



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
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DENR MIMAROPA RECORD	
RECEIVED	
03 JAN 2023	
☒ INCOMING	☐ OUTGOING
BY _____	DAYS NO. _____
Time: _____	

December 16, 2022

MEMORANDUM

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

THRU : OIC, ARD for Technical Services

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING AND PERTINENT DOCUMENTS RE: APPREHENSION AND SEIZURE OF TWO (2) UNITS OF MOTORCYCLE WITH SIDECAR (TOPDOWN) AND 24 PIECES OF MARARANGO LUMBERS WITH A TOTAL VOLUME OF 332.82 BOARD FEET AT SITIO SINUWAKAN, BRGY. IRAAN, RIZAL, PALAWAN WITHOUT LEGAL DOCUMENTS

Respectfully forwarded is the memorandum of CENRO Quezon, Palawan dated December 6, 2022 relative the above subject.

Per memorandum, the apprehension was made on October 7, 2022 at around 7:30 P.M. by the personnel of CENRO Quezon Quick Response Team and Members of Naval Intelligence Security Group (NISG) while responding to the intelligence report that resulted to the apprehension of two (2) units of motorcycle with sidecar (topdown) and 24 pieces lumbers of Mararango species with a total volume of 332.82 board feet at Sitio Sinuwakan, Barangay Iraan, Rizal, Palawan. The estimated fair market value of the two (2) topdown is Php100,000.00 or Php50,000.00 each and the 24 pieces lumbers of Mararango is Php16,650.00 respectively. The perpetrators (drivers and owners of the subject topdown) were identified as Jolane C. Gaitera, Sr. and Ancel Tawtawan, both residents of Brgy. Iraan, Rizal, Palawan. The transport of Mararango lumbers without pertinent permits from DENR is a violation of Section 77 Presidential Decree No. 705, as amended.

The apprehended items were hauled and deposited at MEMRO Rizal Office located at Barangay Punta Baja, Rizal, Palawan under the custody of Forest Ranger Francisco Escala for safekeeping purposes. The notice of hearing dated October 11, 2022 was sent to all concerned parties in relation to DAO 1997-32. The administrative hearings were conducted on October 19, 2022 and October 28, 2022 at DENR CENRO Quezon, Palawan.

We concur with the CENRO recommendation for the issuance of confiscation order and order of finality of the apprehended conveyance and forest product in favor of the government and filing of appropriate charges against the said violators.

DENR-PALAWAN
PENRO-RECORDS
RELEASED

By _____
Date: 19 DEC 2022 32-3403

For the PENRO:

RONIE B. GANDEZA
OIC, TSD/Office In-Charge



December 6, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR R IVB – MIMAROPA
1515 Roxas Blvd., Ermita, Manila

THRU : The Provincial Environment and
Natural resources Officer
Sta. Monica, Puerto Princesa City

FROM : The Community Environment and
Natural Resources Officer

SUBJECT : **SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING
AND PERTINENT DOCUMENTS RE: ON THE APPREHENSION
AND SEIZURE OF TWO (2) UNITS OF MOTORCYCLE WITH
SIDECAR (TOPDOWN) AND 24 PIECES OF MARARANGO
LUMBERS WITH A TOTAL VOLUME OF 332.82 BOARD FEET AT
SITIO SINUWAKAN, BRGY IRAAN, RIZAL, PALAWAN
WITHOUT LEGAL DOCUMENTS.**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

BY: 
DATE: 12-07-2022 PN 22-11265

Forwarded herewith the memorandum dated December 1, 2022 Forester David E. Gallema, Jr., Hearing Officer containing the summary of minutes of Administrative Hearing and pertinent documents relative to the above cited-subject for violation of Section 77 of P.D. 705, as amended by EO 277 and RA 7161.

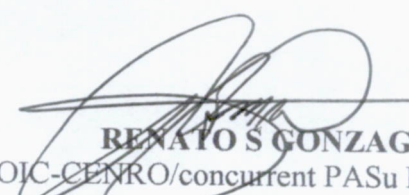
Attached hereto are the following, to wit:

1. Transcript of Administrative Hearing conducted dated October 19 & 28, 2022;
2. Attendance sheet;
3. Notice of hearing to the respondents dated October 11, 2022;
4. Apprehension report of apprehending officers dated October 11, 2022;
5. Apprehension receipt;
6. Tally Sheet;
7. Seizure order;
8. Seizure receipt;
9. Malayang Sinumpaang Salaysay of Forest Technician Armando Batayo;
10. Geo-tagged Pictures;
11. Letter request from daycare workers.

In view hereof, this Office concurs with the recommendation of the hearing officer to file a case against the offender for violation of Section 77 of PD 705 as further amended by E.O. 277 and R.A. 7161 and issuance of confiscation order and finality of the forest products in favor of the government.

For your information and further instruction.




RENATO S GONZAGA
OIC-CENRO/concurrent PASu MMPL



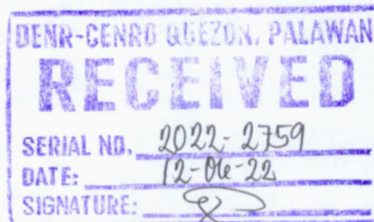
December 1, 2022

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer

FROM : The Hearing Officer

SUBJECT : **MINUTES OF ADMINISTRATIVE HEARING ON THE APPREHENSION AND SEIZURE OF TWO (2) UNITS OF MOTORCYCLE WITH SIDECAR (TOPDOWN) AND 24 PIECES OF MARARANGO LUMBERS WITH A TOTAL VOLUME OF 332.82 BOARD FEET AT SITIO SINUWAKAN, BRGY IRAAN, RIZAL, PALAWAN**



Submitted herewith the minutes of the Administrative Confiscation Proceedings together with pertinent documents anent the above-cited subject treated under DAO 97-32. The hearing was conducted on October 19, 2022 and October 28, 2022 at DENR-CENRO Quezon, Palawan, respectively.

Please be informed that prior to the conduct of hearing, a notice of hearing was given to the respondents informing them that they have a privilege to exercise their rights to hire a legal counsel of their own choice pursuant to the provisions of the New Constitution. However, despite the considerable period of time since the notice of hearing was served, this office did not received any notice or motion from the respondents to re-schedule the hearing due to non-hiring of lawyer.

Further informed that during the scheduled date of hearing, the respondents asserted to proceed the hearing even without the assistance of their own legal counsel.

I. FACTS OF THE CASE:

WHAT: Apprehension and seizure of two (2) units of motorcycle with sidecar (topdown) and 24 of pieces of Mararango lumbers with a total volume of 332.82 board feet.

WHEN: On or about 7:30 PM of October 7, 2022

WHERE: Sitio Sinuwakan, Brgy. Iraan, Rizal, Palawan

WHO: Mr. Jolane C. Gaitera and Mr. Ancel Tawtawan, both are residents of Brgy Iraan, Rizal, Palawan.

HOW: On or about 7:30 PM of October 7, 2022 the members of CENRO Quezon Quick Response Team and members of Naval Intelligence Security Group (NISG) responded an intelligence report that resulted to the apprehension of 24 pieces of Mararango lumbers, two (2) units of topdown and two individuals at Sitio Sinuwakan, Brgy Iraan, Rizal.

Due to lack of permit presented by the respondents, the apprehending team declared apprehension. They brought the apprehended items at MENRO Rizal for temporary custody and copy of apprehension receipt was given to the respondents.

II. PRESENTATION OF PARTIES CONCERNED (*Apprehending Officers and Respondents*):

1. During the hearing, the apprehending officers were not present but they were able to submit their "Malayang Sinumpaang Salaysay". Based on the malayang sinumpaang salaysay of Forest Technician II Armando Batayo and Forest Technician I Jesse Cascara, they received an information regarding the sighting of two (2) topdowns transporting lumbers from Sitio Sinuwakan, Iraan, Rizal heading towards south direction along the national highway. Their team immediately proceeded at Sitio Sinuwakan, Brgy Iraan and conducted surveillance and monitoring. They spotted two topdowns heading towards Sitio Sinuwakan, they cautiously followed and there they saw the two topdowns parked beside the piled lumbers. Two individuals were about to put/load the lumbers in their topdowns but did not continue when they noticed the presence of the team. The team immediately approached the two individuals and upon securing the area the team introduced their identity.

Per onsite investigation, the two individuals identified themselves as Jolane Gaitera, Sr and Ancel Tawtawan, both are residents of Brgy Iraan, Rizal. Palawan. The suspects disclosed that they had already been on a trip to Barangay Proper of Iraan and the remaining stockpile of lumbers in the area is supposed to be their second trip. When the two suspects were asked of permit or any legal documents of the lumbers, no permit was presented. Immediately, the suspects were informed of their violation and their constitutional rights under Miranda Doctrine.

Subsequently, the team declared arrest and apprehension. Per inventory and scaling, the 24 pieces of Mararango lumbers has a total volume of 332.82 board feet. The apprehended 2 units of topdown and Mararango lumbers were brought to MENRO –Rizal Office for temporary custody and copy of apprehension receipt was given to the suspects.

2. In the same hearing, Mr. Jolane C. Gaitera, recounted that he together with Mr. Ancel Tawtawan both driver and owner of topdown upon arriving in the area where the Mararango lumbers stockpiled, a group of individuals (CENRO Quick Response Team) arrived and accused them for illegal possession of lumbers, they declared apprehension and loaded the lumbers in their topdown and brought to the MENRO Rizal Office.

