PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE MIMAROPA Region

AUG 2 6 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.

ERNE<mark>sto</mark> E. Tañada



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

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.

RECEIVED BY GET, 117-5 DATE: 8/24/22 RECEIVED BY:

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 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 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 antiillegal 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.
- 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 a 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. ALVARI

Forest Technician II

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

	1. Folest Floduct														
MAJ	OR		T PRODU	JCTS											
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CONV	EYANCE	INVOLVE	D	ı			T	T = :	C1 :	1		
Туре	Make/Mo	odel/Year	Plate No.	Color	/Markings	CR No.	OR No.	Engine No.	Chasis No.	Accessories		
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	2. The subj	ect Forest P	roducts and	d other	items have	undergone	the following	g Apprehe	nsion proc	eedings.		
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Appı	rehension	Province	City Municip		Barangay	Sitio	Offi	_	i	ehension		
	ruary 16, / 2:56 AM	Occ. Mdo.	Sta. C	ruz	Lumangbay an		Pssg. Eri	c Caiga		Of Sec.77 of D 705		
	Is / are here	by declaring	g under ap	prehen	sion on the	following F	ACTUAL re	asons:				
	•	Violation o	f Section 7	7 of Pl	D 705							
	•											
	•	Management and an extension of the second of		ne en e								
	should be k removed ur	ept and pro	tected from e ordered l	defactory the S	ement in ar	ny manner, c		r loss and	should not	s apprehended be altered or I Resources		
	Done this	16th Occider	day of		ebruary	year .	2022	at	Sta	ı. Cruz,		

APPREH	ENDING	OFFICERS
(Signatur	re Over Pr	rinted Name)
Pssg Eric Caiga	7	
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Address: Sta./Cruz MPS		Address:
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Par Ruperto Belale	8	D
Position: \ Address: Sta. Cruz MPS		Position:
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Reynaldo Aguilar	3	
Position: Owner		Position:
Address: Brgy. Barahan Sta. Cruz., Occ. Mdo.		Address:
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Position:		Position:
Address:		Address:
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(Signatur	re Over Pr	inted Name)
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Position:		Position:
Address:		Address:
y 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

	1.1	Forest Pro	oauct												
MAJ	OR		T PRODU	ICTS											
Kin d	Item	Source/ Origin of the Forest Product	Species Grouping		Piece				t-gradient was		Measur		Estimated Value	Impounding Area	Custodian
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														DENR-CENRO Sablayan, Ranger Station, Sitio Yapang, Brgy. Batong-Buhay, Sablayan, Occ. Mindoro	CENR Officer ANASTACIO A. SANTOS
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Minor Forest Pr	oducts			
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 Involve	ed		
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
	Brgy.				
	Barahan, Sta.				
	Cruz, Occ.				
Reynaldo Aguilar	Mindoro	Single	33	Laborer	In good condition
APPENDING THE PROPERTY OF THE					

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

SEIZURE							
Date and		Place of Seizure	Seizing	Legal Basis for			
Time of Seizure	Province	City/Municipality	Barangay	Sitio	Officer	Seizure	
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			

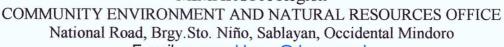
After thorough evaluation of the Apprehension Report dated February 16, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing 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).

S	o ordered	this	day	of	***************************************	year	2022	at	CENRO	Sablayan,	Occidental
Mindorg)										

ANASTACIO A. SANTOS Seizure Officer / CENR Officer





E-mail: cenrosablayan@denr.gov.ph

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
XXXXXXXXXXXX	Xxxxxxxxxx	Xxxxxxxxxx	Xxxxxxxxxxx	xxxxxxxxxxx
			,	9
TOTAL				

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

NAME 1.<u>Reynaldo Aguilar</u> **ADDRESS**

NATURE OF PARTICIPANT

Barangay Lumangbayan, Sta. Cruz Occidental Mindoro Laborer / Claimant

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:		

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 <u>Barangay Lumanbayan</u>, <u>Sta. Cruz</u>, <u>Occidental Mindoro</u>

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

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









Community Environment and Natural Resources Office National road, Barangay, Sto. Niño, Sablayan, Occidental Mindoro

Email: denrcsby02@gmail.com

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;

Xxxxxxxxxx	Xxxxxxxxxxx	Xxxxxxxxxxxx	XXXXXXXXXXXXX
1	2x6x22	Guiho	33 bd.ft.
2	2x6x22	Duguan	66 bd.ft.
18	2x3x12	Duguan	108 bd.ft.
No. of Pieces	Dimension	Species	Volume

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:

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:

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 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

Aristoh/SJ/Ramos Forester II. Chief EMS

Forest Ranger, WINR SENRO SBY

PSSq Exick P Caiga

rresting Officer

Pat Rupeno I Belale III

Whitness

Reynaldo E 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



COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE National Road, Brgy.Sto. Niño, Sablayan, Occidental Mindoro

E-mail: cenrosablayan@denr.gov.ph

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. \$ANTOS, MPA

. CENR Office



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

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:

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- III 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.



