosures, to wit:

- I - Completed Staff Work (CSW) Report
- II - Criminal Case docketed as Z-3601

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

For your information, review, and evaluation.


FOR. ANASTACIO A. SANTOS MPA.



**COMPLETED STAFF WORK REPORT ON THE APPREHENDED
UNDOCUMENTED FOREST PRODUCTS, IN VIOLATION OF SECTION 77 OF
PD 705 AS AMENDED BY RA 7161**

I. HISTORY

This is in relation to apprehended undocumented forest products violation of Section 77 of PD 705 as amended by RA.

The case was filed against Reynaldo Flores Aguilar.

That on February 16, 2022, at around 2:56 in the morning, PSSg Eric P. Caiga and Pat Ruperto I Balele III with 2nd Pltn. 2nd OMPMFC, PIU OMPPPO and 402nd B MC RMFB, while conducting anti-illegal logging operations at Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro, they noticed the suspect and the cut timbers on the river bank. Upon verification, the subject failed to present documents pertaining to the legality of the said cut timbers. The subject was informed of his violation and apprised of his constitutional rights (Miranda Doctrine) and Anti- Torture Law by the arresting PNP personnel of the station and got arrested.

The said suspect was caught in the act with the possession of cut sawn Guijo and Duguan species.

It was brought and turned over to DENR PENRO Compound at Mamburao, Occidental Mindoro for safekeeping and proper disposition.

On February 16, 2022, the accused was arrested and also brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding. On the same date, the Regional Trial Court Branch 44 issued an information against Reynaldo Aguilar for violation of Section 77, PD 705. The case was docketed as Criminal Case No. Z-3601.

On May 26, 2022 and July 11, 2022, we invited Mr. Reynaldo Aguilar for an administrative hearing for the above apprehended illegal forest product. However, with no justifiable reason, he failed to respond to our invitation twice.

OBSERVATION/FACTS

1. That the operatives of Sta. Cruz Municipal Police Station conducted an anti-illegal logging operations at Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro when they apprehended undocumented forest products.
2. That during the apprehension, it was found out that the accused were in possession of Guijo and Duguan lumber.
3. That during the apprehension, accused was arrested namely Reynaldo Flores Aguilar.
4. That mere possession of timber or other forest products without the proper legal documents, even malice or criminal intent, is illegal under Section 77 of PD 705 as amended by RA 7161.

5. That the respondent failed to respond to our invitation twice with ni justifiable reason.
6. That the accused were arrested and brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding.
7. That an information was issued against the accused. The case was docketed as Criminal Case No. Z- 3601.

II. SUMMARY OF ADMINISTRATIVE PROCEEDINGS

It appears that the accused were caught during the illegal logging operations by the Sta. Cruz Municipal Police Station. They were caught in the act with the possession of cut sawn undocumented forest products which is in violation of Section 77 of PD 705 as amended by RA 7161.

Section 77 clearly states that cutting, gathering, collecting or removing of timber or other forest products from any forest land without proper documents or permit from the proper authority is a violation under PD 705.

III. RECOMMENDATION

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

Prepared by:

Noted by:


KARREEN D. ALVAREZ
Forest Technician II


ARISTON S. RAMOS
Forester II/Chief, EMS

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

APPREHENSION RECEIPT

CENRO Control No.:

E-FMS No.:

This APPREHENSION RECEIPT is issued to:

Name	Address	Civil Status	Age	Participation	Status of the Person
Reynaldo Aguilar	Brgy.Barahan, Sta. Cruz, Occ. Mdo	single	33	Laborer	In Good Condition

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

1. Forest Product

MAJOR FOREST PRODUCTS																	
Kind	Item	Source/ Origin of the Forest Product	Species Grouping	Species	Pieces	Volume / Unit of Measurement				Estimated Value	Impounding Area	Custodian					
Good Lumer	1	Sta. Cruz, Occ. Mindoro	Constraction Materials	Duguan	18	2	x	3	x	12	108	bd.ft.	₱ 4,320.00	DENR-CENRO Sablayan, Ranger Station, Sitio Yapang, Brgy. Batong-Buhay, Sablayan, Occ. Mindoro	CENR Officer ANASTACIO A. SANTOS		
	Duguan			2	3	x	6	x	22	66.0	bd.ft.	₱ 2,640.00					
	Guiho			1	3	x	6	x	22	33.0	bd.ft.	₱ 1,320.00					
					XXXXXXXXXXXXXXXXXXXXXXXXXXXX												
	TOTAL					21				207.0 bd.ft.	₱ 8,280.00						

