



22 March 2023

MEMORANDUM

**FOR : The Regional Executive Director
DENR-MIMAROPA Region**

THRU : The OIC, Assistant Regional Director for Technical Services

FROM : The OIC, PENR Officer

**SUBJECT : RESULT OF ADMINISTRATIVE ADJUDICATION
PROCEEDINGS OVER THE APPREHENDED FIVE (5) PIECES
OF AMUGIS LUMBER WITH A TOTAL VOLUME OF 117.48
BOARD FEET IN BARANGAY ANTIPOLLO, GASAN,
MARINDUQUE**

Respectfully endorsed is the Memorandum report dated March 17, 2023, regarding the above-mentioned subject.

Please be informed that this proceeding stemmed from an incident on January 26, 2023 at around 10:38 in the morning wherein personnel of the Protected Area Management Office, received an information from Mr. Fidelino M. Rey (Chief, Tanod) of Barangay Antipolo, Gasan, Marinduque regarding the utilization of one (1) Amugis tree at the said barangay.

Accordingly, coordination was immediately made by the team and found out that no permit was issued in the said area. Therefore, the team coordinated with Sangguniang Barangay of Antipolo regarding the apprehension of said forest products.

The said apprehended forest product, which consist of five (5) pieces Amugis lumber with a total volume of 117.48 board feet, were temporarily placed under the custody of Brgy. Captain Arsenio G. Saez of Barangay Antipolo for safekeeping, pending conduct of Administrative Confiscation Proceedings in accordance with DAO 97-32.

Likewise, pursuant to Section 8 item no. 3 of DAO 97-32, the Hearing Officer prepared notices of apprehension dated January 27, February 03 and 10, 2023 and posted by the Forest Officers at conspicuous places such as Barangay Hall of Antipolo, Gasan, Marinduque and apprehension site. This is to inform the general public of such apprehension and to determine the owner of said forest products. The posting of Notice of Hearing started on January 27, 2023 and ended up on February 16, 2023, but nobody claimed ownership of said forest products, hence, it was considered as **"abandoned forest product"**.

Relative thereto, the Apprehending Officer issued a certification to prove that the notices of apprehension were posted at different places as part of due process, but nobody claimed ownership over the same.

In view of the above findings, we recommend the issuance of **Confiscation Order** on the said undocumented forest products in favor of the government.

For information, evaluation and further instruction


IMELDA M. DIAZ



17 March 2023

MEMORANDUM

FOR : The OIC, PENR Officer
Boac, Marinduque

FROM : The, Chief Technical Services Division

SUBJECT : RESULT OF ADMINISTRATIVE CONFISCATION PROCEEDINGS OVER THE APPREHENDED FIVE (5) PIECES OF AMUGIS LUMBER WITH A TOTAL VOLUME OF 117.48 BOARD IN BARANGAY ANTIPOLLO, GASAN, MARINDUQUE

Please be informed that on 26 January 2023 at around 10:48 in the morning, personnel of Protected Area Management Office (PAMO) Marinduque Wildlife Sanctuary received a mobile phone call from Fidelino M. Rey (Chief Tanod) of Barangay Antipollo, Gasan, Marinduque regarding the sawn lumber at the said area.

Coordination was made to our Office to verify any issued permit in the said area but to no avail. In relation to this, the team coordinated with Sangguniang Barangay of Antipollo, Gasan, Marinduque regarding the apprehension of abandoned undocumented forest products at the above-mentioned barangay.

Meanwhile, during the initial investigation, there was no one in the area who claimed its ownership. Upon scaling it was found to be five (5) pieces Amugis lumber with a total volume of 117.48 board feet. The said apprehended forest products were temporarily, under the custody of Brgy. Captain Arsenio G. Saez of Barangay Antipollo, Gasan, Marinduque for safekeeping, pending conduct of Administrative Confiscation Proceedings in accordance with DAO 97-32.