Mr. Jolane Gaitera stressed that the DENR personnel did not considered the document (*letter request address to Mayor Norman S. Ong hereto attached*) they presented. He explained that he was directly hired by P/B Dominador Pantalita of Brgy Iraan to haul the lumbers at Sitio Sinuwakan, Brgy Iraan, Rizal. Said lumbers will be used in the Brgy

Playground Devices such as Seesaw, Slides and the likes. Later on Mr. Jolane Gaitera admitted that they had already been on a trip of hauling lumbers and he is also the one who invited Mr. Ancel Tawtawan to help him in the hauling of said lumbers.

3. On the other hand, Punong Barangay Dominador Pantalita was present during the hearing, he explained that being a Punong Barangay he should show support for his constituents. P/B Pantalita admitted that they have an on-going project of Playground devices such as seesaw, slides and bookshelves of their Daycare Center. This is in preparation for the upcoming accreditation of Daycare Services of Barangay Iraan. He also admitted that he is the one who hired Mr. Jolane Gaitera for the hauling of lumbers.

Further, P/B Pantalita disclosed that prior to the gathering of wood materials, Barangay Iraan Daycare workers had submitted request to the office of the Mayor to allow them to cut trees and gather lumbers for their project, a copy of which was furnished and duly received by the In-charge of DENR Rizal Station.

Moreover, P/B Pantalita narrated that he had coordinated the matter with Mr. Jayce Mark Delos Angeles, Project Manager-Rizal, Sagip Kalikasan (RSK) in which the later assured him that they can now initiate the cutting and gathering of needed wood materials for their project.

Lastly, P/B Pantalita specified that Mr. Jayce Mark Delos Angeles and members of the Rizal Sagip Kalikasan (RSK) had already inspected and scaled the lumbers before it was hauled. P/B Pantalita said that they have already started the project and some slides and seesaw have already been fixed but they are still lacking for some lumbers to complete the project.

4. Likewise in the same hearing, Mr. Ancel Tawtawan concurred to the statement of Mr. Jolane Gaitera that he was just called to help in the hauling of lumbers.
5. In that hearing, the three Daycare Workers who are among the signatories of the request addressed to Mayor Norman S. Ong and the ones who delivered the request letter are also present. The three (3) Daycare workers (Roby S. Bacay, Team leader, Mea Clear C. Espanol, Asst. TL and Nimfa A. Escala, Bus. Mngr.) said that the letter was received by the Rizal Sagip Kalikasan (RSK) and copies of which were furnished to the office of the MENRO Rizal and DENR Rizal station. They said that Mr. Michael Joven, In-Charge of DENR Rizal Station duly received the copy of request letter. Further, they said that they also personally talked with Mr. Jayce Mark Delos Angeles and they were informed that Mayor Norman Ong has agreed to their request so he is giving them permission to initiate the gathering of wood materials.

Finally, P/B Pantalita, the two suspects and the Daycare workers all said that they would not have dared to do the gathering of wood materials if they were not allowed by the concerned individuals/offices.

6. Further, in the same hearing, Mr. Mark Jayce Delos Angeles, Program Manager of Rizal Sagip Kalikasan (RSK) denied all the statements mentioning the permission "go signal" he gave for the gathering of lumbers. Mr. Delos Angeles admitted that he had read the request and he advised the daycare workers to direct their request to DENR CENRO for the apprehended abandoned lumbers.

Mr. Delos Angeles narrated that P/B Pantalita called him thru mobile phone informing him that they have already gathered lumbers for their project, he responded P/B Pantalita and said that the lumbers were already reported to him by his men (RSK). But he advised his men to just leave it and do not apprehend as it might be the lumbers of P/B Panatlita for his project. In addition, his men are not deputized to do so. In the end, Mr. Delos Angeles repeated and emphasized that he did not give permission or go signal for the cutting of trees and gathering of lumbers.

7. Lastly, in that hearing, ECOMS II Michael Joven, In-Charge, DENR Rizal Station also denied the allegation of the three daycare workers that he allowed or gave permission for them to initiate the cutting of trees and gathering of lumbers. ECOMS II Joven admitted that he received a copy furnish of request letter address to Mayor Norman Ong of Rizal, Palawan, but he explained that he cannot assure if CENRO Quezon grant their request. The three daycare workers informed him that they have already informed the Office of the Mayor, the Rizal Sagip Kalikasan (RSK) and the PNP but ECOMS II Joven insisted to them that only the DENR has the authority of granting a permit for cutting of trees and gathering/transport of lumbers.

III. APPLICABLE LAWS AND POLICIES:

1. *Section 77 of PD 705 as amended or Revised Forestry Code of the Philippines " Cutting, Gathering and/or collecting Timber or other Forest Products Without License- any person who shall cut, gather, collect, remove 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 existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code; Provided, that in the case of partnerships, associations, or corporations, the officers who ordered the cutting, gathering, collection or possession shall be liable, and if such officers are aliens, they shall, in addition to the penalty, be deported without further proceedings on the part of the Commission on Immigration and Deportation.*
2. Department Administrative Order No. 97-32 dated 1997 Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyances used in the commission of crimes.

IV. FINDINGS/EVALUATION

1. The possession of 24 pieces of Mararango lumbers having a total volume of 332.82 board feet is not covered by appropriate DENR documents/permit, hence a patent violation of Section 77 of PD 705 as further amended;
2. The accused are also the owners of the two (2) units of topdown apprehended;
3. In view of the above findings and facts presented, it was found that there were sufficient and convincing evidences to support the finding of probable cause to charge **Mr. Jolane C. Gaitera and Mr. Ancel Tawantawan** for violation of Section 77 of PD 705 as further amended by E.O. 277 and R.A. 7161.

4. It was clear that P/B Dominador Pantalita has full knowledge on the cutting and gathering of lumbers, he is the one who planned the request, he coordinated with Rizal Sagip Kalikasan (RSK) and he is also the one who hired the suspects to haul the lumbers.
5. Though, Mr. Mark Jayce Delos Angeles strongly denied the allegation of P/B Dominador Pantalita and the three daycare workers, however, he disclosed that his men (members of RSK) had seen the lumbers and it was reported to him but he advised his men not to apprehend as it might be the lumbers of P/B Pantalita intended for playground devices project.
6. The copy of letter request address to Mayor Norman Ong received by ECOMS II Michael Joven was not endorsed/submitted to the office of the CENRO.

V. RECOMMENDATION

1. In view of the above findings and evaluation, it is recommended that the 24 pieces of Mararango lumbers having a total volume of 332.82 board feet and two (2) units of topdwon be confiscated in favor of the government in addition to the filling of case against the above –mentioned offender for violation of Section 77 of PD 705 as further amended by E.O. 277.
2. The legal division/office is requested to give advice and further instruction on the part of P/B Dominador Pantalita and Mark Jayce Delos Angeles.

For his information and further evaluation/instruction.


DAVID E. GALLEMA, JR.
Hearing Officer



PEOPLE OF THE PHILIPPINES
Plaintiff,

CENRO Admin Case No. **QZN-AC-2022-10-017**

-versus -

-for-

**ANCEL TAWTAWAN
JOLANE C. GAITERA SR.**

Violation of Sec. 77 (formerly Sec. 68 of
PD 705 as amended by EO 277 series of
of 1987 and RA 7161)

Respondent.

X-----X

**TRANSCRIPT OF ADMINISTRATIVE HEARING
(Katitikan ng Pagdinig Administratibo)**

Katitikan ng ginawang pagdinig sa nahuling toptown na may kargang mga kahoy na walang kaukulang dokumento na ginanap noong October 19, 2022 at October 28, 2022 sa ganap na 10:00 ng umaga sa DENR CENRO, Quezon, Palawan.

DAVID E. GALLEMA, JR.
Hearing Officer

CATHERINE F. REGIS
Stenographer

Mga dumalo

David E. Gallema, Jr.
Catherine F. Regis
Ancel Tawtawan
Jolane C. Gaitera Sr.
Dominador Pantalita
Roby S. Bacay
Mea Clear C. Espanol
Nimfa A. Escala
Mark Jayce Delos Angeles
Michael Joven

Katungkulan/Tanggapan/Tirahan

Chief, MES/Hearing Officer –CENRO Quezon, Pal.
FR/Stenographer – CENRO Quezon, Palawan
Bgy. Punta-baja, Rizal, Palawan (driver)
Bgy. Punta-baja, Rizal, Palawan (helper)
P/B Brgy. Iraan, Rizal Palawan
Daycare worker, Brgy Iraan, Rizal, Palawan
Daycare worker, Brgy Iraan, Rizal, Palawan
Daycare worker, Brgy Iraan, Rizal, Palawan
Program Manager, Rizal Sagip Kalikasan (KSK)
ECOMSII/In-Charge, DENR-Rizal, Palawan

Paunawa: Bago pormal na pinasimulan ang pagdinig ay isang maikling panalangin muna ang isinagawa kasunod ang pagbanggit/pagtawag sa pangalan ng mga dumalo.

Hearing Officer: Sa bisa ng Seksyon 45 ng PD 705 na nag-gawad sa akin ng kapangyarihan na magsagawa ng ganitong uri ng pagdinig alinsunod sa mga probisyon ng DAO 97-32, ang pagdinig sa nasamsam na toptown at 24 pirasong kahoy na may kabuoang bulto na 332.82 board feet noong October 7, 2022 ganap na ika 7:30 ng gabi sa Sitio Sinuwakaan Bgy. Iraan, Rizal, Palawan na walang kaukulang dokumento ay promal na pong sisimulan. Kayo (respondents) ay nabigyan ng sapat na panahon mula ng isilbi sa inyo ang pabatid, at kayo rin ay naabisuhan na mayroon kayong karapatan na kumuha ng inyong sariling abogado alinsunod sa ating saligang batas para gumabay sa inyo sa pagdinig na ito. Ganunpaman, wala kaming natanggap na abiso o motion galing sa inyo upang ipagpaliban ang pagdinig na ito dahil wala kayong nahanap na abogado. Sa gayon, itutuloy po ba natin ang pagdinig na ito kahit wala kayong abogado?