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.	Chasis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

IF ANIMALS				
Kind		Quantity		Gender
				Color
N/A	N/A	N/A	N/A	N/A

EQUIPMENT INVOLVED	
Type	Quantity
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	Facual Legal Basis for Apprehension
	Province	City/ Municipality	Barangay	Sitio		
February 16, 2022 / 2:56 AM	Occ. Mdo.	Sta. Cruz	Lumangbay an		Pssg. Eric Caiga	Violation Of Sec.77 of PD 705

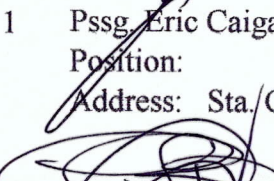
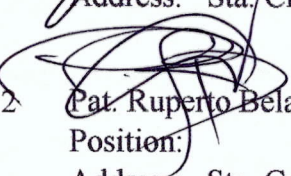
Is / are hereby declaring under apprehension on the following FACTUAL reasons:

- Violation of Section 77 of PD 705
-
-

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 16th day of February year 2022 at Sta. Cruz, Occidental Mindoro

APPREHENDING OFFICERS
(Signature Over Printed Name)

1	 Pssg. Eric Caiga Position: Address: Sta. Cruz MPS	7	Position: Address:
2	 Pat. Ruperto Belale Position: Address: Sta. Cruz MPS	8	Position: Address:
3	Position: Address:	9	Position: Address:
4	Position: Address:	10	Position: Address:
5	Position: Address:	11	Position: Address:
6	Position: Address:	12	Position: Address:

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

1	Reynaldo Aguilar Position: Owner Address: Brgy. Barahan Sta. Cruz., Occ. Mdo.	3	Position: Address:
2	Position: Address:	4	Position: Address:

WITNESSES
(Signature Over Printed Name)

1	Position: Address:	3	Position: Address:
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Copy Received by:

Signature over Printe Name

Date / Time

SEIZURE ORDER

CENRO Control No.:
E-FMS No.:

FACTS

MAJOR FOREST PRODUCTS																	
Kind	Item	Source/ Origin of the Forest Product	Species Grouping	Species	Pieces	Volume / Unit of Measurement				Estimated Value	Impounding Area	Custodian					
Good Lumber	1	Sta. Cruz, Occ. Mindoro	Constraction Materials	Duguan	18	2	x	3	x	12	108	bd.ft.	₱ 4,320.00	DENR-CENRO Sablayan, Ranger Station, Sitio Yapang, Brgy. Batong-Buhay, Sablayan, Occ. Mindoro	CENR Officer ANASTACIO A. SANTOS		
	2			Duguan	2	3	x	6	x	22	66.0	bd.ft.	₱ 2,640.00				
				Guiho	1	3	x	6	x	22	33.0	bd.ft.	₱ 1,320.00				
						xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx											
	TOTAL					21	207.0 bd.ft.				₱ 8,280.00						

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

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

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*
N/A	N/A	N/A	N/A

*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	Custodian
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
Reynaldo Aguilar	Brgy. Barahan, Sta. Cruz, Occ. Mindoro	Single	33	Laborer	In good condition

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		
February 16, 2022	Occidental Mindoro	Sta. Cruz	Lumangbayan		Pssg. Eric Caiga	Violation of Sec. 77 of PD 705

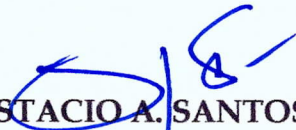
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated February 16, 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 ____day of _____, year 2022 at CENRO Sablayan, Occidental Mindoro.


