



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

DEC 19 2022

**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. 2022-066

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated December 09, 2022 pertaining to the result of administrative adjudication on the apprehended sixteen (16) pieces of Gmelina lumber having an aggregate volume of 74.00 board feet at Barangay Concepcion, Calintaan, Occidental Mindoro.

For your information and record.

  
**ERNESTO L. TAÑADA**



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

DEC 09 2022

**MEMORANDUM**

FOR : The Regional Executive Director  
DENR-MIMAROPA Region  
Roxas, Blvd., Ermita, Manila

THRU : The OIC-PENR Officer  
Mamburao, Occidental Mindoro

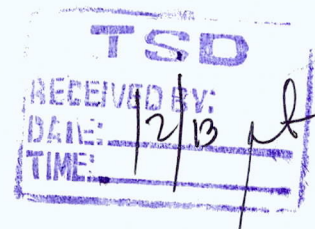
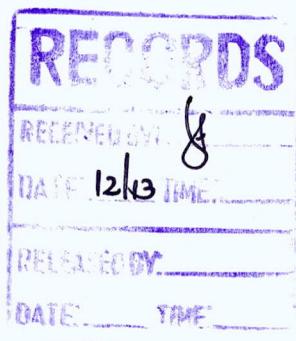
FROM : The CENR Officer

SUBJECT : RESOLUTION NO. 2022-066

Submitting respectfully is the Resolution No. 2022-066 as a result of administrative adjudication on the apprehended sixteen (16) pcs of Gmelina lumber with different dimensions having an aggregate volume of 74.00 bdft. at Brgy. Concepcion, Calintaan, Occidental Mindoro by DENR personnel on November 3, 2022.

For your information and record.

  
**EFREN L. DELOS REYES**



Brgy. Labangan, San Jose, Occidental Mindoro  
Tel. Number (043) 457-0236 / (043) 742-6627





**RE: APPREHENSION OF ABANDONED SIXTEEN (16) PCS. OF GMELINA LUMBER WITH AN AGGREGATE VOLUME OF 74.00 BDFT. AT BRGY. CONCEPCION, CALINTAAN, OCCIDENTAL MINDORO ON NOVEMBER 3, 2022 AT AROUND 6:05 IN THE EVENING.**

X-----X

**RESOLUTION No. 2022-066**

This pertains to the apprehension of abandoned sixteen (16) pcs. of Gmelina lumber with different dimensions of having aggregate volume of 74.00 bdft. at Brgy. Concepcion, Calintaan, Occidental Mindoro by the Personnel of Enforcement and Monitoring Section (EMS) DENR- CENRO, San Jose, Occidental Mindoro.

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

1. That, on November 3, 2022 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office conducted a monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there were a stockpiled of lumber believed to be illegally cut at the vicinity of Brgy. Concepcion, Occidental Mindoro.
2. That, indeed the report was confirmed, the team apprehended the above-subject forest products and hauled to DENR Ranger Monitoring Station at Brgy. Murtha San Jose, Occidental Mindoro for safekeeping. (*Please see attached spot report*)
3. That, the corresponding Apprehension Receipt with CENRO Control No.2022-F468 was issued by the apprehending officer headed by Deputy Chief, EMS, Jomar B. Serquiña (*please see attached apprehension receipt*)
4. That, the Seizure Order with CENRO Control Number 2022-F468 was issued by the Seizure Officer, Land Management Officer III Rhodora A. Garcia .(*please see attached seizure order*)
5. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on November 4, November 11 and November 18, 2022 at the conspicuous places such as at Public Market of Calintaan and at the Brgy. Hall of Barangay Concepcion, Calintaan, Occidental Mindoro. (*please see attached Pabatid sa Publiko*)
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. (*please see attached Pabatid sa Publiko*)



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

1. Whether or not the abandoned sixteen (16) pcs. of Gmelina lumber with different dimensions and an aggregate volume of 74.00 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

xxx

**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.

Xxx

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.

Xxx



2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended sixteen (16) pcs. of Gmelina lumber with different dimensions and an aggregate volume of 74.00 bdft shall be confiscated in favour of the government since those lumbars 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 abandoned sixteen (16) pcs. of Gmelina lumber with different dimensions and an aggregate volume of 74.00 bdft shall be confiscated in favour of the government since those lumber are products of an illegal act.