However, pursuant to Section 8 item no.3 of DAO 97-32, the undersigned prepared notice of apprehension dated January 27, February 03 and 10, 2023 and posted by the forest officers at conspicuous area such as Barangay Hall of Barangay Antipollo, Gasan, Marinduque and at the apprehension site. This is to inform the general public of such apprehension and to determine the legal owner of said undocumented forest products. The posting of notice of hearing was started on January 27, 2023 and ended up on February 16, 2023. Unfortunately, within the prescribed period, nobody claim ownership on such undocumented forest products, hence, the same were considered as **"abandoned"**.

Relative thereto, the apprehending officer issued a certification to prove that the notices of apprehension were posted at different places as part of the process, but nobody claimed ownership. Further, considering the circumstances given above, it is hereby recommending for the issuance of **Confiscation Order** on the subject forest products in favor of the government and issuance of forfeiture order.

For information and further evaluation

ENGR.CYNTHIA U. LOZANO



CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the undersigned Forest Officers had posted Notices of Apprehension re: the apprehended FIVE (5) PIECES AMUGIS LUMBER WITH A TOTAL VOLUME OF 117.48 BOARD FEET FOUND ABANDONED AT BARANGAY ANTIPOLLO, GASAN, MARINDUQUE ON JANUARY 27, 2023 on the following places to wit:

1. Barangay Hall of Brgy. Antipollo, Gasan, Marinduque
2. Apprehension site

Issued this 17th February 2023 at PENR Office, Marinduque

SHERWIN P. VILLAVICENCIO
Park Ranger


REX ALJOHN P. LACDANG
Forest Protection Officer



PINAGSAMA-SAMANG SINUMPAANG SALAYSAY

DAPAT TANTUIN NG SINOMAN:

Kami, FR Sherwin P. Villavicencio FPO Arnolfo Lazo, Rex Aljohn P. Lacdang sapat na gulang mga mamayang Pilipino at kasalukuyang mga regular na manggawa ng DENR-PENRO Marinduque matapos makapanumpa nang naaayon sa umiiral na batas ay kusang-loob na nagsasalaysay at nagpapatunay ng mga sumusunod:

Na, noong ika- dalawangput pito ng enero, kami ay nakatanggap ng mensahe sa pamamagitan ni Fidelino M. Rey (Chief Tanod) ng Brgy, Antipolo Gasan na di-umano ay may mga ginayat at itinambak na punong kahoy sa di umanoy isang creek sa Brgy, Antipolo Gasan.

Na, noong araw ding iyon humigit kumulang alas-dyes kwarenta y otso ng umaga kami FR Sherwin P. Villavicencio FPO Arnolfo M. Lazo Jr, Rex Aljohn P. Lacdang ay nag tungo sa nasabing Barangay upang alamin ang katotohanan ng nasabing mensahe at kumpirmahin ito.

Na, ayon sa tala ng aming opisina ang nasabing mga kahoy ay walang kaukulang permit sa aming opisina at dapat lamang naming itong hulihi dahil ito ay paglabag sa ***“SEC 77 formerly sec, 68 of PD 705 as amended by EO 2077 and renumbered under RA 7161” o ang pag iingat, pagtataglay, pangongolekta, pagkarga at pag byahe ng mga produktong gubat na walang mga legal na papeles galing sa owtoridad;***

Na, pagdating namin sa nasabing lugar ang mga nasabing kahoy ay aming sinukat at napag alaman na ito ay mga kahoy ng amogis na may bilang na limang piraso na may kabubuang sukat 117.49 bd. Ft.

Na, ang mga nasabing kahoy ay aming dinala/hinakot sa Barangay Hall nuong ika- dalawangput anim ng Enero na matatagpuan sa Brgy. Antipolo, Gasan, at pansamantalang ibinigay sa pangangalaga ni Punong Barangay Arsenio G. Saez habang isinasagawa ang pag dinig at imbistigasyon alinsunod sa umiiral na batas PD 705 at DAO 97;

Na, ginawa naming ang salaysasay na ito ng kusang loob at walang pag aalinlangan kung kaya kami ay kusang lumagda sa ibabaw n gaming pangalan ngayong ika- 27 ng Enero dito sa Brgy. Antipolo, Gasan, Marinduque;


SHERWIN P. VILLAVICENCIO

Forest Ranger


ARNOLFO M. LAZO, JR.

Forest Protection Officer


REX ALJOHN P. LACDANG

Forest Protection Officer