ANASTACIO A. SANTOS
Seizure Officer /
CENR Officer



DENR-EMS (Forest Protection)
Supervision

SEIZURE RECEIPT

The following apprehended items with Apprehension Receipt No. _____ are administrative seizure pursuant to Section 3 DAO 97-32

A. FOREST PRODUCTS

Species	No. of Pieces	Dimension	Volume (BdFt)	Estimated Value
Duguan	18	2x3x12	108 bd.ft.	₱ 4,320.00
Duguan	2	2x6x22	66 bd.ft.	₱ 2,640.00
Guiho	1	2x6x22	33 bd.ft.	₱ 1,320.00
xxxxxxxxxxxxxxxx	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX
TOTAL				

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

NAME	ADDRESS	NATURE OF PARTICIPANT
1. <u>Reynaldo Aguilar</u>	<u>Barangay Lumangbayan, Sta. Cruz</u> <u>Occidental Mindoro</u>	<u>Laborer / Claimant</u>



B. CONVEYANCE

Name of Registration/Owner: _____

Address: _____

Type of Vehicle: _____

Model: _____

Engine/Motor Serial No: _____

Chassis Serial No: _____

Certificate of Registration No: _____

Estimated Fair Market Value: _____

Plate No: _____

NIA

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each items and estimate fair market value).


The items were apprehended at Barangay Lumanbayan, Sta. Cruz, Occidental Mindoro

On February 16, 2022 at around 2:56 in the morning. Due to Violation of Section 77 of PD 705.

Further, these apprehended items are now deposited at Central Monitoring Station located at Sitio Yapang, Barangay Batong-buhay, Sablayan, Occidental Mindoro for safe keeping.

That the undersigned hereby acknowledge that the above listed item(s) are now in ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the custodial egis, pending the conduct of administrative proceedings for their disposition.

Therefore issue this Seizure Receipt No. _____ this February 17, 2022
At DENR-CENRO Sablayan, Occidental Mindoro.


ANASTACIO A. SANTOS
Seizure Officer





DENR SABLAYAN; Enforcement and Monitoring Section (EMS)
Supervision

ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

THIS IS TO ACKNOWLEDGE THE RECEIPT from **Sta. Cruz Municipal Police Station**, to wit;

No. of Pieces	Dimension	Species	Volume
18	2x3x12	Duguan	108 bd.ft.
2	2x6x22	Duguan	66 bd.ft.
1	2x6x22	Guiho	33 bd.ft.
XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX

Note: *The above mentioned will be transported from Sta. Cruz MPS, Occidental Mindoro to DENR-CENRO Sablayan Central Monitoring Station at Sitio Yapang, Barangay Batongbuhay Sablayan, Occidental Mindoro for safekeeping.*

Received this **16th** day of **February, 2022** at Sta.Cruz, Occidental Mindoro.

Turned-over by:

Pssg. Eric Caiga
Arresting Officer

Received by:

Ariston S. Ramos
Forester II / Chief, EMS



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
STA CRUZ MUNICIPAL POLICE STATION
Santa Cruz, Occidental Mindoro



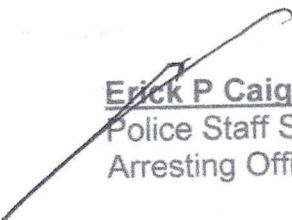
February 16, 2022

Turn-over Receipt

THIS IS TO CERTIFY that the undersigned has turned-over the confiscated pieces of evidences recovered from the possession of **REYNALDO FLORES AGUILAR** at Brgy Lumangbayan, Sta Cruz, Occidental Mindoro on February 16, 2022 at about 2:56 AM, to wit:


- a. Eighteen (18) pcs 2X3X12 Duguan specie (108 bdft)
- b. Two (2) pcs 3x6x22 of Duguan specie (66 bdft)
- c. One (1) pc 3x6x22 Guiho specie (33 bdft)

- with the total of 207 bdft
- amounting to P8,280.00


Erick P Caiga
Police Staff Sergeant
Arresting Officer

Received by:


ARISTON S. RAMOS


Pat Ruperto I Belale III
Patrolman
Witness



Republic of the Philippines
NATIONAL POLICE COMMISSION

**PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
SANTA CRUZ MUNICIPAL POLICE STATION**

Santa Cruz, Occidental Mindoro




February 16, 2022

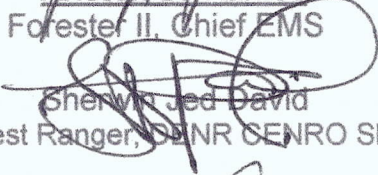
RECEIPT/INVENTORY OF CONFISCATED PIECES OF EVIDENCE

This is to acknowledge the receipt of the property/items/articles herein listed/inventoried below recovered from the possession of **REYNALDO FLORES AGUILAR** at Brgy Lumangbayan, Sta. Cruz, Occidental Mindoro on February 16, 2022 at about 2:56 AM, to wit:

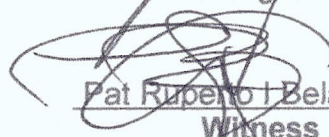
- a. Eighteen (18) pcs 2X3X12 Duguan specie (108 bdf)
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- c. One (1) pc 3x6x22 Guiho specie (33 bdf)

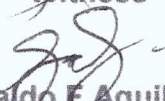
- with the total of 207 bdf
- amounting to P8,280.00


Ariston S.J. Ramos
Forester II, Chief EMS


Sherwin Jed David
Forest Ranger, DENR GENRO SBY

PSSg Erick P. Caiga
Arresting Officer


Pat Ruperto I. Belale III
Witness


Reynaldo F. Aguilar
Owner



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
SANTA CRUZ MUNICIPAL POLICE STATION
Santa Cruz, Occidental Mindoro



STCMPS - MIDMS
MEMORANDUM

FOR : **Provincial Director**
Occidental Mindoro PPO
(Attn: **Chiefs, PIDMU/POMU/PIU/PCADU**)

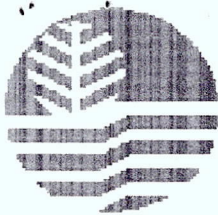
FROM : Acting Chief of Police

SUBJECT : **Spot Report on Violation of PD 705**

DATE : February 16, 2022

1. **What:** Violation of PD 705
2. **Where:** Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro
3. **When:** February 16, 2021 at about 2:56 AM
4. **Who:** The arrested suspect was identified as **Reynaldo Flores Aguilar**, 33 years old, with live in partner, laborer and a resident of Barangay Barahan, Sta. Cruz, Occidental Mindoro.
5. **Why/How:** That on the stated time, date and place PSSg Eric P Caiga and Pat Ruperto I Belale III with 2nd Pltn 2nd OMPMFC, PIU OMPPO and 402nd B MC RMFB, while conducting anti-illegal logging operations at Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro, they noticed the suspect and the cut timbers on the river bank. Upon verification, the suspect failed to present documents pertaining to the legality of the said cut timbers. The suspect was informed of his violation and apprised of his constitutional rights (Miranda Doctrine) and Anti-Torture Law by the arresting PNP personnel of this station and got arrested. Recovered from his possession were eighteen (18) pcs of 2x3x12 Dug-an specie and three (3) pcs of 3x6x30 of Giho specie, with the total of two hundred forty three(243) board feet with an estimated value of nine thousand seven hundred twenty pesos (P 9,7200.00).
Suspect and the recovered evidences were brought to Sta Cruz MPS for documentation and for filing of appropriate charges in court. Investigator on-case is PEMS Leo U Ordenes with contact number 09499670791.
6. For information and progress report will follow.


TEOFILO C FESTIN III
Police Captain



IKALAWANG PABATID

July 11, 2022

G. REYNALDO AGUILAR

Barangay Barahan
Sta. Cruz, Occidental Mindoro

Ginoo,

Ito po ay may kaugnayan sa mga kahoy na natagpuan sa inyong pagmamay-ari na may daming 207 bd ft. noong ika-16 ng Pebrero, 2022 sa Barangay Barahan, Sta. Cruz, Occidental Mindoro na pawang walang pahintulot mula sa aming opisina.

Dahil po dito, kayo ay aming isasailalim sa isang pandinig (Administrative Hearing) tungkol sa "Violation of Section 77 of PD 705". Ang pagdinig ay gaganapin sa ika-10 ng umaga, July 13, 2022 sa tanggapan ng DENR-CENRO Sablayan Coordinating Office, Mamburao, Occidental Mindoro.

Inaasahan po namin ang inyong pakikiisa.