Respondents : Opo, itutuloy.

- H.O** : Sa pagpapatuloy, ako po ay maglalalatag ng ilang patnubay upang maisagawa natin ng matiwasay ang pagdinig na ito. Hinihiling ko ang katahimikan sa lahat na nagsipagdalo. Mahigpit na ipinagbabawal ang anumang gawain na makakagambala sa daloy ng pagdinig na ito at ang paggamit ng masasama at hindi kanais-nais na mga salita. Ang mga ipinatawag ay mabibigyan ng sapat na oras upang maglahad at maipaliwanag ang kanyang panig. Kung kayat, kung sino lang ang tinatanung ay siya lamang ang sasagot. Maliwanag po ba?
- Attendees** : Opo.
- H.O.** : Sa ipinatawag ngayong umaga (respondent), mayroon po ba kayong dalang mga dokumento may kaugnayan sa mga nahuling produktong gubat na gusto niyong ipresenta ngayong umaga?
- Respondents** : Wala po.
- H.O** : Bagamat hindi nakadalo ang mga apprehending officers, sila *Forest Technician II Armando J. Batayo at Forest Technician I Jesse Cascara* ay nagsubmit ng kanilang Pinagsamang Malayang Sinumpaang Salaysay. Ayon sa kanilang Sinumpaang Salaysay, binanggit nila na noong October 7, 2022 ganap na 7:30 ng gabi sa Sitio Sinuwakan, Bgy. Iraan, Rizal, Palawan kasama ang Quick Response Team ng CENRO Quezon, Special Boat Unit (SBU) 2nd Special Operation Unit-Maritime Group at Naval Intelligence and Security Group (NISG) ay nagsagawa ng pinagsamang operasyon hingil sa ipinarating na impormasyon may kaugnayan sa namataang dalawang topdown na nagbibiyahe ng mga nilagaring kahoy galing sa Sitio Sinuwakan. Agad silang nagsagawa ng surveillance at monitoring at nang makita nila na pumasok ang dalawang topdown sa nasabing lugar, agad nila itong sinundan at nang sila ay makarating sa So. Sinuwakan ay nakita nila ang dalawang topdown katabi ng mga nakatambak na nilagaring kahoy, kung saan ang dalawaang lalaki ay magkakarga na sana ng kahoy sa topdown pero hindi nila tinuloy noong napansin nila ang parating na team ng DENR. Agad nilang sinabihan ang dalawang tao na wag kumilos ng masama at nagpakilala ang team na mga empleyado ng DENR na nag sasagawa ng operation. Batay sa kanilang pagtatanong nakilala ang dalawang tao na sina Mr. Jolane C. Gaitera at Mr. Ancel Tawtawan, pawang mga resident ng Barangay Iraan, Rizal, Palawan at nagmamay-ari sa dalawang top down na nasa tabi lang nila. Sa pagtatanong pa rin ng team nagsabi sina Jolane at Ancel pangalawang trip na sana nila iyon dahil may nauna na silang naibyahe bago pa man dumating ang team. Wala din silang naipakitang legal na dokumento na galing sa opisina ng DENR. Ipinaliwanag sa kanilang dalawa ang kanilang paglabag sa batas sa Sec. 77 ng 705 as amended ganun din na ipinaalam ang kanilang mga karapatan. At nagsagawa ang team ng imbentaryo at documentation para magamit sa legal na hakbang ng DENR CENRO Quezon. At ayon sa resulta ng imbentaryo ito nga ay umabot sng 332.82 board feet. Pag katapos ay agad dinala ang topdown at mga kahoy sa MENRO Rizal, Palawan para sa pansamantalang kustodiya habang isinasagawa ang kaukulang aksyon at disposisyon nito. At binigyan sila ng copy ng apprehension receipt.
- H.O** : Sa ating pagpapatuloy, Mr. Jolane C. Gaitera Sr. po ang una kong tatanungin, maari kabang tumayo itaas ang iyong kanang kamay magpakilala, mangangakong magsasabi ng katotohanan at pawang katotohanan lamang?
- J. Gaitera Sr.** : Ako po si Jolane C. Gaitera Sr. , 42 years old, may asawa at anak, ako po ay isang Baranggay Tanod sa Bgy. Iraan, nakatira sa Bgy. Iraan, Rizal, Palawan mangangakong magsasabi ng pawang katotohanan lamang. Kilala po ako sa pangalang Lanie.
- H.O** : Dito po sa report ay isa po kayo sa respondent na naabutan ng enforcement team ng CENRO Quezon personnel, ano po ang ginagawa niyo nong time na iyon doon sa lugar?

- J. Gaitera Sr. :** Noong Friday ng gabi po papunta kami sa Sitio Sinuwakaan, Bgy. Iraan, Rizal, Palawan para po mag hakot sana ng kahoy noong pababa na kami kasi mataas iyong area namin may napansin na ako na sumusunod samin hindi ko lang po pinansin pag backing namin sa area ang driver po ay anak ko bigla nalang hinawakan yong topdown ng sumusunod samin, ang sabi walang aalis, walang cellphone at walang kikilos taga DENR kami, sabi ko po sir, may dala po kaming papel patuyan daw po namin.
- H.O :** Dala niyo po ngayon iyong papel na sinasabi niyo?
- J. Gaitera Sr. :** Opo.
- H.O :** Maari ko bang makita?
- J. Gaitera Sr.** Sige po. Tapos po sabi samin walang cellphone sabi ko sir bakit walang cellphone, natakot nadin po kami sa dami nila tapos ginigitgit nila kami sa tabi, itong kasama ko nagsigw na sabi pay, pay iyong topdown ko kinakargahan na nila, sabi ko bakit niyo kinakargahan iyong topdown sir pagdating niyo dito wala namang karga yan, kinargahan na nila iyong topdown at tumawag na sila sa MENRO, sabi ko sir may kakargahan naman pala kayo sir bakit niyo pa idamay Iyong topdown namin ei wala namang karga iyan pag dating niyo.
- H.O :** Ito po ba ang dala-dala niyong papel noong time na iyon at pinakita niyo po sa kanila? (Ipinakita ang papel na sinasabi ni Mr. Gaitera)
- J. Gaitera Sr. :** Opo iyan na iyon sir.
- H.O** Sige po, ang susunod ko pong tatanongin upang marinig ang panig ni Mr. Arcel Tawtawan, Maari kabang tumayo itaas ang iyong kanang kamay at pagpakilala sabihin ang iyong Pagkakakilanlan at mangangakong magsasabi ng pawang katutuhanan lamang?
- A. Tawtawan :** Ako po si Ancel Tawtawan, nasa hustong gulang, may asawa at anak, ako po Ay nakatira sa Bgy. Iraan, Rizal, Palawan mangangakong magsasabi ng pawang katotohanan lamang.
- H.O :** Ginoong Ancel ano po ang kaugnayan niyo dito maari mo bang ipaliwanag?
- A. Tawtawan :** Dinaan po nila ako noong araw na iyon, pagdating namin doon tama lang naka backing kami nandoon na sila ang cellphone ng anak niya kinuha nagpapaliwanag palang kami ng papel kinakargahan na iyong top down namin na wala namang karga na kahaoy pag dating nila. tapos nagtawag po sila ng truck pero kinargahan padin nila iyong topdown namin at sinama din po kami.
- H.O :** Sa ngayon nasa MENRO yong mga kahoy at ang topdown ito ay nakakustodiya sa kanila. Narito si Kapitan, may gusto po ba kayong ipahayag patungkol sa mga nahuling kahoy at topdown?
- P/B Pantalita :** Good morning po sa lahat, ang problema na ito sir, totoong pinakiusapan ko po itong dalawa na humakot ng kahoy, sa katunayan po itong mga kahoy po na ito ay request po ng Daycare Center para sa ating mga kababayan at nilakad ko na po ito kay Mayor ganun din sa RSK (Rizal Sagip Kalikasan) verbal lang po kasi at nagkaroon ng internal Arrangement at may signature po lahat dito (*request letter*). Bali po ang mga naglakad po ng papel (*request letter*) ay mga Daycare worker po at sila nag papirma sa CENRO-RIZAL station po at hindi ko po alam kung ano po ang usapan nila ni sir Michael Joven po. Pag uwi nila nagsabi na lang po sila na OK na Kap. pumayag na po si Mayor at RSK Para sa accreditation po ng Daycare Center.