Issued this \_\_\_\_\_ day of DEC 07 2022, \_\_\_\_\_ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:

RHODORA A. GARCIA

LMO III

Hearing Officer/ Seizure Officer

*[Signature]*

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



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

---

EMAIL FOR TRANSMISSION  
November 7, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR  
DENR-MIMAROPA REGION  
ERMITA, MANILA

THRU: PENR OFFICER  
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

---

PLEASE BE INFORMED THAT THE DENR PERSONNEL HAD APPREHENDED SIXTEEN (16) PCS. OF GMELINA LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 74.00 BDFT AT BRGY. CONCEPCION CMA CALINTAAN CMA OCCIDENTAL MINDORO ON NOVEMBER 3, 2022 AROUND 6:05 IN THE EVENING PD

BE FURTHER INFORMED THAT THE SAID MAJOR FOREST PRODUCTS WERE FOUND ABANDONED AND WERE BROUGHT TO RANGER MONITORING STATION AT BRGY. MURTHA CMA SAN JOSE OCCIDENTAL MINDORO FOR TEMPORARY SAFEKEPPING PD

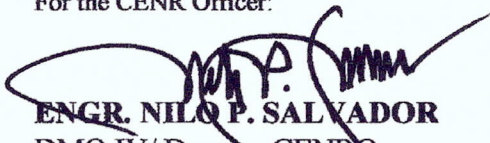
FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

DMO IV SALVADOR

---

SENDER

For the CENR Officer:

  
ENGR. NILO P. SALVADOR  
DMO IV/ Deputy CENRO  
In-Charge, Office of the CENRO

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



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

**APPREHENSION RECEIPT**

CENRO Control No.: 2022 -F468
E-FMS No: 2022-175110-F68

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
		ABANDONED			

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
Lumber			C&F	Gmelina	6	2x2x12=24.00	1,080.00	DENR-CENRO Office Compound	
					4	2x3x6=12.00	540.00		
					3	2x3x12=18.00	810.00		
					3	2x4x10=20.00	900.00		
Total:					16	74.00bdf/Php 45.00	3,330.00		

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.	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
N/A	N/A

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		
November 3, 2022 6:05 pm	OCC. MINDORO	CALINTAAN	CONCEPCION	N/A	DENR Personnel	SEC. 77, PD 705 as amended

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 3<sup>rd</sup> day of November, year 2022 at Calintaan, Occ. Mindoro.



**APPREHENDING OFFICER**  
**(Signature over Printed Name)**

1. JOMAR B. SERQUIÑA

Position: Forester I

Address: DENR-CENRO San Jose, Occ. Mindoro

2. DOMINIC L. VIDAL

Position: Forest Technician I

Address: DENR-CENRO San Jose, Occ. Mindoro

3. CARL EMMANUEL A. URIETA

Position: Forest Ranger

Address: DENR-CENRO San Jose, Occ. Mindoro

**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.: 2021-F468
E-FMS No: 2021-175110-F468

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			C&F	Gmelina	6	2x2x12=24.00	1,080.00	Ranger Monitoring Station, Brgy. Murtha, SJOM	LMO III Rhodora A. Garcia
					4	2x3x6=12.00	540.00		
					3	2x3x12=18.00	810.00		
					3	2x4x10=20.00	900.00		
					16	74.00bdf/ Php 45.00	3,330.00		

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	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

- 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		
November 3 , 2022 10:05 pm	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	LMO III Rhodora A. Garcia	SEC. 77, PD 705 as amended

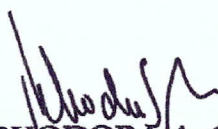
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated November 3, 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 3<sup>rd</sup> day of November , 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.

  
**RHODORA A. GARCIA**  
Seizure Officer/ Hearing Officer





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

NOV 04 2022

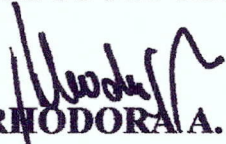
### UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHAN LABING ANIM (16) NA PIRASONG GMELINA NA KAHUY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 74.00 BDFT. SA BRGY. CONCEPCION, CALINTAAN OCCIDENTAL MINDORO NOONG IKA-3 NOBYEMBRE 2022 SA GANAP NA ALAS 6:05 NG GABI.

