



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

DENR MIMAROPA RECORDS SECTION	
<b>RECEIVED</b>	
P-2022-97427	
FEB 15 2023	
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BY: _____	DATE: _____
TIME: February 14, 2023	

## MEMORANDUM

**FOR :** The Regional Executive Director  
1515 DENR By the Bay Bldg.,  
Roxas Boulevard, Brgy. 668,  
Ermita, Manila 1000

**FROM :** The OIC, PENRO

**SUBJECT :** **SUBMISSION OF ADMINISTRATIVE ADJUDICATION PROCEEDINGS PERTAINING TO THE APPREHENDED NINETEEN (19) PIECES OF EASTERN SPOTTED DOVE (*Spilopodia chinenses*) AT BARANGAY DEL PILAR, NAUJAN, ORIENTAL MINDORO**

Forwarded is the memorandum of CENRO Socorro dated February 3, 2023 regarding the afore-mentioned subject.

Report disclosed that on September 6, 2022, MPS of Naujan operatives had encountered and apprehended the nineteen (19) pieces Bato Bato bird at District 7, Naujan, this province. The apprehended items were turned-over to CENRO Socorro for custody and safekeeping and the corresponding case was filed in Naujan Municipal Trial Court court against Teotimo Manalo Magnaye for violation of Section 27 of Republic Act No. 9147 (Wildlife Resources Conservation and Protection Act).

In view of the foregoing, this office concurs the recommendation of CENRO Socorro for the confiscation over the apprehended items.

For his information and record.

For and in the absence of the PENRO;



  
**ALMA E. GIBE**

Chief, Technical Services Division  
In-Charge, Office of the PEMRO



February 3, 2023

**MEMORANDUM**

**FOR** : The Regional Executive Director  
DENR by the Bay 1515 L&S Bldg.,  
Roxas Boulevard, Ermita, Manila

**THRU** : The OIC-PENR Officer  
Calapan City, Oriental Mindoro

**FROM** : The CENR Officer

**SUBJECT** : **SUBMISSION OF ADMINISTRATIVE ADJUDICATION  
PROCEEDINGS PERTAINING TO THE APPREHENDED  
NINETEEN (19) PIECES OF EASTERN SPOTTED DOVE  
(*Spilopodia chinenses*) AT BARANGAY DEL PILAR, NAUJAN,  
ORIENTAL MINDORO**

<b>DENR-MIMAROPA REGION</b>	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE ORIENTAL MINDORO	
PENR/TRACKING NO.	
RECEIVED BY:	
DATE:	<b>FEB 07 2023</b>
TIME:	

Respectfully submitting the following documents necessary in the evaluation of the abovementioned instant case.

Summary of Administrative proceedings

Attachments:

- Annex A
  - Notices of hearing
  - Attendance sheet
- Annex B
  - Pinagsamang sinumpaang salaysay of the apprehending officers
- Annex C
  - Wildlife Apprehension/Seizure receipt
- Annex D
  - Turn over receipt
  - Evidence Tag No. 2022-0906
  - Inventory Sheet
- Annex E
  - Minutes of Administrative confiscation hearing for Teotimo M. Magnaye
- Annex F
  - Certification issued by this office
- Annex G
  - Memorandum dated October 5, 2022
- Annex H
  - Order issued by Presiding Judge, Jose Michael D. Masangkay
- Annex I
  - Order issued by Presiding Judge, Jose Michael D. Masangkay in the application for Community Service
  - Notice of hearing



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

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Citing the results of the conducted Administrative Adjudication hearing, this office respectfully recommends to confiscate the **nineteen (19) pieces of Spotted dove (*Spilopelia chinenses*)** in favor of the Government of the Philippines and such be disposed of in accordance with the existing laws and procedures.

For final evaluation of the case and further instruction, if any.

  
**RODEL M. BOYLES**



**SUBJECT : APPREHENDED NINETEEN  
(19) PIECES OF EASTERN  
SPOTTED DOVE (*SPILOPEDIA  
CHINENSES*) AT BARANGAY  
DEL PILAR, NAUJAN,  
ORIENTAL MINDORO**

AAP No.: 2023-07✓

X-----X

## ANTECEDENT FACTS

**Administrative Adjudication Proceedings** have been commenced relative to the above-cited subject in compliance with the provisions of **DENR Memorandum Circular (DMC) No. 2010-17** or "**Wildlife Law Enforcement Manual of Operations**. The corresponding **Summary Confiscation Hearing** required under **Book 2, Chapter 7, 7.2.2.** of the same circular was scheduled by the undersigned hearing officer on **26 January 2023** at DENR-CENRO Socorro, Barangay Pasi II, Socorro, Oriental Mindoro.<sup>1</sup>

The apprehending officers in this proceedings are **PSSg Bien Laurence Jamilla Sanchez** and **PCpl Jeffrey Moreno Villeza** of Naujan Municipal Police Station (Naujan MPS) while the respondent involved is **Teotimo Manalo Magnaye**, fifty-nine (59) years old, single, and a resident of Barangay Evangelista, Naujan, Oriental Mindoro. The narration below and recommendation of the hearing officer are based on material and relevant pieces of evidence gathered from them.