RECEIVED BY:

COMPLETED STAFF WORK REPORT ON THE APPREHENDED UNDOCUMENTED FOREST PRODUCTS, IN VIOLATION OF SECTION 77 OF

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

That on February 16, 2022, at around 2:56 in the morning, PSSg Eric P. Caiga The case was filed against Reynaldo Flores Aguilar. and Pat Ruperto I Balele 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 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

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

It was brought and turned over to DENR PENRO Compound at Mamburao,

On February 16, 2022, the accused was arrested and also brought to the Office of Occidental Mindoro for safekeeping and proper disposition. 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

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 Criminal Case No. Z-3601. no justifiable reason, he failed to respond to our invitation twice.

- That the operatives of Sta, Cruz Municipal Police Station conducted an illegal logging operations at Barangay Lumangbayan, Sta. Cruz, Occid OBSERVATION/FACTS Mindoro when they apprehended undocumented forest products.
 - That during the apprehension, it was found out that the accused were in po 2.
 - That during the apprehension, accused was arrested namely Reyn of Guijo and Duguan lumber. 3.
 - That mere possession of timber or other forest products without the documents, even malice or criminal intent, is illegal under Section Aguilar. 4. 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.
- 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:

ARREEN D. ALVAREZ

Forest Technician II

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

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Kin d	Item	Source/ Origin of the Forest Product	Species Grouping	Species	Pieces						Measur		Estimated Value	Impounding Area	Custodian
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MENDE NAMED A	TOTAL 21 207.0 bd.ft. ₱ 8,280.00									₱ 8,280.00					

MINO	R FORES	r PRODUC	CTS									
	Kind	Unit of	Measurem	ent	No. o	f Units	Estimate	d Value	Cu	stodian		
	N/A		N/A		N	I/A	N/.	A	N/A			
P												
CONV	EYANCE	INVOLVE	D					-				
Туре	Make/Mo	odel/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 AN	IMALS	Kind		T	Quanti	4.7	Gen	der		Color		
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Bergerous and Constitution and Constitution and Constitution of Constitution o	2. The subj	ect Forest P	roducts and	d other	items have	undergone	the followin	g Apprehe	nsion proc	eedings.		
APPR	EHENSIO	N										
Date a	nd Time of		_		ehension		Appreh	ending	Facual Le	egal Basis for		
Appı	rehension	Province	City Municip		Barangay	Sitio	Offi	cer	Appr	ehension		
1	ruary 16, / 2:56 AM	Occ. Mdo.	Sta. C		Lumangbay an		Pssg. Eri	c Caiga		Of Sec.77 of D 705		
	Is / are here	by declarin	g under ap	prehen	sion on the	following F.	ACTUAL re	asons:				
	•	Violation o	f Section 7	77 of Pl	D 705							
	•	ARABIN TO THE PARTY OF THE PART								•		
	•											
	should be k removed ur	ept and pro	tected fron e ordered	defact by the	ement in ar	ny manner, c		r loss and	should not	apprehended be altered or l Resources		
	Done this	16th Occide	day of	-	ebruary	year .	2022	at	Sta	. Cruz,		

(Signature Over Printed Name) Pssg. Eric Caiga 7 Position: Position: ddress: Sta. Cruz MPS Address: Pat. Ruperto Belale 8 Position: Position: Address: Sta. Cruz MPS Address: 3 9 Position: Position: Address: Address: 4 10 Position: Position: Address: Address: 5 11 Position: Position: Address: Address: 6 12 Position: Position: Address: Address: OWNER / CLAIMANT / REPRESENTATIVE / DRIVER (Signature Over Printed Name) 1 Reynaldo Aguilar 3 Position: Position: Owner Address: Brgy. Barahan Sta. Cruz., Occ. Address: Mdo. 2 4 Position: Position: Address: Address: WITNESSES (Signature Over Printed Name) 1 3 Position: Position: Address: Address: Copy Received by: Signature over Printe Name Date / Time