Gumagalang,


FOR. ANASTACIO A. SANTOS, MPA

 CENR Officer



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

August 17, 2022

MEMORANDUM

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

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

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

SUBJECT : **APPREHENSION REPORT OF UNDOCUMENTED
FOREST PRODUCTS (21 PIECES OF DUGUAN AND GUIJO
LUMBER) WITH A TOTAL VOLUME OF 207 BOARD FEET
AT BRGY. LUMANGBAYAN, STA. CRUZ, OCCIDENTAL
MINDORO**

RECORDED
Date: 8-17-22
By: [Signature]

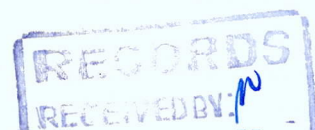
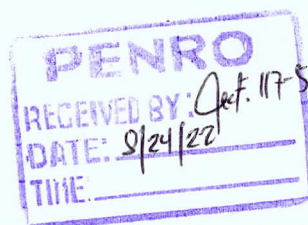
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- II - Criminal Case docketed as Z-3601

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- 3. Seizure Receipt
- 4. Pictures and other attachment

For your information, review, and evaluation.


FOR. ANASTACIO A. SANTOS MPA.



**COMPLETED STAFF WORK REPORT ON THE APPREHENDED
UNDOCUMENTED FOREST PRODUCTS, IN VIOLATION OF SECTION 77 OF
PD 705 AS AMENDED BY RA 7161**

I. HISTORY

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The case was filed against Reynaldo Flores Aguilar.

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The said suspect was caught in the act with the possession of cut sawn Guijo and Duguan species.

It was brought and turned over to DENR PENRO Compound at Mamburao, Occidental Mindoro for safekeeping and proper disposition.

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On May 26, 2022 and July 11, 2022, we invited Mr. Reynaldo Aguilar for an administrative hearing for the above apprehended illegal forest product. However, with no justifiable reason, he failed to respond to our invitation twice.

OBSERVATION/FACTS

1. That the operatives of Sta. Cruz Municipal Police Station conducted an illegal logging operations at Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro when they apprehended undocumented forest products.
2. That during the apprehension, it was found out that the accused were in possession of Guijo and Duguan lumber.
3. That during the apprehension, accused was arrested namely Reynaldo Flores Aguilar.
4. That mere possession of timber or other forest products without the necessary documents, even malice or criminal intent, is illegal under Section 77 of PD 705 as amended by RA 7161.

5. That the respondent failed to respond to our invitation twice with ni justifiable reason.
6. That the accused were arrested and brought to the Office of the Provincial Prosecutor at Mamburao, Occidental Mindoro for inquest proceeding.
7. That an information was issued against the accused. The case was docketed as Criminal Case No. Z- 3601.

II. SUMMARY OF ADMINISTRATIVE PROCEEDINGS

It appears that the accused were caught during the illegal logging operations by the Sta. Cruz Municipal Police Station. They were caught in the act with the possession of cut sawn undocumented forest products which is in violation of Section 77 of PD 705 as amended by RA 7161.

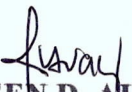
Section 77 clearly states that cutting, gathering, collecting or removing of timber or other forest products from any forest land without proper documents or permit from the proper authority is a violation under PD 705.

III. RECOMMENDATION

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

Prepared by:

Noted by:


KARREEN D. ALVAREZ
Forest Technician II


ARISTON S.J. RAMOS
Forester II/Chief, EMS

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

APPREHENSION RECEIPT

CENRO Control No.:
E-FMS No.:

This APPREHENSION RECEIPT is issued to:

Name	Address	Civil Status	Age	Participation	Status of the Person
Reynaldo Aguilar	Brgy.Barahan, Sta. Cruz,	single	33	Laborer	In Good Condition
	Occ. Mdo				

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

1. Forest Product

MAJOR FOREST PRODUCTS																	
Kind	Item	Source/ Origin of the Forest Product	Species Grouping	Species	Pieces	Volume / Unit of Measurement				Estimated Value	Impounding Area	Custodian					
Good Lumer	1	Sta. Cruz, Occ. Mindoro	Constraction Materials	Duguan	18	2	x	3	x	12	108	bd.ft.	₱ 4,320.00	DENR-CENRO Sablayan, Ranger Station, Sitio Yapang, Brgy. Batong-Buhay, Sablayan, Occ. Mindoro	CENR Officer ANASTACIO A. SANTOS		
	Duguan			2	3	x	6	x	22	66.0	bd.ft.	₱ 2,640.00					
	Guiho			1	3	x	6	x	22	33.0	bd.ft.	₱ 1,320.00					
					xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx												
	TOTAL					21				207.0 bd.ft.	₱ 8,280.00						