### Version of the Apprehending Officers

Apprehending officers conducted an Intel Monitoring on 06 September 2022 at around 10:40 in the morning at District 7, Naujan, Oriental Mindoro. In the course thereof, they encountered respondent carrying a round cage with nineteen (19) pieces of live "Bato-Bato" bird. They asked for the permit relative to the possession and/or collection of the said wildlife but the respondent failed to provide such.<sup>2</sup>

Respondent was then arrested and a criminal case for violation of **Section 27 (f) of Republic Act No. 9147** or the "**Wildlife Resources Conservation and Protection Act**" was eventually filed against him before the Municipal Trial Court of Naujan (Naujan MTC) docketed as **Criminal Case No. 6702**.

According to **Wildlife Apprehension/Seizure Receipt (WSR) No. 2022-0906**,<sup>3</sup> the following were apprehended/seized:

<sup>1</sup> Copy of the Notice of Hearing/Abiso addressed to the respondents and the Attendance Sheet are attached hereto collectively as **Annex "A"**.

<sup>2</sup> Copy of the apprehending officer's "Pinagsamang Sinumpaang Salaysay" is attached hereto as **Annex "B"**.

<sup>3</sup> Copy of the WSR No. 2022-0906 is attached hereto as **Annex "C"**.



WSR No. 2022-0906	Apprehension/Seizure Date September 06, 2022		Apprehension/Seizure Time 10:40 AM
1.Species Apprehended/Seized	1.Quantity	3.Evidence Tag No.	4.Place (of) Apprehension/Seizure
Eastern Spotted Dove ( <i>Spilopelia Chinesis</i> )	Nineteen (19)	2022-0906	Barangay Del Pilar, Naujan, Oriental Mindoro
5.Paraphernalia	6.Quantity and Description		
Bird Cage	One (1)		
7.Conveyance	8.Description		
N/A	N/A		
xxx			

The foregoing were turned-over to the custody of DENR-CENRO Socorro.<sup>4</sup>

### **Version of the Respondent**

Respondent averred that he collected the said wildlife *without permit* from his paddy field or *palayan* located in Barangay Evangelista as they are destroying his crops. He intends to sell them but was apprehended by the personnel of Naujan MPS.<sup>5</sup>

## **ISSUE**

Whether or not the nineteen (19) pieces of Eastern Spotted Dove (*Spilopelia Chinenses*) and the bird cage shall be forfeited in favour of the Government.

## **ACTIONS TAKEN, UPDATES, AND RECOMMENDATION**

- I. The 19 pieces of Eastern Spotted Dove and the bird cage shall be confiscated in favour of the government and be disposed of in accordance with existing laws and procedures.

Per records of this office, no Wildlife Collector's Permit was issued to the respondent.<sup>6</sup> Section 27 in relation to Section 28 of Republic Act No. 9147 provide that:

**Section 27. Illegal Acts.** - Unless otherwise allowed in accordance with this Act, it shall be unlawful for any person to wilfully and knowingly exploit wildlife resources and their habitats, or undertake the following acts:

<sup>4</sup> Copy of the Turn-Over Receipt, Evidence Tag No. 2022-0906, and Inventory Sheet, are attached hereto as **Annex "D"**.

<sup>5</sup> Copy of the Minutes of Hearing / respondent's signed narration of facts is attached hereto as **Annex "E"**.

<sup>6</sup> Copy of the Certification issued by Marjorie Joyce S. Acuzar, Administrative Officer I (Records Officer) of DENR-CENRO Socorro is attached hereto as **Annex "F"**.



(f) **collecting, hunting or possessing** wildlife, their by-products and derivatives;

XXX

**Section 28. Penalties for Violations of this Act.**

XXX

**All wildlife, its derivatives or by-products, and all paraphernalia, tools and conveyances used in connection with violations of this Act, shall be *ipso facto* forfeited in favour of the government; Provided, That** where the ownership of the aforesaid conveyances belong to third persons who has no participation in or knowledge of the illegal acts, the same may be released to said owner.<sup>7</sup>

XXX

Since the collection and possession of the Eastern Spotted Dove was done without permit, it shall be **confiscated** in favour of the government together with the bird cage used in connection thereto.

**II. A Report on the 19 pieces of Spotted Ducks were forwarded to the office of the Regional Executive Director (RED).**


Per **Memorandum** dated 05 October 2022 received by the RED on 21 October 2022 with subject: "Submission of Report Pertaining to the Apprehended Nineteen (19) Pieces of Eastern Spotted Dove (*Spilopelia Chinesis*) at Barangay Del Pilar, Naujan, Oriental Mindoro," the apprehended/seized wildlife were released back to the forested area in Barangay Del Pilar.<sup>8</sup>

**III. Criminal Case No. 6702 has already been terminated and respondent *pleaded guilty* to the crime charged.**

In an Order dated 21 September 2022, Hon. Jose Michael D. Masangkay, Presiding Judge of Naujan MTC, sentenced the respondent (accused) to suffer **twenty (20) days of imprisonment** and to pay a fine of **One Thousand Pesos (PHP 1,000.00).**<sup>9</sup>

Respondent's Application for Community Service in lieu of imprisonment was granted on 26 October 2022.<sup>10</sup>

Respectfully submitted this **31<sup>st</sup>** day of **January 2023**.