APPREHENDING OFFICERS

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

	1. Forest Product														
MAJ	OR		T PRODU	ICTS											
Kin d	Item	Source/ Origin of the Forest Product	Species Grouping		Piece		lum		Un		Measur		Estimated Value	Impounding Area	Custodian
Goo	1	Sta	. 0	Duguan		2	X	3	X	12	108	bd.ft.	₱ 4,320.00	D D	CE
od I	2	All CE	Mat	Duguan	2	3	X	6	X	22	66.0		₱ 2,640.00	Si	N N
Good Lumer		Sta. Cruz., Occ.	erial racti	Guiho	1	3	X	6	X	22	33.0	bd.ft.	₱ 1,320.00	Tio C	Q.
ler		ķ	Constraction Materials			XXX	XXX	XXX	XXX	XXXX	XXXXXX	XXXXX		ENI Yap Sab	fice
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								- 1, 11.00 p. 11.00						Bat Mi	CIC
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	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 Involv	ved		
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

Implements Involved			
Туре	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
	Brgy.				
	Barahan, Sta.				
	Cruz, Occ.				
Reynaldo Aguilar	Mindoro	Single	33	Laborer	In good condition

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

SEIZURE							
Date and		Place of Seizure			Seizing	Legal Basis for	
Time of Seizure	Province	City/Municipality	Barangay Sitio		Officer	Seizure	
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	sday	of	year	2022 at	CENRO	Sablayan,	Occidental
Mindoro							

ANASTACIO A. SANTOS Seizure Officer / CENR Officer

Republic of the Philippines

Department of Environment and Natural ResourcesMIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE National Road, Brgy.Sto. Niño, Sablayan, Occidental Mindoro E-mail: cenrosablayan@denr.gov.ph

DENR-EMS (Forest Protection) Supervision

SEIZURE RECEIPT

The following	apprehended	items	with	Apprehension	Receipt	No.	are
administrative seizi	ure pursuant to	Section	on 3 I	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
xxxxxxxxxxxx	Xxxxxxxxxxx	Xxxxxxxxxxx	Xxxxxxxxxxx	xxxxxxxxxxxx
			*	
TOTAL				

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

NAME 1.<u>Reynaldo Aguilar</u> **ADDRESS**

NATURE OF PARTICIPANT

Barangay Lumangbayan, Sta. Cruz Occidental Mindoro

Laborer / Claimant

C

Republic of the Philippines

Department of Environment and Natural ResourcesMIMAROPA 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:	П	
Address:		
Type of Vehicle:		
Model:		
Engine/Motor Serial No:		
Chassis Serial No:		
Certificate of Registration No:		
Estimated Fair Market Value:		
Plate No:	least Control of the	

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 <u>Barangay Lumanbayan</u>, <u>Sta. Cruz</u>, <u>Occidental Mindoro</u>

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

Further, these apprehended items are now deposited at Central Monitoring Station located at Sitio

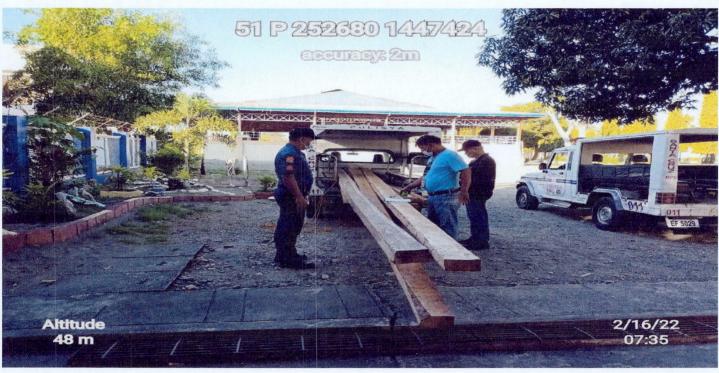
Yapang, Barangay Batong-buhay, Sablayan, Occidental Mindoro for safe keeping.

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









Community Environment and Natural Resources Office National road, Barangay, Sto. Niño, Sablayan, Occidental Mindoro

Email: denrcsby02@gmail.com

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.
Xxxxxxxxxxx	Xxxxxxxxxxx	Xxxxxxxxxxxx	XXXXXXXXXXXXX

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:

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:

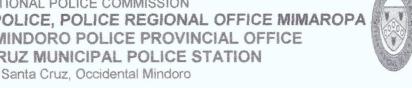
Pat Ruperto I Belale III

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



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 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

SENRO SBY Forest Range

PSSq Exck P Caiga

rresting Officer

Belale III

Reynaldo E 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

When: February 16, 2021 at about 2:56 AM

4. Who: The arrested suspect was identified as Reynaldo Flores Aquilar, 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

Police Captain



COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE National Road, Brgy.Sto. Niño, Sablayan, Occidental Mindoro E-mail: cenrosablayan@denr.gov.ph

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. \$ANTOS, MPA

A. CENR Office