



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

1 APR 17 2023

**MEMORANDUM**

FOR : The Regional Executive Director  
MIMAROPA Region  
1515 DENR By the Bay Building, Roxas Blvd.  
Barangay 668, Ermita, Manila

FROM : The OIC PENR Officer

SUBJECT : RESOLUTION NO. 2023-005

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated March 29, 2023 pertaining to the result of administrative adjudication on the apprehended twenty (20) pieces of Dita lumber having an aggregate volume of 240.60 board feet at So. Tagumpay II, Barangay Caminawit, San Jose, Occidental Mindoro.

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

MAR 29 2023

MEMORANDUM

FOR : The Regional Executive Director  
1515 DENR by the Bay Building, Roxas Boulevard,  
Barangay 668, Ermita Manila

THRU : The OIC, PENR Officer  
DENR-Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : RESOLUTION NO. 2023-005

DENR - DENRU SAN JOSE  
MIMAROPA REGION  
RECEIVED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

Respectfully submitting is the Resolution No. 2023-005 as result of the administrative adjudication on the apprehended *twenty (20)* pcs. Dita lumber with different dimensions having an aggregate total volume of 240.60 bdft. at So. Tagumpay II, Brgy. Caminawit, San Jose, Occidental Mindoro on February 19, 2023.

For your information and record.

EFREN L. DELOS REYES

RECORDS	
RECEIVED BY: <i>W</i>	
DATE: <i>4/13</i>	TIME: _____
RELEASED BY: _____	
DATE: _____	TIME: _____



**RE: APPREHENSION OF TWENTY (20) PCS. OF DITA LUMBER WITH AN AGGREGATE VOLUME OF 240.60 BDFT. AT SO. TAGUMPAY II, BRGY. CAMINAWIT, SAN JOSE, OCCIDENTAL MINDORO ON FEBRUARY 19, 2023.**

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**RESOLUTION No. 2023-005**

This pertains to the apprehension twenty (20) pcs. of Dita lumber with an aggregate volume of 240.60 bdft. at So. Tagumpay II, Brgy. Caminawit, San Jose, Occidental Mindoro by the Personnel of Philippine Maritime San Jose, Occidental Mindoro.

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

1. That, on February 19, 2023 the Philippine Maritime of San Jose conducted a monitoring and they were discovered in the coastal area a stockpiled of lumber believed to be illegally cut at the vicinity of So. Tagumpay II, Brgy. Caminawit, San Jose, Occidental Mindoro.
2. That, on February 20, 2023 the staff of Enforcement and Monitoring Section conducted an scaling of the twenty (20) pcs. of Dita lumber with an aggregate volume of 240.60 bdft. apprehended lumber and were turned-over to this Office.
3. That, the corresponding Apprehension Receipt with CENRO Control No.2023-F477 was issued by the apprehending officers PEMS Willer B Arellano and Forest Technician II Loren Kaye A. Garcia.
4. That, the Seizure Order with CENRO Control Number 2023-F477 was issued by the Seizure Officer, Land Management Officer III Rhodora A. Garcia .
5. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on February 20, February 27 and March 8, 2023 at the conspicuous places at the Brgy. Hall of Barangay Caminawit, San Jose, Occidental Mindoro.
6. That, no Administrative hearing was made because there were 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.

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

1. Whether or not the twenty (20) pcs. of Dita lumber with an aggregate volume of 240.60 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 twenty (20) pcs. of Dita lumber with an aggregate volume of 240.60 bdft. shall be confiscated in favour of the government since those lumbers are product of an illegal act.

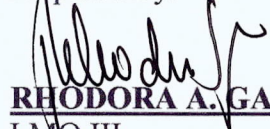
Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation.

**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 DENR Administrative Order 2022-10 ( Revised DENR Manual of Authorities for Technical Matters ) the following are hereby recommended:

1. The twenty (20) pcs. of Dita lumber with an aggregate volume of 240.60 bdft. shall be confiscated in favour of the government since those lumber are products of an illegal act.