ANG NASABING KAHUY AY DINALA SA RANGER MONITORING STATION SA BRGY. MURTHA CMA SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

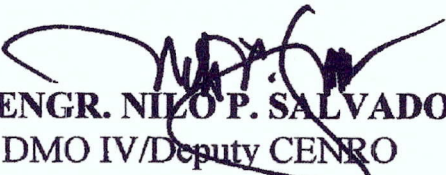
KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHUY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

  
**RHODORA A. GARCIA**  
LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

  
**ENGR. NILO P. SALVADOR**  
DMO IV/Deputy CENRO  
In-Charge, Office of the CENRO



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

NOV 11 2022

## **IKALAWANG PABATID SA PUBLIKO**

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG LABING ANIM (16) NA PIRASONG GMELINA NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 74.00 BDFT. SA BRGY. CONCEPCION, CALINTAAN OCCIDENTAL MINDORO NOONG IKA-3 NOBYEMBRE 2022 SA GANAP NA ALAS 6:05 NG GABI.

ANG NASABING KAHOY AY DINALA SA RANGER MONITORING STATION SA BRGY. MURTHA CMA 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

In-Charge, Office of the CENRO





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

NOV 18 2022

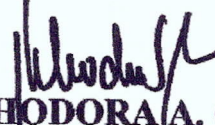
### **IKATLONG PABATID SA PUBLIKO**

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY NAKUHANG LABING ANIM (16) NA PIRASO NG GMELINA NA KAHOY NA MAY IBA'T-IBANG SUKAT AT MAY KABUUANG DAMI NA 74.00 BDFT. SA BRGY. CONCEPCION, CALINTAAN OCCIDENTAL MINDORO NOONG IKA-3 NOBYEMBRE 2022 SA GANAP NA ALAS 6:05 NG GABI.

ANG NASABING KAHOY AY DINALA SA RANGER MONITORING STATION SA BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

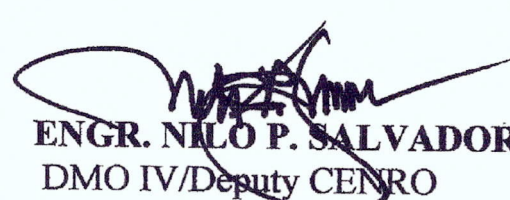
KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,

  
**RHODORA A. GARCIA**  
LMO III

Seizure Officer/ Hearing Officer

NOTED BY:

  
**ENGR. NILO P. SALVADOR**  
DMO IV/Deputy CENRO  
In-Charge, Office of the CENRO



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

---

EMAIL FOR TRANSMISSION  
November 7, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR  
DENR-MIMAROPA REGION  
ERMITA, MANILA

THRU: PENR OFFICER  
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

---

PLEASE BE INFORMED THAT THE DENR PERSONNEL HAD APPREHENDED SIXTEEN (16) PCS. OF GMELINA LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 74.00 BDFT AT BRGY. CONCEPCION CMA CALINTAAN CMA OCCIDENTAL MINDORO ON NOVEMBER 3, 2022 AROUND 6:05 IN THE EVENING PD

BE FURTHER INFORMED THAT THE SAID MAJOR FOREST PRODUCTS WERE FOUND ABANDONED AND WERE BROUGHT TO RANGER MONITORING STATION AT BRGY. MURTHA CMA SAN JOSE OCCIDENTAL MINDORO FOR TEMPORARY SAFEKEPPING PD

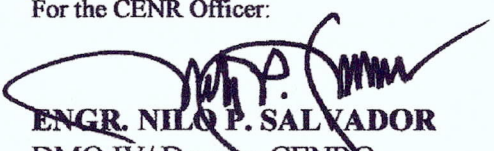
FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

DMO IV SALVADOR

---

SENDER

For the CENR Officer:

  
**ENGR. NILO P. SALVADOR**  
DMO IV/ Deputy CENRO  
In-Charge, Office of the CENRO

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