- H.O :** Ibig sabihin po Kap. dumaan na pala ito sa office namin sa Rizal dahil may pirma na dito si In- Charge EMOS II Michael Joven, noong dumaan sila sa office at si Mayor together ng leader ng Rizal Sagip Kalikasan (RSK) ay pumyang na?
- P/B Pantalita :** YES po. Pag sabi po sakín ng mga Daaycare worker na ok na ay nanigurado pa po ako kay sir Mark Delos Angeles po nagkausap din po kami ni sir Mark iyong team leader ng RSK na ok na pwede na. Sabi ni sir Mark pag nalagare na magsabi sa kanila para malaman at mascale nila iyong kahoy dahil nga 600 board feet ang kailangan ng Daycare Center. Noong hapon palang tumawag na ako at nascale na ng RSK iyong kahoy nasa 300 board feet lang ang kahoy. Kaya ako po ay tiwalang tiwala sir, dahil mga tao naman po tayong kausap dahil para naman sa mga tao naman ito sa Barangay, at sinabi ko naman na salvage ang lagarein na kahoy at salvage naman talaga ang nilagare nila. Sa part ko bilang punong Barangay marami din po akong dapat gampanan, minsan nalalabag natin ang batas dahil din po sa kadahilanan ng pangangailangan ng mamamayan natin. Kaya nandito po ako sumama ako sa dalawa na ito dahil nakiusap nga po ako kila sir Arman na iyong kahoy na nahuli niyo hindi ko na hahabolin pero iyong topdown wag na nila idamay dahil wala namang kahoy iyon na karga noong time na nahuli nila iyong mga kahoy. Sana lang mapagbigyan man lang.
- H.O :** Salamat po Kap. may karagdagan pa po kayo?
- J. Gaitera Sr. :** Meron po sir, sa totoo lang po sir, nakiusap po kami sa kanila na wag na isama iyong topdown ko, pero hindi po nila ako pinakinggan ginagamit ko po iyon sa pang hanap buhay namin at may mga anak po akong nag aaral. Hindi naman kami maghahakot doon kung walang papel eh may binigay sa ming papel at lahat may pirma naman, pero hindi sila naawa. Ilang lingo na topdown ko doon hinahakutan ko po iyon ng palay. Katunayan po may kasama po kaming under age may 14 at 16 years old. nandiyan po kasama namin doon saksi po sila noong hinuli nila kami malapit lang po sa mga kabahayan. Open area po kasi iyon.
- H.O :** Iyong naging problema lang po dito ay iyong coordination po kasi may signature naman hindi siguro ito nakarating dito sa office ng Quezon.
- P/B Pantalita :** Ang alam po kasi namin lahat po ng transaksyon don sa Rizal ay nakakarating dito sa office ng Quezon. Wala namang sinabi na kailangan pumunta dito sa office ng Quezon. Katunayan po nandito iyong mga Daycare workers.
- H.O :** May mga kahoy naman po kami pero dapat gumawa po kayo ng request at magsubmit ng kaukulang documentary requirments.
- P/B Pantalita :** Sana nga po sir, kasi sa Barangay marami kaming project na hindi po kasya ang pundo. Sa totoo lang sir sumama loob ko nong nahuli sila tinawagan ko ang RSK ang sabi sakín ng RSK ay wala daw silang magawa dahil ibang ahensiya yan. Kaya parang ang mapapamura ako sir, sana simula palang nagsabi na sila na dapat maniguro muna sa DENR. Sinamahan ko po sila dito at makikiusap kay CENRO dahil ako po ang nag-utos sa kanila na maghakot, hindi naman yan sila naghahakot talaga ng kahoy sir. Nagkataon lang na ako ang nag-utos sa kanila.
- H.O :** Salamat po Kap. Nandito ba iyong mga daycare workers po gusto ko din po sana marinig ang kanilang panig?
- P/B Pantalita :** Yes po sir, tawagin ko lang po sa labas.
- H.O :** Sige po, kayo po ang Daycare workers?
- D.Workers :** Yes po sir.
- H.O :** Ano pong name niyo?
- D.Workers :** Mea Clear Española at Nemfa Escala po

- H.O** : Kayo po ang nag nanguna sa pagpapa received ng letter sa Rizal-Station ng DENR kay Joven?
- D.Workers** : Yes po sir.
- H.O** : Nakausap niyo ba si Joven?
- D.Workers** : Yes po ang sabi pa niya kung kailangan daw talaga namin ng kahoy mag request po kami baka daw may mga confiscated pa na kahoy sa office niyo na pwede namin gamitin.
- H.O** : Saan sumunod na pinuntahan niyo?
- D.Workers** : Sa RSK po at MENRO.
- H.O** : Bakit wala po kayong office of the Mayor?
- D.Workers** : Tinawagan po ng RSK iyong Leader po nila si Mark kasi kinukuha ko po sana iyon sabi niya ok na iyan hindi na kailangan pero naisip ko po na dapat mapa received po kay Mayor kasi iyan din po ang pina received namin sa ibang ahensiya sabi kahit photo copy nalang sir, ayaw niya po ibigay ei.
- H.O** : Sa ngayon tapos na ang mga project doon wala pa?
- D.Workers** : Wala pa po.
- H.O** : Kulang at nag kaaberya? Ilan ba ang kailangan na board feet doon?
- D.Workers** : 2000+ sana sir 12 po kasi kami mag hati-hati doon kaya 300 board feet po ang sa amin.
- H.O** : Kailangan niyo na po ba talaga iyong kahoy?
- D.Workers** : Yes po sir. Kasi kailangan po namin matapos dahil iyon po ang need para sa accreditation po ng daycare center this month na po.
- H.O** : Ano bang request niyo na gagawin?
- D.Workers** : Seesaw, Slides at book shelves po.
- H.O** : Ano nabang nagawa niyo don Kap.?
- P/B Pantalita** : Dalawang seesaw at isang slides palang po. Sa annual po namin sa Barangay sir meron po talaga naka allocate sa Play ground center na 84,000.00 para 12 daycare center iyong pundo po na gagamitin ay iyong mga pang hauling pa at pang lagare, katulad ngayon ilang araw sila na abala dahil sa pakiusap ko sa kanila na mag hauling nadamay pa pati iyong mga topdown nila, nag kulang lang po talaga ako at nag assume po ako at nag tiwala sa mg assurance ba binigay nila at nag bigay pa ng cellphone Number ng RSK sabi kap. pag mag palagare kana tawagan mo lang daw to. Hanggang sa nag pa scale ako ng kahoy sinunod ko lahat ng usapan namin ng mga opisyal ng Rizal, siguro mga taga Rizal din nag sumbong na hindi ko alam ang rason baka iniisip nila pag kakakitaan ko pa ibinta ko ganun, pero ang totoo mga bata sa Barangay ang makikinabang nito.
- H.O** : Sige po Kap. Salamat po. Narinig ko po ang mga pahayag niyong lahat ako naman ay sapat na ang mga pahayag na aking narinig nais ko lang ipaalam sa inyo na hearing officer lang ako at iyong hearing natin ay irereview po iyan ni CENRO at ipapasa sa Region at sila na po ang mag dedesisyon aantayin po natin.
- H.O** : Salamat po Kap. may karagdagan ka po ba kayo?

Respondents : Wala na po.

H.O : Gusto ko lang bigyang diin na ang pagdinig na ito ay nakatuon lamang sa nahuling top down at mga kahoy, dito ay tinitingnan kung may kaukulang permit/papeles o wala ang nasamsam, gagawa po tayo ng mga recommendation batay na rin sa mga pahayag ng magkabilang panig at sa mga dokumentong ipinasa ng mga apprehending officers. Ito po ay ipapadala sa DENR Regional Office para sa kaukulang aksyon at disposisyon. Yamang wala na akong maitatanong, dito ko na tinatapos ang pagdinig sa umagang ito. Maraming salamat po sa inyong kooperasyon.

The hearing ended at 11:00 AM

NOTE: Dahil nababanggit ang pangalan ni Mark Jayce Delos Angeles, team leader ng Rizal Sagip Kalikasan (RSK) ng LGU Rizal, Palawan at si ECOMS II Michael Joven, In-Charge, DENR-Rizal Sattion, sila ay binigyan ng imbitasyon upang magpaliwanag at marinig ang kanilang panig.

Ang pagdinig ay ginaap noong ika 28 ng Oktobre 2022 sa opisina ng DENR-CENRO Quezon, Palawan.

Paunawa: Bago pormal na pinasimulan ang pagdinig ay isang maikling panalangin muna ang isinagawa kasunod ang pagbanggit/pagtawag sa pangalan ng mga dumalo.

Hearing Officer: Sa bisa ng Seksyon 45 ng PD 705 na nag-gawad sa akin ng kapangyarihan na magsagawa ng ganitong uri ng pagdinig alinsunod sa mga probisyon ng DAO 97-32, ang pagdinig sa nasamsam na top down at 24 pirasong kahoy na may kabuoang bulto na 332.82 board feet noong October 7, 2022 ganap na ika 7:30 ng gabi sa Sitio Sinuwakaan Bgy. Iraan, Rizal, Palawan na walang kaukulang dokumento na nahuli ng DENR CENRO-Quezon Personnel ay promal na pong sisimulan.

Maari kabang tumayo itaas ang iyong kanang kamay at magpakilala sabihin ang iyong pag kakakilanlan at mangangakong mag sasabi ng katotohanan at pawang katotohanan lamang?

JM. Delos Angeles: Ako po si Jayce Mark Delos Angeles 42 years old, may asawa at anak nakatira sa Bgy. Alfonso XIII, Quezon, Palawan at kasalukuyang nagtatrabaho isang Private Secretary ni Mayor Norman Ong sa Municipality of Rizal, Palawan.

H.O : Noong October 19, 2022 ay nagsagawa po kami ng pagdinig sa mga suspect kasama si Kapitan kasama at mga daycare workers at kanilang inahayag na sila daw ay nag lakas loob na magputol at mag-ipon ng kahoy dahil kayo daw po ay personal nilang nakausap at nag-bigay ng permiso sa kanila sa pag-ipon ng kahoy. Na dapat ay idaan nila kay Mayor ay sinabi mo na ikaw na ang bahala at pwede na silang mag-ipon ng kahoy iyon po ang pahayag nila.