Issued this \_\_\_\_\_ day of **MAR 24 2023**, \_\_\_\_\_ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:



**RHODORA A. GARCIA**

LMO III

Hearing Officer/ Seizure Officer

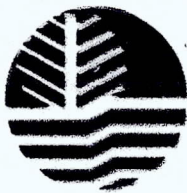
Noted By:



**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



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

EMAIL FOR TRANSMISSION  
FEBRUARY 20, 2023

FOR: THE REGIONAL EXECUTIVE DIRECTOR  
DENR-MIMAROPA REGION

THRU: THE OIC, PENR OFFICER  
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE RECEIVED TWENTY (20) PIECES OF ABANDONED UNDOCUMENTED DITA LUMBERS (ALSTONIA SCHOLARIS) WITH A TOTAL VOLUME OF 240.60 BOARDFEET TURNED OVER BY THE PNP MARITIME GROUP OMMPC AT MARITIME POLICE STATION CMA BARANGAY CAMINAWIT CMA SAN JOSE CMA OCCIDENTAL MINDORO ON FEBRUARY 20, 2023 AT EXACTLY 10:11 IN THE MORNING PD

BE FURTHER INFORMED THAT THE SAID DITA LUMBERS WERE DISCOVERED IN THE COASTAL AREA OF BARANGAY CAMINAWIT CMA SAN JOSE CMA OCCIDENTAL MINDORO ON FEBRUARY 19, 2023 AT EXACTLY 12:30 AM PD

SAID UNDOCUMENTED FOREST PRODUCTS WERE BROUGHT TO THE DENR CENRO SAN JOSE MONITORING STATION AT BARANGAY MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEEPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

**CENRO DELOS REYES**

SENDER:

  
**EFREN L. DELOS REYES**  
CENR Officer



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



## GEOTAGGED PHOTOGRAPHS

FEBRUARY 20, 2023

Apprehension of Abandoned Undocumented DITA Lumbers at Maritime Police Station, Brgy. Caminawit, San Jose, Occidental Mindoro





Republic of the Philippines  
NATIONAL POLICE COMMISSION  
**PHILIPPINE NATIONAL POLICE, MARITIME GROUP**  
**REGIONAL MARITIME UNIT 4B**  
**OCCIDENTAL MINDORO MARITIME POLICE STATION**  
Brgy. Caminawit, San Jose, Occidental Mindoro  
Email: [policemaritime@yahoo.com](mailto:policemaritime@yahoo.com)



## TURN OVER OF PROPERTIES SEIZED

**Nature of Case** : Recovered Undocumented forest products (PD 705)

**Name of Suspect** : Unidentified

**Time, Date and place of Occurrence:** transpired on 12:30 AM of February 19, 2023  
at Purok Tagumpay 2 Brgy. Caminawit, San Jose, Occidental Mindoro.

**Arresting Officers/ Operating Unit:** Personnel of RMU4B/ Occidental Mindoro  
Maritime Police Station; Personnel of SJ MPS and Personnel of DENR-CENTRO  
San Jose Occidental Mindoro.

**Description of evidence:**

- a. Eight (8) pcs 2x8x10, with 106.6 board feet;
  - b. One (1) pc 2x6x8, with 8 board feet;
  - c. Three (3) pcs 2x8x8, with 32 board feet;
  - d. Two (2) pcs 2x8x12, with 32 board feet;
  - e. Three (3) pcs 2x5x12, with 30 board feet;
  - f. Two (2) pcs 2x6x10, with 20 board feet; and
  - G. One (1) pc 2x8x9, with 12 board feet;
- with a total of **Two Hundred Forty and Six (240.6)** Board feet Lumber of  
"Dita" with Scientific Name *Alstonia Scholaris*.

**TURN-OVER BY :** REMS WILLER B. ARELLANO  
**Investigator**

**Agency/ Address :** Occidental Mindoro Maritime Police Station

**Time and Date :** 2/20/2023 - 10:11 AM

**Remarks:** \_\_\_\_\_

**RECEIVED BY :** JOEN KAY A. GARCIA

**Agency/Address :** DENR CENTRO SJ

**Time and Date :** 02/20/2023 - 10:11 AM

**Remarks:** \_\_\_\_\_

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

APPREHENSION RECEIPT

CENRO Control No.:	2023-F477
E-FMS No:	2023-175110-F477

This APPREHENSION RECEIPT is issued to -

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

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
				Dita	08	2x8x10 - 106.66	4,799.90		
				Dita	01	2x6x8 - 8.00	360.00		
				Dita	03	2x8x8 - 32.00	1,440.00		
				Dita	02	2x8x12 - 30.00	1,350		
				Dita	03	2x8x10 - 30.00	1,350		
				Dita	02	2x6x10 - 20.00	900		
				Dita	01	2x8x9 - 12.00	540		
TOTAL					20	240.66 boardfeet	10,829.90		