  
**RODEL M. BOYLES**  
Hearing Officer

<sup>7</sup> Emphasis supplied.

<sup>8</sup> Copy of said Report is attached hereto as **Annex "G"**.

<sup>9</sup> Copy of said Order is attached hereto as **Annex "H"**.

<sup>10</sup> Copy of said Order is attached hereto as **Annex "I"**.



20 Enero 2023

**PARA KAY** : **GINOONG TEOTIMO M. MAGNAYE**  
Barangay Evangelista, Naujan, Oriental Mindoro

**PAKSA** : Paanyaya para sa isang Administratibong Pagdinig patungkol sa iligal na panghuhuli at pagtransporta ng nineteen (19) pirasong Eastern Spotted Dove (*Spilopelia chinenses*) sa Barangay Del Pilar, Naujan, Oriental Mindoro

X-----X

## ABISO

Pagbati!


Ito ay may kinalaman sa iligal na panghuhuli at pagtransporta ng nineteen (19) pirasong Eastern Spotted Dove (*Spilopelia chinenses*) sa Barangay Del Pilar, Naujan, noong ika-6 ng Setyembre taong 2022.

Alinsunod sa DMC No. 2010-17 o *Wildlife Law Enforcement Manual of Operations* ikaw ay inaanyayahan para sa isang administratibong pagdinig na isasagawa ngayong ika-26 ng Enero taong kasalukuyan, **Huwebes, 10:00 ng umaga** sa opisina ng **DENR-CENRO Socorro, Barangay Pasi II, Socorro, Oriental Mindoro**.

Ang nasabing pagdinig ay naglalayong bigyan ng pagkakataon ang mga sangkot na makapagsalaysay, makapaglahad, o makapagbigay linaw sa mga pangyayari na may kinalaman sa nakasaad na paksa. Bilang karagdagan, mangyaring magdala ng kopya ng mga naangkop na dokumento tulad ng permiso ng pagtransporta mula sa aming opisina at *Order* o *Desisyon* mula sa korte na may kaugnayan sa paksa.

Kung sakaling hindi kayo makadadalo, maaring mag-sumite ng Sinumpaang Salaysay o *Affidavit* at iba pang sumusuportang dokumento.

Para sa iyong kaalaman at karampatang pagsunod.

  
**RODEL M. BOYLES**  
W/ CENR Officer

01/24/2023





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

## ATTENDANCE

ADMINISTRATIVE CONFISCATION HEARING

Date: January 26, 2023

Time: 10:00 AM

CENRO-Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro

No.	NAME	OFFICE/ADDRESS	SIGNATURE
1	Tiotimo Magmaye	Brgy. Evangelista, Naujan	Tiotimo Magmaye
2	SHERLYN LATEJA	CENRO Socorro	[Signature]
3	Leonida Mindas	[Signature]	[Signature]
4	Rodel M. Bayles	[Signature]	[Signature]
5			
6			
7			
8			
9			
10			

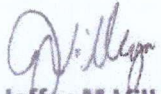
**PINAGSAMANG SINUMPAANG SALAYSAY**

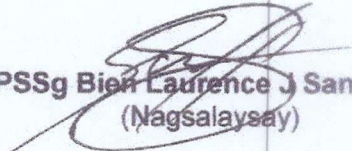
Kami, **PSSg Bien Laurence Jamilla Sanchez**, 32 taong gulang, walang asawa **PCpl Jeffry Moreno Villeza**, 38 taong gulang, may asawa, mga Kagawad ng Pulisya ng Pilipinas at nakatalaga sa Himpilan ng Pulisya ng Naujan, matapos na makapanumpa alinsunod sa ipinag-uutos ng Saligang Batas ng Pilipinas ay malaya at kusang-loob na nagsasalaysay ng mga sumusunod:

1. Na, lubos naming pinagtitiyap at pinatutunayan sa salaysay naming ito na noong ika- 6 ng Setyembre taong 2022 ang oras ay humigit kumulang sa ika 10:40 ng umaga ay nahuli namin sa paglabag sa R.A. 9147 o **Wildlife Resources Conservation and Protection Act** si **Teotimo Manalo Magnaye**, 59 taong gulang, walang asawa, magsasaka, at residente ng Barangay Evangelista, Naujan, Oriental Mindoro.
2. Na, bago ang pagka-aresto kay **Teotimo Manalo Magnaye**, kami ay nagsasagawa ng Intel Monitoring papunta sa mga barangay ng District 7, subalit pagsapit namin sa Barangay Del Pilar, bayang ito ay nakasalubong namin si **Teotimo Manalo Magnaye** na may dalang isang pabilog na kulungan ng ibon at may lamang mga buhay na ibong bato-bato. Na, kami ay nagpakilalang mga kagawad ng Pulisya ng Naujan at aming tinanong si **Teotimo Manalo Magnaye** kung may kaukulang dokumento siya sa kanyang mga dalang ibong bato-bato at ito ay labing-siyam (19) na piraso. Ngunit sumagot siya na wala at iyon ay kanyang ipagbebenta sa halagang isang daan ang kada isang piraso.
3. Na, kaagad naming inaresto ang nasabing tao at kaagad ko (**PSSg Sanchez**) siyang binasahan ng kanyang mga karapatan alinsunod sa ipinag-uutos ng Saligang Batas ng Pilipinas. Na, siya ay may karapatang manahimik o magsawalang kibo, ano man ang kaniyang sabihin ay maaring gamitin pabor o laban sa kaniya, na siya din ay may karapatang kumuha ng kaniyang sariling tagapag tanggol at kung wala siyang kakayahan na kumuha ng sariling tagapag tanggol ay pagkakalooban siya ng gobyerno at ito ay sa sarili nilang pili. Na, siya din ay may karapatang masuri o matingnan ng doctor ng sarili niyang pili. Na, nang tanungin ko siya kong naiintindihan niya ay sumagot siya ng opo.
4. Na, kaagad kaming nagpatawag ng mga Barangay Officials sa nasabing Barangay upang maging saksi sa gagawing pag-iimbentaryo at pagmamarka sa mga ebidensya at kaagad namang dumating sina Kagawad Christian Bejasa at Kagawad Rogelio Maligalig ng nasabing barangay.
5. Na, nakumpiska namin sa posesyon ni **Teotimo Manalo Magnaye** ang isang (1) kulungan ng ibon na may lamang labing-siyam (19) na piraso ng ibong "Bato-bato". Na, sa harap ng mga nasabing mga kagawad at ni **Teotimo Manalo Magnaye** ako (PCpl Villeza) ay nagsagawa ng pag-iimbentaryo at pagmamarka. Na aking minarkahan ang nasabing kulungan ng ibon na may lamang labing-siyam (19) na piraso ng ibong "Bato-bato" ng JMV at aking pirma.
6. Na, kami din ay nakipag-ugnayan sa opisina ng CENRO sa Socorro sa pamamagitan ng pagtawag sa cellphone upang ipaalam ang pangyayari at upang maiturn-over sa kanila ang nasabing nakumpiskang ebidensya.

7. Na, ginawa namin ang salaysay na ito upang magpatunay, na kami ay hindi tinakot, pinilit o binigyan ng pabuya sa pagbibigay ng salaysay na ito at upang ipagsakdal ng habla si **Teotimo Manalo Magnaye** sa hukuman sa paglabag sa R.A. 9147.

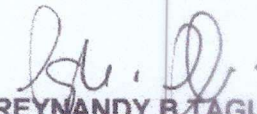
8. **SA KATUNAYAN NG LAHAT** ay lumagda kami ng aming tunay na pangalan at apelyido ngayong ika- 6 ng Setyembre taong 2022 dito sa Naujan Silangang Mindoro.

  
**PCpl Jeffry M. Villeza**  
(Nagsalaysay)

  
**PSSg Bien Laurence J. Sanchez**  
(Nagsalaysay)

**CERTIFICATION**

**SWORN AND SUBSCRIBED BEFORE ME** this 6<sup>th</sup> day of September 2022 in Naujan Municipal Police Station Naujan, Oriental Mindoro and further **CERTIFY** that I personally examined the affiants and that I am fully satisfied that they voluntarily executed and understood the contents of the foregoing statements.

  
**REYNANDY B. TAGLE**  
Police Lieutenant  
Administering Officer



### WILDLIFE APPREHENSION/SEIZURE RECEIPT

WSR NO. 2022-0906		Apprehension/Seizure Date SEPTEMBER 06, 2022		Apprehension/Seizure Time 10:40 AM	
1. Species Apprehended/Seized EASTERN SPOTTED DOVE (Spilopelia chinensis)		2. Quantity Nineteen (19)		3. Evidence tag no. 2022-0906	
				4. Place Apprehension/Seizure Brgy. Del Pilar, Naujan, Oriental Mindoro	
5. Paraphernalia Bird Cage		6. Quantity and Description One (1)			
7. Conveyance N/A		8. Description N/A			

9. ORIGIN:
10. VIOLATION OF (specify law): Paragraph (f.) of Section 27 of R.A. NO. 9147

Name and Signature of Apprehending Officer/s:

1. Name: FERNAN D. MACUNA

Position: PCP

Address: NAUJAN MRC

2. Name: JEFFRY M. VILLERA

Position: PCP

Address: NAUJAN MRC

11. REMARKS:	Under IUCN Eastern Spotted Dove listed as "Least Concern"		
12. WITNESSED BY:	FORESTER I <u>KEVIN L. CARPUZ</u>	ADDRESS:	<u>DENR CENRO SOCORRO</u>
WITNESSED BY:	FOREST RANGER <u>JULIUS V. FONTAMILLA</u>	ADDRESS:	<u>DENR CENRO SOCORRO</u>
13. RECEIVED COPY BY:			
NAME:			
ADDRESS:			



### TURNOVER-RECEIPT

PLTCOL RONATO P. BANANIA, JR.