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.	Chasis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

IF ANIMALS				
Kind		Quantity		Gender
				Color
N/A	N/A	N/A	N/A	N/A

EQUIPMENT INVOLVED	
Type	Quantity
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	Facual Legal Basis for Apprehension
	Province	City/ Municipality	Barangay	Sitio		
February 16, 2022 / 2:56 AM	Occ. Mdo.	Sta. Cruz	Lumangbay an		Pssg. Eric Caiga	Violation Of Sec.77 of PD 705

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

- Violation of Section 77 of PD 705
-
-

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 16th day of February year 2022 at Sta. Cruz, Occidental Mindoro

APPREHENDING OFFICERS
(Signature Over Printed Name)

1 Pssg. Eric Caiga
Position:
Address: Sta. Cruz MPS

2 Pat. Ruperto Belale
Position:
Address: Sta. Cruz MPS

3
Position:
Address:

4
Position:
Address:

5
Position:
Address:

6
Position:
Address:

7
Position:
Address:

8
Position:
Address:

9
Position:
Address:

10
Position:
Address:

11
Position:
Address:

12
Position:
Address:

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

1 Reynaldo Aguilar
Position: Owner
Address: Brgy. Barahan Sta. Cruz., Occ.
Mdo.

2
Position:
Address:

3
Position:
Address:

4
Position:
Address:

WITNESSES
(Signature Over Printed Name)

1
Position:
Address:

3
Position:
Address:

Copy Received by:

Signature over Printe Name

Date / Time

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

SEIZURE ORDER

CENRO Control No.:
E-FMS No.:

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

FACTS

1. Forest Product

MAJOR FOREST PRODUCTS																	
Kind	Item	Source/ Origin of the Forest Product	Species Grouping	Species	Pieces	Volume / Unit of Measurement				Estimated Value	Impounding Area	Custodian					
Good Lumer	1	Sta. Cruz, Occ. Mindoro	Constraction Materials	Duguan	18	2	x	3	x	12	108	bd.ft.	₱ 4,320.00	DENR-CENRO Sablayan, Ranger Station, Sitio Yapang, Brgy. Batong-Buhay, Sablayan, Occ. Mindoro	CENR Officer ANASTACIO A. SANTOS		
	Duguan			2	3	x	6	x	22	66.0	bd.ft.	₱ 2,640.00					
	Guiho			1	3	x	6	x	22	33.0	bd.ft.	₱ 1,320.00					
					xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx												
	TOTAL					21					207.0 bd.ft.	₱ 8,280.00					

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

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

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*
N/A	N/A	N/A	N/A

*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	Custodian
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
Reynaldo Aguilar	Brgy. Barahan, Sta. Cruz, Occ. Mindoro	Single	33	Laborer	In good condition

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		
February 16, 2022	Occidental Mindoro	Sta. Cruz	Lumangbayan		Pssg. Eric Caiga	Violation of Sec. 77 of PD 705


Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated February 16, 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 ____day of _____, year 2022 at CENRO Sablayan, Occidental Mindoro.


ANASTACIO A. SANTOS
Seizure Officer /
CENR Officer



DENR-EMS (Forest Protection)
Supervision

SEIZURE RECEIPT

The following apprehended items with Apprehension Receipt No. _____ are administrative seizure pursuant to Section 3 DAO 97-32

A. FOREST PRODUCTS

Species	No. of Pieces	Dimension	Volume (BdFt)	Estimated Value
Duguan	18	2x3x12	108 bd.ft.	₱ 4,320.00
Duguan	2	2x6x22	66 bd.ft.	₱ 2,640.00
Guiho	1	2x6x22	33 bd.ft.	₱ 1,320.00
xxxxxxxxxxxxxxxx	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX	XXXXXXXXXXXXXX
TOTAL				

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

NAME	ADDRESS	NATURE OF PARTICIPANT
1. <u>Reynaldo Aguilar</u>	<u>Barangay Lumangbayan, Sta. Cruz</u> <u>Occidental Mindoro</u>	<u>Laborer / Claimant</u>



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Road, Brgy. Sto. Niño, Sablayan, Occidental Mindoro
E-mail: cenrosablayan@denr.gov.ph

B. CONVEYANCE

Name of Registration/Owner: _____

Address: _____

Type of Vehicle: _____

Model: _____

Engine/Motor Serial No: _____

Chassis Serial No: _____

Certificate of Registration No: _____

Estimated Fair Market Value: _____

Plate No: _____

N/A

C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each items and estimate fair market value).