JM. Delos Angeles: Ganito po kasi iyon sir, galing daw po sila sa Mayor's office at may dala silang papel noong nabasa ko na po pinayohan ko po sila dahil gagamitin din lang sa government project magrequest nalang sila sa CENRO ng kahoy ng fully abandoned. Sabi ko pa nga may pagkukunan ba kayo ng kahoy? kasi kung meron ay bahala na kayo kasi nakalagay po dito sa sulat sa akin na initiate the gathering? Parang ako po nagpasimuno.

H.O : Ano po ba ang sabi sa kanila ng DENR sa Rizal?

JM. Delos Angeles: Ang sabi daw po nila galing na sila sa DENR at ang sabi daw pumunta doon sa amin Dahil may nahuli na nga kaming kahoy na abandoned na nahuli namin, iyon ang

pag kakasabi nila sa akin. At linawin ko lang po na nakalagay sa sulat na sabi ni Kapitan Pantalita prior of apprehension ako daw ay nag-inspection at nagscale sa mga kahoy, sabi ko sigurado ka kap na nandon ako? Nasa court ako noong panahon na yan Friday, October 7, 2022 sa Brooke point ako.

H.O. : Kaya nga po prior, sinabi nila na may nauna ng kahoy at na scale niyo daw iyon.

JM. Delos Angeles: ganito po iyon tumawag si kapitan sa akin nong morning sabi sir may kahoy na kami sa Iraan, sabi ko kap alam ko na iyon na report na sa akin ng mga bata ko kasi marami akong taohan diyan sabi ko sa kanila pasyalan niyo kung talagang kahoy iyon ni kapitan. Tumawag sila sakín sabi nila sir may kahoy anong gusto mong gawin namin dito? sabi ko kung kasama ba nila iyong dalawa naming kasama at least iyong dalawang deputized ng DENR wala naman kayong authority para hulihin iyan kung kay kapitan iyan hayaan niyo nalang at umalis na sila kasi nasa Brooke's point ako that time.

H.O. : Sa ngayon tinatanggi mo na hindi kayo nag conduct ng scaling at inventory?

JM. Delos Angeles: Wala po, pinuntahan nila tinanong kung kaninong kahoy.

H.O. : Pero tumawag sayo si Kapitan?

JM. Delos Angeles: Yes po tumawag si kapitan ang sabi sir, ok na iyong mga kahoy, sabi ko naman wala na kaming pakialam diyan, ang sa amin ang tanong ko lang naman sayo kong may pagkukunan ka lang ng kahoy kasi kami wala kaming authority diyan.

H.O. : Inuulit ko wala po kayong ginawang inventory at scaling?

JM. Delos Angeles: Wala po.

H.O. : Noong Admin Hearing iyong dalawang suspect si kapitan at daycare worker ay daladala nila iyong papel na hindi tinanggap ng mga nanghuli kaya noong hearing mismo dala ni Kapitan ito.

JM. Delos Angeles: Sa totoo lang sir, galit sila samin ngayon ako daw nagpahuli.

H.O. : Ang sabi po kasi ng mga daycare worker sila daw po ang may bibit nito nag pa received ng sulat na ito at nakausap pa daw po kayo.

JM. Delos Angeles: Ngayon ko lang po nakita iyan na may received. At ang kausap ko lang po ay iyong asawa ni kapitan.

H.O. : Nabanggit nila na kayo daw po ang personal nilang nakausap at kayo daw ang nag bigay ng pahintulot sa kanila. Kasi itong sulat na ito naka address ito kay Mayor Ong pero walang nakatatak na received ng office of the Mayor, Kasi sir, RSK na daw po ang bahala ikaw daw ang nagsabi na ako na ang bahala, wag na kayong lalapit kay mayor ako ng bahala.

JM. Delos Angeles: Hindi po. Kasi po iyan dadaan muna sa office of the mayor at ang nakausap ko po talaga ay asawa ni kapitan sabi sakín na meron ngang ganyan ang sabi ko, kung government project po iyan sumulat po kayo sa CENRO ibibigay iyan.

H.O. : Nandito din po noong admin hearing iyong daycare worker sila po ang nag paliwanag.

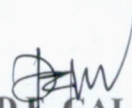
JM. Delos Angeles: Kasi po pag galing kay Mayor may note po talaga iyan.

H.O. : Kaya nga eh, ay sabi nila sinabi mo daw na ikaw na bahala kay mayor.

- JM. Delos Angeles:** Actually sir, hindi ko alam na may received si Zyrel dyan, ngayon ko lang nakita iyan.
- H.O.** : Malinaw na iyan po ang pahayag niyo sir ha.
- JM. Delos Angeles:** Yes po sir.
- H.O.** : May karagdagan kapa?
- JM. Delos Angeles:** Wala na po sir.
- H.O.** : Maraming salamat po sa pagdalo sa pag dinig na ito, ngayon namin ay nais din nating mapakinggan ang panig ni ECOMS II Michael V. Joven ang In-charge po sa DENR-Rizal Station. Noong nagkaroon ng pag dinig dito noong October 19, 2022 ang may hawak ng sulat ay ang mga daycare worker at ang sulat ay nakaaddress kay mayor Ong at naka copy furnished ang ating office sa DENR – Rizal Station at ikaw ang nakareceived. Ayon sa kanilang pahayag ay na received mo daw ang sulat at sinabing ok na basta magpaalam lang kay Mayor. Gaano katotoo na nag bitaw ka ng ganong salita sa kanila?
- M. Joven** : Wala po akong sinabi sir, noong pumunta ang daycare worker sa office ang akala ko magrequest sila ng kahoy noong nabasa ko na ang letter nila ay magpuputol pala sila ng kahoy, kaya sabi ko itong request niyo irerecived ko lang pero hindi ko maipapangako na I grant ito ng office namin kaya pagsabi nilang nagpaalam na kami sa lahat sir, kay Mayor sa RSK, PNP at sabi pa pagtapos nila ipareceived ay ipascale na nila sa RSK sabi ko parang hindi yata tama yan kami ang may authority nito.
- H.O.** : Iyon ang sinabi mo?
- M. Joven** : Yes po at nauna po sila sa ibang ahensiya nagpareceived huli na po ako at nag adviced na po ako na kung bibigyan kayo ng permit ng office go, hindi ko naman alam na kahoy gubat pala.
- H.O.** : Pinadala mo dito sa office?
- M. Joven** : Hindi ko lang alam kong nakarating na dito pinadala ko kay kuya Sanie Alcantara po sir. Kasi siya po ang nauna na bumaba dito sa Quezon.
- H.O.** : May karagdagan kapa?
- M. Joven** : Wala na po.
- H.O.** : Yamang wala na akong maitatanong, dito ko na tinatapos ang pagdinig sa umagang ito. Maraming salamat po sa inyong kooperasyon.

I HERE BY CERTIFY that the above statements are true and correct to the best of my knowledge & belief.


CATHERINE F. REGIS
 Forest Ranger/Stenographer


DAVID E. GALLEMA, JR.
 Chief, MES/Hearing Officer

Pictures during Administrative Hearing at DENR-CENRO Quezon, Palawan.



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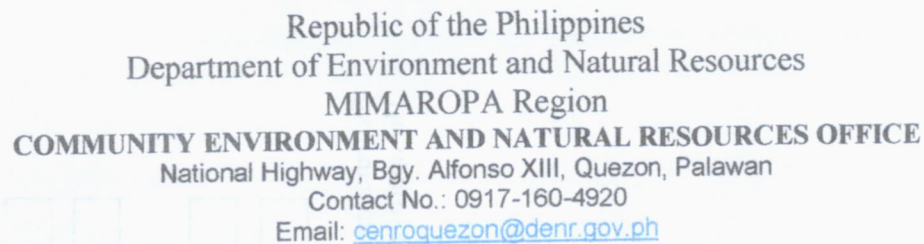


Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
Contact No.: 0917-160-4920
Email: cenroquezon@denr.gov.ph

ADMINISTRATIVE HEARING
Bgy. Alfonso XIII, Quezon, Palawan
Date: October 19, 2022 / 10:00 AM

ATTENDANCE

NAME	ADDRESS	POSITION	SEX	AGE	CONTACT NO.	SIGNATURE
JOLAND C. SALTERA SR.	IRAAN RIZAL PAL.	MAYARING				
		TOPDOWN	M.	42		
angel + lawpawan	IRAAN RIZAL	TAPDAN	M	40		
DONNIXTOR T. PANTAJA	IRAAN, RIZAL	PUNONG BGY	M	48	0930541834	
CATHERINE F. REGISBARA	Alfonso XIII, Quezon, Palawan	FR	F	28		
DANIEL F. GUSMANSUN	do	FR	M	46	0920419196	
ROBY S. BACA-I	IRAAN RIZAL PAL	CDW	F	39		
HEMFA A. ESCALA	IRAAN RIZAL PAL.	CDW	F	30		
MEA CEAR C. ESPANOLA	IRAAN RIZAL PAL.	CDW	F	31	09101270136	



DENR-CENRO Quezon, Brgy. Alfonso XIII, Quezon, Palawan.

Date: OCTOBER 28, 2022

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Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
National Highway, Bgy. Alfonso XIII, Quezon, Palawan
Contact No.: 0917-160-4920
Email: cenroquezon@denr.gov.ph

October 11, 2022

MR. JOLANE C. GAITERA
Bgy. Iraan, Rizal, Palawan

Ginoong Gaitera,

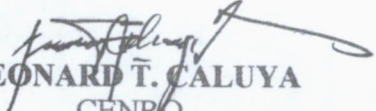
Isang Makakalikasang Pagbati!