CHIEF OF POLICE

NAUJAN MRC, BRGY. VANTACO, NAUJAN,  
ORIENTAL MINDORO

Please acknowledge receipt of the following wildlife apprehended from Teghimo  
Manaw magnay on September 06, 2022  
at Brgy. Del Pilar, Naujan, Oriental Mindoro:

Species apprehended	No. of Heads/ Quantity	Markings (if any)	Apprehended evidence tag number
EASTERN SPOTTED DOVE	NINETEEN (19)	JMV	EVIDENCE TAG NO. 2022-0006

Turnover by:

PCPl ~~FERNAN C. MACHA~~  
Apprehending Officer

PCPl JEFFERY M. VILLEZA  
Apprehending Officer

### ACCEPTANCE RECEIPT

I hereby acknowledge receipt of the above mentioned items this 7th day  
of SEPTEMBER, 2022 at Naujan Municipal Police Station.

Accepted by: FI KEVIN L. CORPUS

Name and Signature of the Receiving Officer



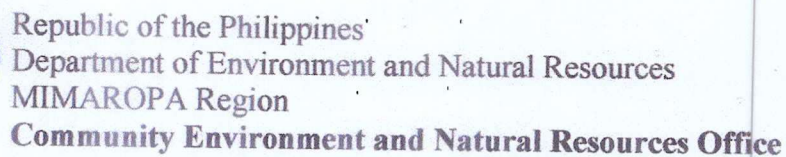
Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
Community Environment and Natural Resources Office

EVIDENCE TAG NO. 2022 - 0006

Description of Items	Quantity	Apprehended Seized from
EASTERN SPOTTED DOVE ( <i>Coturnix chinensis</i> )	NINETEEN (19)	TEOTIMO MANALO MAGNATE
BIRD CAGE	ONE (1)	

Place of Apprehension/Seizure			Apprehended/Seized by and Date
Sitio/Barangay	City/Municipality	Province	
DEL PILAR	NAUJAN	ORIENTAL MINDORO	PNP NAUJAN
			SEPTEMBER 6, 2022

Probable origin of the specimen			Tagged by and Date
Sitio/Barangay	City/Municipality	Province	
EVANGELISTA	NAUJAN	ORIENTAL MINDORO	CENRO SOCORRO
			PERSONNEL
			SEPTEMBER 07, 2022



**Date:** SEPTEMBER 07, 2022

**Location:** NAWAN MRS, DREG. VANTIAGO, NAWAN, ORIENTAL MINDORO

Inventoried by:

1. PCpl FERDINAND C MACNITA
2. PCpl JEFFRY M VILLEZA

Witnesses by:

1. FI KEULAH WIRIPUZ  
2. FK JULIUS FONTANELLA



## ADMINISTRATIVE CONFISCATION HEARING

(Chapter 7, 7.2.2. Hearing, DMC No. 2010-17 or Wildlife Law Enforcement Manual of Operations)

**SUBJECT** : Apprehended nineteen (19) pieces of Eastern Spotted Dove (*Spilopelia chinenses*) at Barangay Del Pilar, Naujan, Oriental Mindoro

**DATE** : January 26, 2023

**LOCATION** : DENR-CENRO Socorro, Brgy. Pasi II, Socorro, Oriental Mindoro

**HEARING OFFICER** : Rodel M. Boyles, Seizure/CENR Officer

**ATTENDEES AND DESIGNATION** : Leonida A. Mindaros, Forester II  
Sherlyn A. Layesa, Legal Researcher  
Teotimo M. Magnaye, Respondent

X -----X

### I. Introduction

**Pambungad** : (Pagpapakilala ng hearing officer at ng kanyang mga kasamahan - pangalan at posisyon)

Ang Pagdinig na ito ay alinsunod sa **Book 2, Chapter 7. Procedure for Administrative Seizure and Confiscation, DENR Memorandum Circular (DMC) No. 2010-17** o "**Wildlife Law Enforcement Manual of Operations.**"

Isang bahagi ng nasabing DMC ay ang pagsasagawa ng *Administrative Confiscation Hearing* o Administratibong Pagdinig na makikita sa **Chapter 7, 7.2.2. Hearing**. Mahalaga ito sapagkat dito binibigyan ng pagkakataon ang mga nasasangkot upang makapagsalaysay, makapaglahad, o makapagbigay linaw sa mga pangyayari na may kinalaman sa nakasaad na *subject* o paksa. Ito ang magiging basehan ng rekomendasyon na isusumite ng *Hearing Officer* o Opisyal ng Pagdinig sa Regional Executive Director (RED) na may awtoridad na magdesisyon patungkol dito.

Ang Administratibong Pagdinig na isinasagawa ng DENR ay hiwalay na proseso sa paglilitis ng korte para sa kasong sibil o kriminal.

Ang Pagdinig na ito ay gagawin sa lenggwahe o wika na mas higit na nauunawan ng nakararami.

1. **Pagtatala** : Para sa opisyal na pagtatala, maaari mo bang sabihin ang iyong pangalan, edad, katayuang sibil, at tirahan?

**Sagot** : Ako po si Teotimo Magnaye, 59 taong gulang, may asawa at nakatira sa Brgy. Evangelista, Naujan, Or. Mdo.

*Teotimo Magnaye*



2. **Paglililaw** : Bilang paglililaw, may ipinadala ang aming tanggapan na sulat na may petsang **20 Enero 2023** at pamagat na "**Abiso**", ito ba ay iyong natanggap?