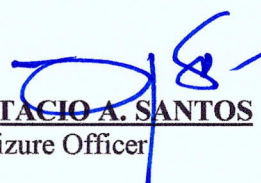
The items were apprehended at Barangay Lumanbayan, Sta. Cruz, Occidental Mindoro

On February 16, 2022 at around 2:56 in the morning. Due to Violation of Section 77 of PD 705.

Further, these apprehended items are now deposited at Central Monitoring Station located at Sitio Yapang, Barangay Batong-buhay, Sablayan, Occidental Mindoro for safe keeping.

That the undersigned hereby acknowledge that the above listed item(s) are now in ADMINISTRATIVE SEIZURE and that I, as authorized Seizing Officer, assume the possession and control for the custodial egis, pending the conduct of administrative proceedings for their disposition.

Therefore issue this Seizure Receipt No. _____ this February 17, 2022
At DENR-CENRO Sablayan, Occidental Mindoro.


ANASTACIO A. SANTOS
Seizure Officer





DENR SABLAYAN; Enforcement and Monitoring Section (EMS)
Supervision

ACKNOWLEDGEMENT RECEIPT

TO WHOM IT MAY CONCERN:

THIS IS TO ACKNOWLEDGE THE RECEIPT from **Sta. Cruz Municipal Police Station**, to wit;

No. of Pieces	Dimension	Species	Volume
18	2x3x12	Duguan	108 bd.ft.
2	2x6x22	Duguan	66 bd.ft.
1	2x6x22	Guiho	33 bd.ft.
XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX

Note: *The above mentioned will be transported from Sta. Cruz MPS, Occidental Mindoro to DENR-CENRO Sablayan Central Monitoring Station at Sitio Yapang, Barangay Batongbuhay Sablayan, Occidental Mindoro for safekeeping.*

Received this **16th** day of **February, 2022** at Sta.Cruz, Occidental Mindoro.

Turned-over by:

Pssg. Eric Caiga
Arresting Officer

Received by:

Ariston SJ Ramos
Forester II / Chief, EMS



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
STA CRUZ MUNICIPAL POLICE STATION
Santa Cruz, Occidental Mindoro



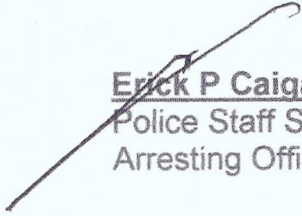
February 16, 2022

Turn-over Receipt

THIS IS TO CERTIFY that the undersigned has turned-over the confiscated pieces of evidences recovered from the possession of **REYNALDO FLORES AGUILAR** at Brgy Lumangbayan, Sta Cruz, Occidental Mindoro on February 16, 2022 at about 2:56 AM, to wit:

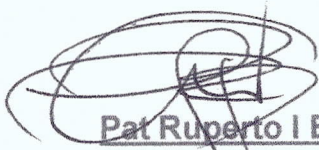
- a. Eighteen (18) pcs 2X3X12 Duguan specie (108 bdft)
- b. Two (2) pcs 3x6x22 of Duguan specie (66 bdft)
- c. One (1) pc 3x6x22 Guiho specie (33 bdft)

- with the total of 207 bdft
- amounting to P8,280.00


Erick P Caiga
Police Staff Sergeant
Arresting Officer

Received by:


ARISTON SJ RAMOS


Pat Ruperto I Belale III
Patrolman
Witness



Republic of the Philippines
NATIONAL POLICE COMMISSION

**PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
SANTA CRUZ MUNICIPAL POLICE STATION**

Santa Cruz, Occidental Mindoro




February 16, 2022

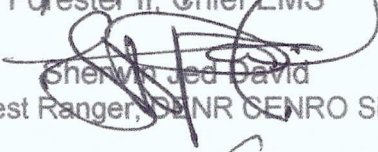
RECEIPT/INVENTORY OF CONFISCATED PIECES OF EVIDENCE

This is to acknowledge the receipt of the property/items/articles herein listed/inventoried below recovered from the possession of **REYNALDO FLORES AGUILAR** at Brgy Lumangbayan, Sta. Cruz, Occidental Mindoro on February 16, 2022 at about 2:56 AM, to wit:

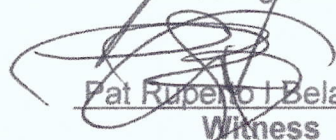
- a. Eighteen (18) pcs 2X3X12 Duguan specie (108 bdf)
- b. Two (2) pcs 3x6x22 of Duguan specie (66 bdf)
- c. One (1) pc 3x6x22 Guiho specie (33 bdf)

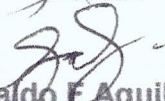
- with the total of 207 bdf
- amounting to P8,280.00


Ariston S. Ramos
Forester II, Chief EMS


Sherwin Jed David
Forest Ranger, DENR GENRO SBY

PSSg Erick P Caiga
Arresting Officer


Pat Ruperto Belale III
Witness


Reynaldo F. Aguilar
Owner



Republic of the Philippines
NATIONAL POLICE COMMISSION

**PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
SANTA CRUZ MUNICIPAL POLICE STATION**

Santa Cruz, Occidental Mindoro



**STCMPS - MIDMS
MEMORANDUM**

FOR : Provincial Director
Occidental Mindoro PPO
(Attn: **Chiefs, PIDMU/POMU/PIU/PCADU**)

FROM : Acting Chief of Police

SUBJECT : Spot Report on Violation of PD 705

DATE : February 16, 2022

1. **What:** Violation of PD 705

2. **Where:** Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro

3. **When:** February 16, 2021 at about 2:56 AM

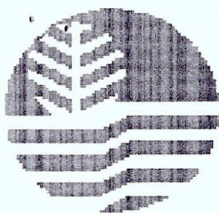
4. **Who:** The arrested suspect was identified as **Reynaldo Flores Aguilar**, 33 years old, with live in partner, laborer and a resident of Barangay Barahan, Sta. Cruz, Occidental Mindoro.

5. **Why/How:** That on the stated time, date and place PSSg Eric P Caiga and Pat Ruperto I Belale III with 2nd Pltn 2nd OMPMFC, PIU OMPPPO and 402nd B MC RMFB, while conducting anti-illegal logging operations at Barangay Lumangbayan, Sta. Cruz, Occidental Mindoro, they noticed the suspect and the cut timbers on the river bank. Upon verification, the suspect failed to present documents pertaining to the legality of the said cut timbers. The suspect was informed of his violation and apprised of his constitutional rights (Miranda Doctrine) and Anti-Torture Law by the arresting PNP personnel of this station and got arrested. Recovered from his possession were eighteen (18) pcs of 2x3x12 Dug-an specie and three (3) pcs of 3x6x30 of Giho specie, with the total of two hundred forty three(243) board feet with an estimated value of nine thousand seven hundred twenty pesos (P 9,7200.00).

Suspect and the recovered evidences were brought to Sta Cruz MPS for documentation and for filing of appropriate charges in court. Investigator on-case is PEMS Leo U Ordenes with contact number 09499670791.

6. For information and progress report will follow.


TEOFILO C FESTIN III
Police Captain



IKALAWANG PABATID

July 11, 2022

G. REYNALDO AGUILAR

Barangay Barahan

Sta. Cruz, Occidental Mindoro

Ginoo,

Ito po ay may kaugnayan sa mga kahoy na natagpuan sa inyong pagmamay-ari na may daming 207 bd ft. noong ika-16 ng Pebrero, 2022 sa Barangay Barahan, Sta. Cruz, Occidental Mindoro na pawang walang pahintulot mula sa aming opisina.

Dahil po dito, kayo ay aming isasailalim sa isang pandinig (Administrative Hearing) tungkol sa "Violation of Section 77 of PD 705". Ang pagdinig ay gaganapin sa ika-10 ng umaga, July 13, 2022 sa tanggapan ng DENR-CENRO Sablayan Coordinating Office, Mamburao, Occidental Mindoro.

Inaasahan po namin ang inyong pakikiisa.

Gumagalang,


FOR. ANASTACIO A. SANTOS, MPA

 CENR Officer