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

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		
12:30 AM, FEBRUARY 19, 2023	OCCIDENTAL MINDORO	SAN JOSE	CAMINAWIT	TASUMPAN II	PNP MARITIME	SEC 77, PD 1105

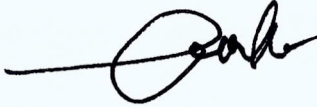
Is/are hereby declare under apprehension on the following FACTUAL reasons:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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 20<sup>th</sup> day of FEBRUARY, year 2021 at SAN JOSE, Occ. Mindoro.

APPREHENDING OFFICER  
(Signature over Printed Name)



1. PEMS WILLER B. ARELLANO

Position: PEMS

Address: PNP MARITIME

2. LOREN KAYE A. GARCIA

Position: FTII

Address: CENRO SAN JOSE

3. \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

SEIZURE ORDER

CENRO Control No.: 2023-F477
E-FMS No: 2023-175110-F477

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

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber				Dita	8	2x8x10=106.66	4,799.70	Murtha Monitoring Station	LMO III Rhodora A. Garcia
					1	2x6x8=8.00	360.00		
					3	2x8x8=32.00	1,440.00		
					2	2x8x12=30.00	1,350.00		
					3	2x5x12=30.00	1,350.00		
					2	2x6x10=20.00	900.00		
					1	2x8x9=12.00	560.00		
Total					20	240.60	10,827.00		

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

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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		
Feb. 20, 2023 8:45 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	LMO III Rhodora A. García	SECTION 77, PD 705 as amended

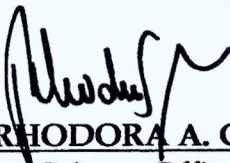
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated Feb. 19, 2023 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 20<sup>th</sup> day of February , 2023 at Brgy. Labangan, San Jose, Occidental Mindoro.

  
RHODORA A. GARCIA  
Seizure Officer



FEB 20 2023

## UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG PNP MARITIME AY MAY NAKUMPISKANG DALAWAMPUNG (20) PIRASO NG DITA NA KAHOY NA MAY IBA'T IBANG SUKAT AT MAY KABUUANG DAMI NA 240.60 BDFT. SA SO. TAGUMPAY II, BRGY. CAMINAWIT, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-19 NG PEBRERO, 2023 SA GANAP NA ALAS 12: 30 NG UMAGA

ANG NASABING KAHOY AY DINALA SA MURTHA 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:

**ENGR. NILO P. SALVADOR**  
DMO IV/ Deputy, CENRO



FEB 27 2023

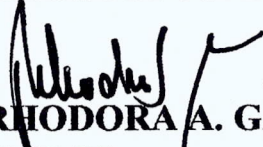
## **IKALAWANG PABATID SA PUBLIKO**

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG PNP MARITIME AY MAY NAKUMPISKANG DALAWAMPUNG (20) PIRASO NG DITA NA KAHOY NA MAY IBA'T IBANG SUKAT AT MAY KABUUANG DAMI NA 240.60 BDFT. SA SO. TAGUMPAY II, BRGY. CAMINAWIT, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-19 NG PEBRERO, 2023 SA GANAP NA ALAS 12: 30 NG UMAGA

ANG NASABING KAHOY AY DINALA SA MURTHA 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



MAR 06 2023

## IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUMPISKANG DALAWAMPUNG (20) PIRASO NG DITA NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 240.60 BDFT SA SO. TAGUMPAY II, BRGY. CAMINAWIT, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-19 NG PEBRERO, 2023 SA GANAP NA ALAS 12: 30 NG UMAGA.

ANG NASABING KAHOY AY DINALA SA OPISINA NG MURTHA 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:

**ENGR. NILO R. SALVADOR**  
DMO IV/ Deputy, CENRO