**Sagot** : Opo

**Paglalahad ng mga Karapatan at Paalala** : Ang nasabing Abiso ay ang unang bahagi ng proseso bago ang pagsasagawa ng pagdinig. Ngayon naman ay ilalahad ang iba mo pang mga karapatan sa ilalim ng Saligang Batas at ilan pang mga paalala:

1. Ang pagdinig na ito ay maiksi lamang, nakatala, at sa pamamaraang tanong-sagot;
2. Ikaw ay maaaring humarap sa pagdinig na ito nang ikaw lamang o maaari din naman na kumuha ka ng tagapayo o abogado na kakatawan sa inyo;
3. Ikaw ay may karapatan na manahimik sa panahon ng pagsisiyasat;
4. Ikaw ay may karapatan na makita o makuha ang kopya ng mga dokumento na may kinalaman sa paksa;
5. Ikaw ay may karapatan na mag-sumite ng iba pang ebidensya; at
6. Bilang kapalit ng pagdinig na ito, maaari rin na mag-sumite ng *Memorandum* na may kasamang Sinumpaang Salaysay at iba pang dokumento na may kinalaman sa paksa o pangyayari upang maging basehan sa pagbibigay ng rekomendasyon at desisyon patungkol dito.

3. **Paglililaw** : Kaugnay nang huling nabanggit, ipagpapatuloy ba natin ang pagdinig o mag susumite ka na lamang ng iyong *Memorandum*?

**Sagot** : Ipagpapatuloy na lang po natin

## II. Hearing Proper

**Panimula** : Matapos na maipaliwanag sa iyo ang layunin ng pagdinig na ito, mga karapatan, at paalala, umpisahan na natin ang pagtatanong tungkol sa nahuling nineteen (19) piraso ng Eastern Spotted Dove (*Spilopelia chinenses*) sa Barangay Del Pilar, Naujan, Oriental Mindoro

4. **Tanong** : Ano ang kaugnayan o partisipasyon mo sa nabanggit na paksa? Ilahad mo sa amin ang mga pangyayari batay sa iyong personal na kaalaman.

**Sagot** : Ako po ang nanghuli ng mga ibon sa palayan na aming rinaraka dahil ito ay nanira

5. **Tanong** : Saan nahuli o nanggaling ang mga *Eastern Spotted Dove*?

**Sagot** : Sa palayan na aking rinaraka sa brgy. Evangelista, Naujan, Oriental Mindoro.

6. **Tanong** : Paano ito hinuli?

**Sagot** : Ginamitan ng lambat para mahuli ang mga ibon

*Teodoro Magraye*



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

7. **Tanong** : Ano ang gagawin sa mga ito o kanino/saan ito dadalhin?  
**Sagot** : Ibebenta ko po vana ito
8. **Tanong** : Mayroon bang kaukulang permiso o legal na dokumento ang panghuhuli at/o pagtransporta ng mga nasabing ibon? Kung mayroon, mangyaring ipakita ang kopya nito para sa aming pagsusuri.  
**Sagot** : Wala po
9. **Tanong** : Saan nakalagay ang mga ibon nong mahuli ng mga pulis?  
**Sagot** : Nasa hawla po
10. **Tanong** : Mayroon bang *criminal case* o kasong kriminal na isinampa sa korte laban sa iyo kaugnay ng nabanggit na pangyayari? Kung mayroon, ano na ang estado nito?  
**Sagot** : Mayroon po
11. **Tanong** : Malimit mo ba ginagawa ang panghuhuli at pagbebenta ng mga ibon?  
**Sagot** : Noon lamang po
12. **Tanong** : Ikaw ba ay may nais pang sabihin, idagdag, baguhin sa mga nabanggit?  
**Sagot** : Wala na po
13. **Pagtatapos** : Handa ka bang lagdaan ang dokumento o salaysay na ito nang may kusang loob, walang bahid ng pamimilit, pananakot, o anumang kapalit? Bago mo ilakip ang iyong lagda, basahin nang mabuti ang salaysay na ito.  
**Sagot** : Opo

**BILANG PATUNAY**, inilalakip ko ang aking lagda sa dokumentong ito, ngayong ika-26 ng Enero taong 2023, dito sa bayan ng Socorro, Oriental Mindoro.

*Tristino Maguaya*

Pangalan at Lagda ng Nagsalaysay

**PINANUMPAAN AT NILAGDAAN SA AKING HARAP**, ngayong ika-26 ng Enero taong 2023, dito sa bayan ng Socorro, Oriental Mindoro.

*[Signature]*  
**RODEL M. BOYLES**  
Hearing Officer



## CERTIFICATION

### TO WHOM IT MAY CONCERN:

This is to certify that, as per verification in the records of this Office, it appears that **NO WILDLIFE COLLECTOR'S PERMIT** was issued to:

NAME	ADDRESS
TEOTIMO MANALO MAGNAYE	EVANGELISTA, NAUJAN, OR. MDO.

**ISSUED** this 06<sup>th</sup> day of September 2022 at DENR CENRO Socorro, Oriental Mindoro, Brgy. Pasi II, Socorro, Oriental Mindoro upon request of Police Lieutenant Colonel Nonato P Banania, Jr., Acting Chief of Police – Naujan Municipal Police Station.