Ang sulat na ito ay tungkol sa nahuling topdown na may kargang 24 pirasong kahoy na Mararango na walang kaukulang dokumento na nahuli ng mga tauhan ng DENR-CENRO Quezon sa Sitio, Sinuwakan, Brgy. Iraan, Rizal, Palawan noong October 7, 2022. Base sa imbistigasyon, kayo ang tinutukoy na may-ari ng nasabing Topdown na may kargang kahoy.

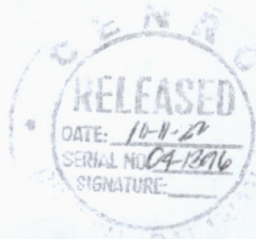
Kaugnay po nito, kayo ay aming inaanyayahan na dumalo sa gaganaping Administrative Hearing dito sa tanggapan ng DENR - CENRO Quezon, Palawan sa October 19, 2022 ganap na ika 9:00 ng umaga upang magpaliwanag at marinig ang inyong panig. Kayo rin ay pinapayuhan na kumuha ng iyong abogado na gagabay sa inyo sa naturang pagdinig at mag dala din ng mga dokumento na kinakailangan sa pagdinig. Ang hindi po ninyo pag tugon sa aming imbitasyon ay nangangahulugan na inyo pong ipinapaubaya ang inyong karapatan na marinig ang inyong panig. Ang mga dokumento na sa aming pag-iingat na may kaugnayan sa pag kahuli ng nahuling topdown na may kargang 24 pirasong kahoy na Mararango at testimonya ng mga nanghuli na pawang tauhan ng DENR-CENRO Quezon ay gagamitin naming basehan upang gumawa ng legal na aksyon laban sa inyo.

Kami po ay lubos na umaasa na nabigyan namin kayo ng wasto at maayos na impormasyon/paanyaya at pinapayuhan po kayo na gumamit ng Face Mask sa naturang pagdinig.

Gumagalang,


LEONARD T. CALUYA
CENRO

Jahayor
FILBERT T. PATOR
Barangay Iraan
10-13-22





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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

National Highway, Bgy. Alfonso XIII, Quezon, Palawan

Contact No.: 0917-160-4920

Email: cenroquezon@denr.gov.ph

October 11, 2022

MR. ARCEL TAWTAWAN

Bgy. Iraan, Rizal, Palawan

Ginoong Tawtawan,

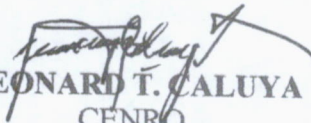
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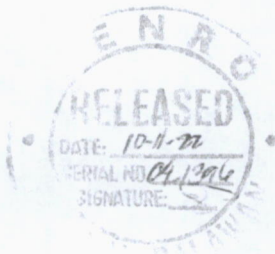
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Gumagalang,


LEONARD T. CALUYA
CENRO

Juliet T. Patan
JULIET T. PATAN
Barangay Iraan
10-13-22





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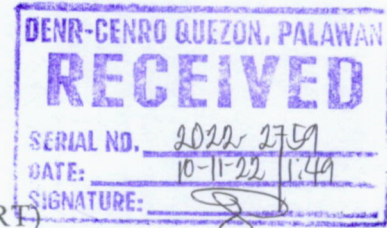
October 11, 2022

MEMORANDUM

FOR : The Community Environment and
Natural Resources Officer

FROM : CENRO Quezon Quick Response Team (QRT)

SUBJECT : **APPREHENSION OF 24 PIECES OF MARARANGO LUMBERS
HAVING A TOTAL VOLUME OF 332.82 BOARD FEET AND TWO
(2) UNITS OF MOTORCYCLE WITH SIDECAR (TOPDOWN) AT
SITIO SINUWAKAN, BRGY. IRAAN, RIZAL, PALAWAN**



Hereunder are the details of the apprehension conducted:

1. Apprehension:

- a. Date : October 7, 2022
- b. Time : on or about 7:30 PM
- c. Place : So. Sinuwakaan, Brgy Iraan, Rizal, Palawan

2. Apprehending Team:

- a. Members of CENRO Quezon Quick Response Team (QRT)
- b. Members of National Intelligence Security Group (NISG)
- c. Members of Philippine Coastguard

3. Circumstances that led to apprehension:

On the evening of October 7, 2022, CENRO Quezon Quick Response Team received an intelligence report that two (2) units of motorcycle with sidecar (topdown) were sighted transporting lumbers from So. Sinuwakan, Brgy Iraan, Rizal, Palawan heading towards south direction along the national highway.

Immediately, the CENRO Quezon QRT and members of Naval Intelligence Security Group (NISG) proceeded at Sitio Sinuwakan, Brgy Iraan and conducted surveillance and monitoring. At around 7:30 PM on the same date, the team spotted two topdowns beside a stockpile of lumbers with two persons who are about to load the lumbers in the topdowns but did continue when they noticed the presence of the team. The team immediately approached the two persons and upon securing the area the team introduced their identity.

During on-site investigation, the two persons disclosed that they had already been on a trip to Barangay Proper of Iraan and the remaining stockpile of lumbers in the area is supposed to be their second trip. When the two persons were asked of permit or any legal documents of the lumbers, no permit was presented.

Immediately, the two persons were informed of their violation under Section 77 of PD 705 as amended and their constitutional rights under Miranda Doctrine. Subsequently, the team declares apprehension and brought the lumbers and the two (2) topdowns at the MENRO – Rizal office for safekeeping/temporary custody and copy of apprehension receipt was given to the two (2) suspects.

4. Offenders/suspects:

- a. Mr. Jolane C. Gaitera, a resident of Brgy Iraan, Rizal, Palawan
- b. Mr. Ancel Tawtawan, a resident of Brgy Iraan, Rizal, Palawan

5. Offense committed:

- a. Violation of Section 77 of PD 705 as amended

6. Description of items apprehended:

- a. 24 pcs of Mararango lumbers having a total volume of 332. 82 bdft
- b. Topdown, black motorcycle Motor Star 150 without plate number
- c. Topdown, blue motorcycle Rusi 125 without plate number

7. Safekeeping and custody of apprehended items:

- a. Place : Office of the MENRO-Rizal, Rizal Municipal Compound
- b. Custodian : Forest Ranger Francisco Escala

8. Recommendations:

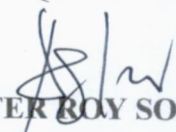
- a. To invite the above-mentioned suspects for the conduct of administrative hearing;
- b. To charge legal action against the offenders if evidences warrant

9. Attachments:

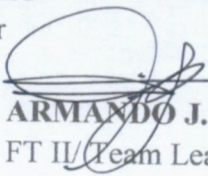
- a. Apprehension Receipt
- b. Tally sheet
- c. Geot-agged pictures

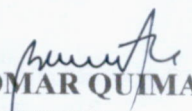
For his information and further instruction.


JALORD DOLORFINO
FPO/QRT member

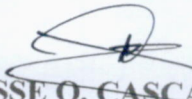

ABSTER ROY SOLANO
FPO/QRT member


JOHN MARCELO DAYOLA
Forest Ranger/QRT member


ARMANDO J. BATAYO
FT II/Team Leader, QRT


NOMAR QUIMAT
FPO/QRT member


SALDO PUMANONG
Forest Ranger /QRT member


JESSE O. CASCARA
FT II/Asst. Team Leader, QRT

APPREHENSION RECEIPT

Pursuant to the provision of P.D. 705, as amended by Executive Order No. 277, the following forest products and/or machinery, machinery, equipment, tools and conveyances, to wit:

QUANTITY	UNIT	ARTICLES AND DESCRIPTION	ESTIMATED VALUE
24	PCS.	UN DOCUMENTED MALABANGO LUMBERS w/ different size & dimensions (332.82 Bdft.)	P12,650
1	UNIT	TOP DOWN (BLUE MOSI ND MOTORCYCLE w/OUT PLATE NUMBER.)	P 50,000
1	UNIT	TOP DOWN (BLACK MOTORCYCLE MOTOR STAR 125 w/OUT PLATE NUMBER)	P 50,000

IS/ARE HEREBY DECLARED UNDER APPREHENSION FOR THE FOLLOWING REASONS:

SECTION 77 OF PD 705 AS AMENDED

The same having been apprehended, subject forest products and/or machinery, equipment, tools and conveyance 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 or any Court of Justice of the Philippines.

Done this 7th day of OCTOBER, 2022 at SITIO SIBAWAKAN BRGY. IRAAN, PALAWAN ^{DIZAL}
7:30 PM.

APPREHENDING OFFICER

- | | |
|---|---|
| 1. <u>JESSE O. CASCARA</u>
Address: <u>ALONSO XIII, QUEZON, PALAWAN</u> | 2. <u>ALBERTO S. BATAZO</u>
Address: <u>ALONSO XIII, QUEZON, PALAWAN</u> |
| 3. <u>JOHN MARCEL S. DAYOLA</u>
Address: <u>ALONSO XIII, QUEZON, PALAWAN</u> | 4. <u>(ANCEL TAWTAWAN)</u>
Address: _____ |

CLAIMANT/REPRESENTATIVE/DRIVER

- | | |
|---|--|
| 1. <u>JOLANE C. GAITERA</u>
Address: <u>BRGY. IRAAN, RIZAL PALAWAN</u> | 2. <u>ANCEL TAWTAWAN</u>
Address: <u>BRGY. IRAAN, RIZAL PALAWAN</u> |
|---|--|

WITNESSES

- | | |
|---|--|
| 1. <u>JAYDO M. TUMANONG</u>
Address: <u>ALONSO XIII, QUEZON, PALAWAN</u> | 2. <u>ALDWIN PAUL U. DE LEON</u>
Address: <u>ALONSO XIII, QUEZON, PALAWAN</u> |
|---|--|

Remarks:

ACKNOWLEDGEMENT

This is to certify that the following item/s listed above has been received by the undersigned for custody/safekeeping.

