

428  
Sitio Lusod, Brgy., Lonos,  
Romblon, Romblon

April 20, 2023

**The Regional Executive Director**

DENR-MIMAROPA Region  
1515 L&S Building  
Roxas Boulevard  
Ermita, Manila

DENR MIMAROPA RECORDS SECTION <b>RECEIVED</b>	
APR 25 2023	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: _____	DATE NO. _____
TIME: _____	

Sir:

May I respectfully request an update on the status regarding the *Notice of Appeal* lodged at the Office of the Secretary, entitled as;

**GILBERT GUTIERREZ AND HON. MARIANO M. MATEO, MUNICIPAL  
MAYOR OF ROMBLON, ROMBLON – Complainants  
-versus-  
DENNIS SHEPHERD AND CHARRES CONCEPCION, Respondents**

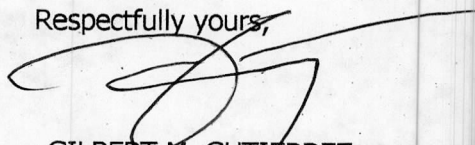
That the above-cited matter was a MEMORANDUM dated February 4, 2019 from the office of *Honorable NORLITO A. ENERAN, LL. M of DENR Visayas Avenue, Diliman, Quezon City*, thereby requiring your action (a copy attached herein for your reference), that now became my concern as there is no ORDER issued insofar by your office with regards to the level of perfection/transmittal of appeal by the said respondents in compliance with Section 22 and 23 of the DAO No. 2016-31.

To be honest, it is by my own opinion that the abovementioned has been superseded by the DECISION of your office on the DENR Case No. M-44-19-L entitled: ISIDRO MONTOJO and CHARESS CONCEPCION, Protestant -versus- FLA NO. (IV-21)181-D, ESTELITO GUTIERREZ, Applicant, HEIRS OF ESTELITO GUTIERREZ, Protestees, Dated December 27, 2019 concerning/mentioning the *DENR's Notice to Vacate* of Dennis Shepherd, and cause to feel that the said Notice of Appeal is deemed dead.

Therefore, I would like to request a CERTIFICATION or an ORDER if any from your office with regards to the MEMORANDUM dated February 4, 2019.

Your attention to this matter is very much appreciated.

Respectfully yours,

  
GILBERT M. GUTIERREZ  
09267384314

Copy furnished:  
**The OIC, Director  
Legal Affairs Service**



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. 929-6626; 929-6628; 929-6635  
VOIP Trunkline (632) 755-3330 to 755-3300  
Website: <http://www.denr.gov.ph> / Email: [web@denr.gov.ph](mailto:web@denr.gov.ph)

FEB 04 2019  
MEMORANDUM

FOR : The Regional Executive Director  
DENR-MIMAROPA Region  
1515 L & S Building  
Roxas Boulevard  
Ermita, Manila

FROM : The OIC, Director  
Legal Affairs Service

SUBJECT : GILBERT GUTIERREZ AND HON. MARIANO M. MATEO,  
MUNICIPAL MAYOR OF ROMBLON, ROMBLON,  
Complainants -versus- DENNIS SHEPHERD AND CHARESS  
CONCEPCION, Respondents

Pursuant to DAO No. 2016-31 entitled *Procedure in the Investigation of Land Claims and Conflicts Cases* which became effective on 24 February 2017, this Office respectfully refers to your Office the Respondents' Notice of Appeal and Memorandum of Appeal of the above-entitled case in compliance with Sections 22 and 23 of the abovementioned administrative order, which specifically provide that:

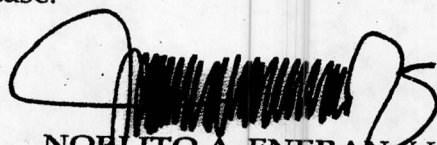
**Section 22. Appeal.** Any aggrieved party may take an appeal to the Office of the Secretary by filing a notice of appeal and paying the appeal fee to the Office of the RD within fifteen (15) days from receipt of the Order or Resolution/Decision of the case. The appeal shall be perfected after filing of the notice of appeal and payment of appeal fee within the prescribed period.

The Office of the RD which rendered the Decision loses jurisdiction over the case upon the perfection of the appeal filed in due time and the expiration of the time to appeal of the other parties.

**Section 23. Transmittal or Dismissal of Appeal.** Prior to the transmittal of the case records to the Office of the Secretary, the Office of the RD may motu proprio or on motion, issue an Order transmitting the case to the Office of the Secretary, through the Assistant Secretary for Legal Affairs, stating therein that the appeal was filed on time and there was payment of appeal fee. If the appeal is not perfected, an Order shall also be issued dismissing the same.

In view of the foregoing, kindly issue an Order in accordance with the above-cited provisions with regard to the perfection/transmittal of appeals.

For your information and compliance, please.

  
NORLITO A. ENERAN, LL.M.



Copy Furnished:

Hon. Mariano M. Mateo  
Municipal Mayor  
Romblon, Romblon

-Reg. Mail

246 ~~Mr. Gilbert Gutierrez~~  
~~Brgy. Lonos~~  
Romblon, Romblon

-Reg. Mail

Dennis Shepherd and Charess Concepcion  
Brgy. Lonos,  
Romblon, Romblon

-Reg. Mail

Atty. Cesar L. Evangelista  
1352 L. Avelino Street  
Pandacan, Manila

-Reg. Mail