Prepared and Verified by:

**MARJORIE JOYCE S. ACUZAR**  
Administrative Officer I (Records Officer)

Attested by:

**ROBBIE M. BOYLES**  
CENR Officer

Received by:

888y Aldrin

Jayson

09/07/2022



October 5, 2022

**MEMORANDUM**

**FOR** : The Regional Executive Director  
1515 & S Bldg. Roxas Boulevard, Ermita, Manila

**THRU** : The PENR Officer  
Calapan City, Oriental Mindoro

**FROM** : The CENR Officer

**SUBJECT** : **SUBMISSION OF REPORT PERTAINING TO THE APPREHENDED NINETEEN (19) PIECES OF EASTERN SPOTTED DOVE (*Spilopelia chinenses*) AT BARANGAY DEL PILAR, NAUJAN, ORIENTAL MINDORO**



This pertains to the apprehended nineteen (19) Eastern Spotted Dove by the elements of Philippine National Police (PNP)-Naujan Municipal Police Station on September 06, 2022 which was immediately turned-over to this office. On September 8, 2022, the 19 Eastern Spotted Dove were released back to the forested area in Brgy. Pasi 2, Socorro, Oriental Mindoro.

Further, the suspect, Mr. Teotimo M. Magnaye was charged for violation of Republic Act 9147 otherwise known as "*Wildlife Resources Conservation and Protection Act*".

Moreover, attached are the following documents for evaluation of the case:

- a. Report and geo-tagged photos on the release of nineteen (19) Eastern Spotted Dove (*Spilopelia chinenses*);
- b. Spot report of the apprehended nineteen (19) Eastern Spotted Dove (*Spilopelia chinenses*) at Brgy. Del Pilar, Naujan, Oriental Mindoro;
- c. Geo-tagged photos;
- d. Letter request of PLCOL Nonato P Banania, Jr;
- e. Spot report of PLCOL Nonato P Banania, Jr;
- f. Wildlife apprehension/seizure receipt;
- g. Evidence Tag No. 2022-0906;
- h. Inventory Sheet;
- i. Turnover receipt;
- j. Certification prepared and verified by Records Officer, Marjorie Acuzar;
- k. Release Order issued by Presiding Judge, Jose Michael D. Masangkay;
- l. Resolution approved by Assistant Provincial Prosecutor, Jennifer M. Marasigan-Uy;
- m. Investigation data form with NPS Docket No: INQ-22I-00156;



- n. Complaint letter address to the Provincial Prosecutor, Hon. Humilito Atienza Dolor;
- o. Pinagsamang sinumpaang salaysay;
- p. Receipt/inventory of property seized;
- q. Crime scene photographs;
- r. PNP arrest and booking sheet;
- s. Booking mug shots and others;

For information and further instruction, if any.

  
**RODEL M. BOYLES**



Republic of the Philippines  
Fourth Judicial Region  
PROVINCE OF ORIENTAL MINDORO  
**MUNICIPAL TRIAL COURT OF NAUJAN**

Email Address: [mtc2njin000@judiciary.gov.ph](mailto:mtc2njin000@judiciary.gov.ph)

Contact Number: 0948-382-7010

**PEOPLE OF THE PHILIPPINES,**

**Plaintiff,**

**CRIM CASE NO. 6702**

**-versus-**

**-for-**

**TEOTIMO MANALO MAGNAYE,**

**Accused.**

**VIOLATION OF SEC 27 (f)  
OF RA 9147 (Wildlife  
Resources Conservation  
and Protection Act)**

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**O R D E R**

When this case was called for arraignment, accused, assisted by his counsel *de officio*, Atty. Rechelle Anne V. Pascua of the Public Attorney's Office, when arraigned in Filipino, a language known to and understood by him pleaded GUILTY as charged. Let a plea of guilty be entered into the records of this case.

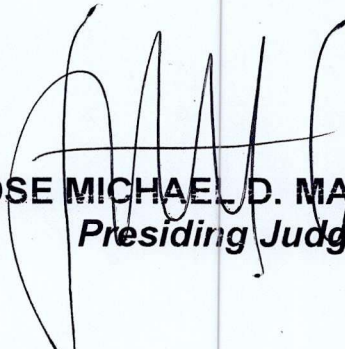
Accused having pleaded guilty, he is hereby convicted as such and is sentenced to suffer twenty (20) days of imprisonment and to pay a fine of One Thousand Pesos (P1,000.00).

As provided for under the law, the wildlife its derivatives or by-products and all paraphernalia, tools and conveyances seized are hereby confiscated in favor of the government.

On motion of the defense counsel, the accused shall stay on provisional liberty on the strength of the same bond pending the filing of the necessary pleading.

**SO ORDERED IN OPEN COURT.**

Naujan, Oriental Mindoro.  
21 September 2022.

  
**JOSE MICHAEL D. MASANGKAY**  
*Presiding Judge*



Republic of the Philippines  
Fourth Judicial Region  
PROVINCE OF ORIENTAL MINDORO  
**MUNICIPAL TRIAL COURT OF NAUJAN**

Email Address: [mtc2njin000@judiciary.gov.ph](mailto:mtc2njin000@judiciary.gov.ph)

Contact Number: 0948-382-7010

PEOPLE OF THE PHILIPPINES,

CRIMINAL CASE NO. 6702

-versus-

-for-

TEOTIMO MANALO MAGNAYE,

VIOLATION OF SEC 27 (F) OF

Accused.