DATE RECEIVED: 10-07-22 / 9:53 PM

PLACE OF CUSTODY: MENTRO OFFICE

FRANCISCO E. ESCALA JR.
Custodian



Tally Sheet of apprehended Mararango Lumber with different dimension last October 7, 2022. At So. Sinuwakan, Barangay, Iraan, Rizal, Palawan.

Species	Quantity	Unit	Dimension	Volume (Bd.ft)
mararango	1	pcs	3x6x12	18
-do-	9	pcs	3x6x7	94.5
-do-	4	pcs	2x12x12	94
-do-	4	pcs	1x15x7	37.32
-do-	2	pcs	6x6x7	63
-do-	2	pcs	3x6x8	24
-do-	1	pcs	2x14x12	28
-do-	1	pcs	6x7x10	35
Total	24	pcs		332.82

Prepared by:


ARMANDO J. BATAYO



SEIZURE ORDER

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 ordered seized, to Wit:

FACTS

1. Forest Products

Kind	Item:	Source/Origin of Forest Products	Species	Pieces	Volume/Unit of Measurement	Estimated fair market Value	Impounding Area	Custodian
Lumber	Lumber	Sitio Sinuwakaan, Bgy. Iraan, Rizal, Palawan	Mararango	24	332.82 board feet	Php 16,650.00	MENRO-Rizal, Rizal Municipal Compound	FR. Francisco Escala

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated fair market 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.
Motorcycle	Motor Star 125	N/A	Black	N/A	N/A
Motorcycle	Rusi 125	N/A	Blue	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No. /Body No.	Chassis No.	Accessories	Estimated Fair Market Value	Custodian
Defaced	Defaced	N/A	Php 50,000.00	FR. Francisco Escala
Defaced	Defaced	N/A	Php 50,000.00	FR. Francisco Escala

*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	Estimated Fair Market
N/A	N/A	N/A	N/A	N/A	N/A	N/A

Equipment Involved				
Type	Quantity	Details	Custodian	Estimated Fair Market Value
N/A	N/A	N/A	N/A	N/A

Implements Involved				
Type	Quantity	Details	Custodian	Estimated Fair Market Value
N/A	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
Mr. Ancel Tawtawan	Brgy. Iraan, Rizal, Palawan	Married	40	Owner /Driver	Released
Mr. Jolane C. Gaitera Sr.	Brgy. Iraan, Rizal, Palawan	Married	42	Helper	Released

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		
October 14, 2022 1:00 PM	Palawan	Rizal	Iraan	Sinuwakan	David E. Gallema, Jr.	Apprehension Receipt, pursuant to DAO 97-32

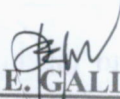
Examination Conducted by Seizure Officer:

Persons Examined (Apprehending Officer & Witnesses)	Date	Time	Place
Forest Technician Armando Batayo	October 14,2022	1:30 PM	Bgy. Iraan, Rizal Palawan
Forest Technician Jesse Cascara	October 14,2022	1:40 PM	Bgy. Iraan, Rizal Palawan

After thorough evaluation of the Apprehension Report dated **October 7, 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 offenders is probably guilty thereof.

Hence, the foregoing forest products/conveyance/equipment are hereby ordered seized and now under government custody (except government-owned vehicles).

So, ordered this 14th day of October year 2022 at Brgy. Iraan, Rizal, Palawan.


DAVID E. GALLEMA, JR.
SEIZURE OFFICER



SEIZURE RECEIPT
No. CENRO-QZN-SR-2022-10-0026

The following apprehended items with Apprehension Receipt are administrative seizure pursuant to Section 3 of DAO 97-32

A. FOREST PRODUCTS

Species	No. of Pieces	Dimension/Finish Products	Volume (Bd/Ft)	Estimated Value
Mararanggo	24	See Attached tally sheet	332.82 board feet	Php 16, 650.00
Total	24		332.82 board feet	Php 16,650.00

Name/ Address of on-site offenders and nature of participation:

NAME	ADDRESS	NATURE OF PARTICIPATION
Mr. Jolane C. Gaitera	Bgy. Punta-baja, Rizal, Palawan	Owner of Top down
Mr. Arcel Tawtawan	Bgy. Punta-baja, Rizal, Palawan	Owner of Top down

B. CONVEYANCE

Name of Registration/Owner: **JOLANE C. GAITERA**
Address: Bgy. Iraan, Rizal, Palawan
Type of Vehicle: Motorcycle (top down)
Model: RUSI 125
Color: Blue
Engine/Motor Serial No. : Defaced
Chassis Serial No. : N/A
Plate No.: N/A
Estimated Fair Market Value: Php 50,000.00

Name of Registration/Owner: **ANCEL TAWTAWAN**
Address: Bgy. Iraan, Rizal, Palawan
Type of Vehicle: Motorcycle (top down)
Model: Motor Star 150
Color: Black
Engine/Motor Serial No. : Defaced
Chassis Serial No. : N/A
Plate No.: N/A
Estimated Fair Market Value: Php 50,000.00

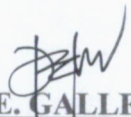
C. EQUIPMENT/TOOL AND OTHER IMPLEMENTS (Briefly describe the physical appearance and condition of each item and estimate fair market value). N/A

The items was apprehended by DENR CENRO-Quezon personnel at Bgy. Iraan, Rizal, Palawan on October 7, 2022 for illegal transport of forest product without legal documents which is violation of section 77 of PD 705 as amended.

The subject forest products are under the custody of FR. Francisco Escala of MENRO-Rizal, Palawan. Further, these apprehended items are now deposited at MENRO- Rizal, Rizal Municipal Compound.

That the undersigned hereby acknowledge that the above listed item(s) are now in **ADMINISTRATIVE SEIZURE** and that **I**, as authorized Seizing Officer, assume the possession and control for the custodial legis, pending the conduct of administrative confiscation proceedings for their disposition.

Therefore issue this Seizure Receipt *No. CENRO-QZN-SR-2022-10-0026* this October 14, 2022 at Bgy. Punta-Baja, Rizal, Palawan.


DAVID E. GALLEMA, JR.
Seizure Officer

MALAYANG SINUMPAANG SALAYSAY NI
ARMANDO J. BATAYO

MGA TANONG AT SAGOT:

01. T: Nangangako ka bang magsasabi ng totoo at pawang katutuhanan lamang sa pag sisiyasat na ito at maaring makasuhan sa salang pag-sisinungaling kapag ikaw ay hindi nagsasabi ng katutuhanan.
S: Opo
02. T: Maari mo bang ibigay ang iyong pangalan at iba pang impormasyon tungkol sa iyong sarili?
S: Ako po si **ARMANDO J. BATAYO**, nasa hustong gulang, Filipino naninirahan sa Barangay, Alfonso XIII, Quezon, Palawan at kasalukuyang nagtatrabaho bilang Forest Technician II sa DENR-CENRO, Quezon, Palawan at nakatalaga sa Monitoring and Enforcement Section.
03. T: Maari mo bang sabihin ang mga gawain na napapaloob sa iyong kasalukuyang trabaho?
S: Bilang DENR-CENRO enforcer, kabilang po sa aking trabaho ang magkonserba, pangangalaga at pagpoprotekta sa kalikasan, at magsagawa ng imbestigation at pag-aresto sa mga taong lumabag sa batas pangkalikasan o PD 705.
04. T: Maari mo bang sabihin kung bakit mo isinasagawa ang salaysay na ito?
S: Nais ko pong magbigay ng salaysay tungkol sa aming nasamsam na nilagaring kahoy na walang mga kaukulang dokumento mula sa opisina ng DENR-CENRO Quezon, Palawan at dalawang (2) na top down na may violation sa Sec. 77 ng PD 705.
05. T: Saan at kailan naganap ang naturang pagsamsam sa dalawang unit ng top down at mga kahoy?
S: Ito po ay naganap noong October 7, 2022, humigit kumulang 07:30 ng gabi sa Sitio Sinuwakan, Barangay Iraan, Rizal, Palawan.
06. T: Maaari mo bang isalaysay ang buong pangyayari sa naturang pag samsam?
S: Ako po at ang aking mga kasama na member ng Quick Response Team ng CENRO Quezon, Special Boat Unit (SBU) 2nd Special Operation Unit-Maritime Group at Naval Intelligence and Security Group (NISG) ay nag sagawa ng pinagsamang operasyon hingil sa ipinarating na impormasyon ng aming impormante sa DENR may kaugnayan sa tambak na mga nilagaring kahoy sa nasabing lugar.