RA 9147

X ----- X

## ORDER

Acting on the **Application for Community Service** filed by accused TEOTIMO MANALO MAGNAYE through his counsel and taking into consideration the reports prepared and submitted by Barangay Chairperson Israel B. Saunar of Barangay Del Pilar, Naujan, Oriental Mindoro and SWO II Mileah A. Javier of Municipal Social Welfare & Development Office, Naujan, Oriental Mindoro, the Court hereby **GRANTS** the said application, subject to the following conditions:

1. He shall, thereafter, report to his Supervising Probation and Parole Officer on and *at least* six (6) times, for a period of twenty (20) days.
2. He shall reside at Brgy. Evangelista, Naujan, Oriental Mindoro and shall not change his residence without prior approval of the Chief Probation and Parole Officer, or Court, as the case may be;
3. He shall not commit any crime or any other offense;
4. He shall render community service in Barangay Del Pilar, Naujan, Oriental Mindoro and undergo rehabilitative counseling, under the supervision of Municipal Social Welfare & Development Office, Naujan, Oriental Mindoro, as follows:

**Details:** *Clearing of Barangay Road*

**Hours to be served:** *Two (2) hours*

**Period:** *Three (3) times a week for two (2) weeks*

**Details:** *Cleaning of School*

**Hours to be served:** *Two (2) hours*

**Period:** *Three (3) times a week for two (2) weeks*

**Details:** *Cleaning of Multi-Purpose Building*

**Hours to be served:** *Two (2) hours*

**Period:** *Three (3) times a week for two (2) weeks*

**Details:** *Personality Awareness*

**Hours to be served:** *Three (3) hours*

**Period:** *Two (2) days*

**Details:** *Spiritual Counseling*

**Hours to be served:** *Two (2) hours*

**Period:** *Two (2) days*

**Details:** *Stress Management*

**Hours to be served:** *Three (3) hours*

**Period:** *Two (2) days*

5. He shall allow the Supervising Probation and Parole Officer or an authorized Volunteer Aide to monitor his compliance with the program;
6. He shall undergo medical, psychological or psychiatric examination and treatment and enter and remain in a specified institution, when required for that purpose;
7. He shall devote himself to a specific employment and shall not change said employment without prior notice to the supervising officer and/or pursue prescribed secular study or vocational training;
8. He shall refrain from association with persons of questionable character;
9. He shall cooperate with his program of supervision and shall satisfy other conditions related to his rehabilitation and not unduly restrictive of his liberty or incompatible with his freedom of conscience.

In the event that accused-applicant fails to observe the preceding conditions and/or has committed any material misrepresentation in his application, the grant may be revoked by the Court or the conditions thereof modified.

**SO ORDERED IN OPEN COURT.**

Naujan, Oriental Mindoro.  
26 October 2022.

**JOSE MICHAEL D. MASANGKAY**  
*Presiding Judge*

Copy furnished:

- Public Prosecutor
- Defense Counsel
- Accused
- Parole and Probation Office  
Calapan City, Oriental Mindoro
- Barangay Chairperson-  
Barangay Del Pilar, Naujan, Oriental Mindoro
- Municipal Social Welfare and Development  
Officer, Naujan, Oriental Mindoro

REPUBLIC OF THE PHILIPPINES  
Fourth Judicial Region  
PROVINCE OF ORIENTAL MINDORO  
**MUNICIPAL TRIAL COURT OF NAUJAN**  
mtc2njin000@judiciary.gov.ph  
cp # 0948-382-7010

PEOPLE OF THE PHILIPPINES,  
*Plaintiff,*

CRIM.CASE NO. 6702

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-for-

TEOTIMO MANALO MAGNAYE,  
*Accused.*

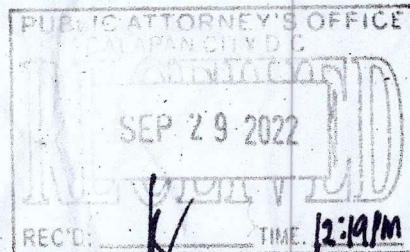
**"VIOLATION OF Sec. 27 (f) of  
R.A. 9147 (Wildlife Resources  
Conservation & Protection Act)"**

X-----X

**NOTICE OF HEARING**

TO: Hon. BEETHOVEN M. ALBAN  
Associate Provincial Prosecutor  
Calapan City, Or. Mindoro

Rechelle Anne V. Pascua  
Public Attorney's Office  
Calapan City, Or. Mindoro




FOR: Hearing on the Application for Community Service of accused-applicant TEOTIMO  
MANALO MAGNAYE *Exemplary*

**GREETINGS:**

You are hereby notified that the application for community service will be heard in  
the **Municipal Trial Court of Naujan**, located at 2<sup>nd</sup> floor, DSWD Bldg. Poblacion II,  
Naujan, Oriental Mindoro on **October 19, 2022 at 8:30** o'clock in the afternoon.

Naujan, Or. Mindoro, 29 September 2022.

  
**FREDERICK S. MAÑIBO**  
Clerk of Court II

rr/ACA/RAL