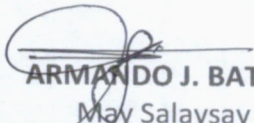


07. T: Ano ang inyong ginagawang pagtugon sa nasabing impormasyon?
S: Nang sinabi n gaming impormante na may dalawang top down pumasok sa nasabing lugar, agad naming ikinasa ang agarang operasyon. At nang kami ay dumating sa So. Sinuwakan ay amin nga nakita ang dalawang top down katabi sa mga tambak na nilagaring kahoy, kung saan ang dalawang lalaki ay magkakarga na sana ng kahoy sa top down pero hindi nila tinuloy noong napansin na parating kami.
08. T: Ano ang sumunod niyong ginawa, kung mayroon man?
S: Agad kong sinabihan ang dalawang tao na wag kumilos masama at nag pakilala kami na mga empleyado ng DENR na nag sasagawa ng operation. Batay sa aking pag tatanong aking nalaman ang kanilang mga pagkakilanlan na sina **Mr. Jolane C Gaitera** at **Mr. Ancel Tawtawan**. Na pawang mga residente ng Barangay, Iraan, Rizal, Palawan. Na nagsabi din na sila ang driver sa dalawang top down na nasa tabi lng nila.
09. T: Ano ang sumunod na nangyari, kung mayroon man?
S: Akin din pong nalaman mula sa kanila dapat sa pagkakataong iyon ay pangalawang trip n asana nila, kasi may nauna na silang nai byahe bago pa man kami dumating. At batay din sa aking pagtatanong wala silang maipakita na legal na dokumento na galing sa opesina ng DENR.
10. T: Ano ang sumunod ninyong ginawa noong nalaman nyo na wala silang dala permit?
S: Agad kungipinag utos sa aking mga kasamahan na mag sagawa ng agarang imbentaryo at documentation para magamit sa legal na hakbangin ng DENR CENRO Quezon. At ayon sa resulta ng imbentaryo ito nga ay umabot ng 332.82 board feet.
11. T: Ano ang sumunod na nangyari, kung mayroon man?
S: Pagkatapus ng imbentaryo agad ko itong ginawan ng Apprehension Receipt at ipinaliwanag sa kanilang dalawa ang kanilang pag labag sa Sec. 77 ng PD 705 as amended. At gayon din naman ay binangit ko sa kanila ang kanilang mga karapatan.
12. T: Ano pa ang sumunod na nangyari kung mayroon man?
S: Agad naming kinarga sa dalawang top down ang mga kahoy at dinala sa MENRO ng Bayan Ng Rizal, Palawan para sa pansamantalang kustudiya habang isinasagawa ang kaukulang aksyon at disposisyon nito, at binigyan ko ng kopya ng Apprehension ang dalawang suspect.
13. T: Ano pang sumunod na pangyayari kung mayron man?
S: Wala na po.
14. T: Pinapatotohanan mo ba ang lahat ng iyong sinabi at salaysay ngayun?
S: Opo.



15. T: Pinapatunayan mo ba na ikaw ay hindi pinilit, tinakot, binayaran o tinuruan upang ihayag ang mga nakasaad dito?
S: Opo.
16. T: Handa ka bang lumagda sa dokumentong ito bilang patunay na ang lahat ng nakalahad dito ay pawang katotohanan lamang?
S: Opo.
17. T: Pansamantala ay wala na akong maitanong sa iyo, may nais ka bang bawasin o idagdag sa salaysay mong ito?
S: Wala po sa kasalukuyan, ngunit kung mayron man ay sa husgado Ko na lamang sasabihin at para suportahan ang pagsampa ng kaukulang kaso, laban kay **Mr. Jolane C. Gaitera** at **Mr. Ancel** sa kasong paglabag sa Sec. 77 of PD 705 as amended at sa iba pang may kinalaman dito.

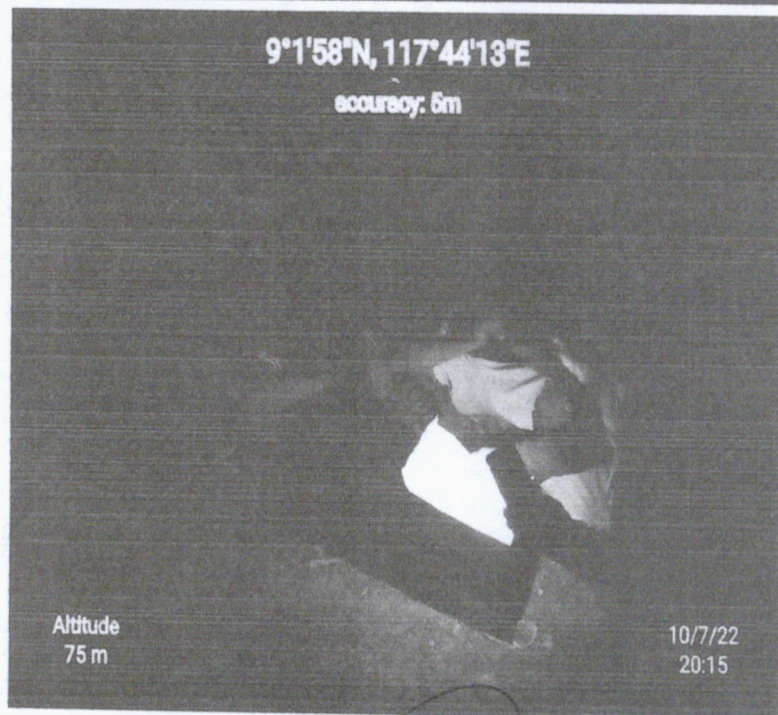
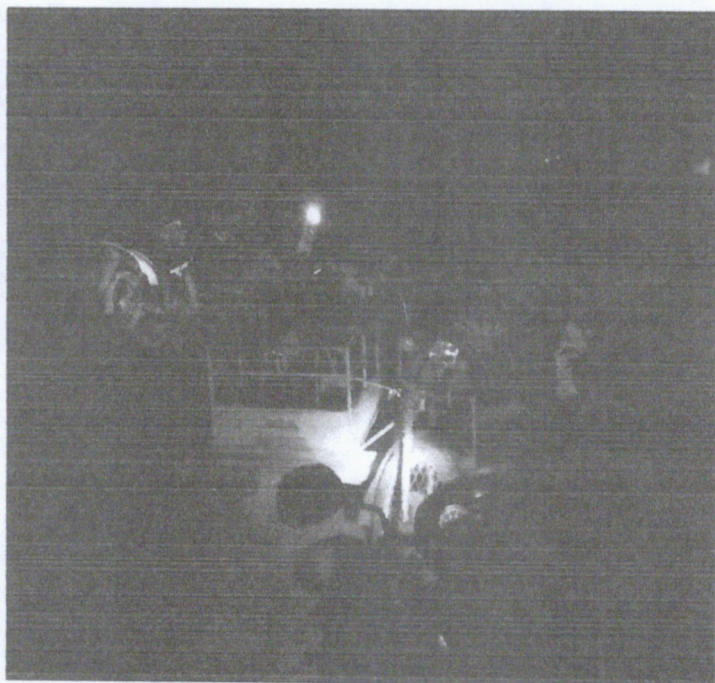
Ginagawa ko ang salaysay na ito ng kusang loob at bilang patunay ay aking nilagdaan ngayong ika _____, 2022 sa Quezon, Palawan.

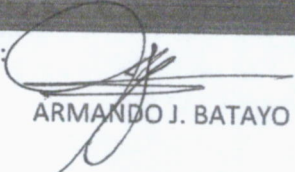

ARMANDO J. BATAYO
May Salaysay

NILAGDAAN AT PINANUMPAAN sa harapan ko ngayun ika _____ ng _____, 2022 sa ng Quezon Palawan. Aking pinapatunayan na personal kong nakaharap at nakausap ang nagsalaysay at ako ay lubos na naniniwala na batid niya ang nilalaman ng kaniyang sinumpaang salaysay at mga nilalaman nito ay kusang loob niyang ibinigay, siya ay hindi tinakot, pinilit, pinangakuan o binigyan ng anumang bilang kapalit.

Doc. No.
Page No.
Book No.
Series of 2022

This is to certify that this geo-tagged photos taken during the actual operation, at So. Sinowakan, Barangay Iraan, Rizal, Palawan. Last October 7, 2022, resulting apprehension of lumber and two unit of topdown.



Prepared by: 
ARMANDO J. BATAYO

Setyembre 23, 2022

To: Hon. Norman S. Ong
Municipal Mayor
Rizal, Palawan

Sir,

Magandang araw po! Ang Daycare Service po ng Barangay Iraan ay sasailalim sa National Accreditation sa darating na buwan ng October 2022. Kaugnay po nito kami po ay dumudulog sa inyong tanggapan upang humingi ng pahintulot na makapagpalagari ng kahoy para po sa pagpagawa ng aming Play Ground Devices na Seesaw, Slides at book shelves na gagamitin sa aming mga Daycare Center. Ito po ay mahalagang requirements sa aming Tool for Accreditation kaya't kailangan po talagang magkaroon ng ganitong pasilidad sa aming mga Daycare Center.

Kami po ay umaasang inyong mapagbigyan sa aming kahilingan...Maraming salamat at Pagpalain po kayo ng Poong Maykapal.

PS: Paki tingnan nalang po ang listahan ng sukat ng kahoy sa sunod na pahinang aming sulat.

Lubos na Gumagalang,

[Signature]
ROBY S. BACAY-Team Leader
CDW Manggagahan
Manggahan, Iraan, Rizal, Pal.

[Signature]
MEA CLEAR T. ESPAÑOLA- ASST. TL
CDW Banisi
Banisi, Iraan, Rizal, Pal.

[Signature]
MERCEDITA E. VILAR
CDW Hillside, Ararab, Iraan, Rizal, Pla.

[Signature]
ESILL C. RUADO-Asst. Sec
CDW Nisnisan
Molid, Iraan, Rizal, Pal.

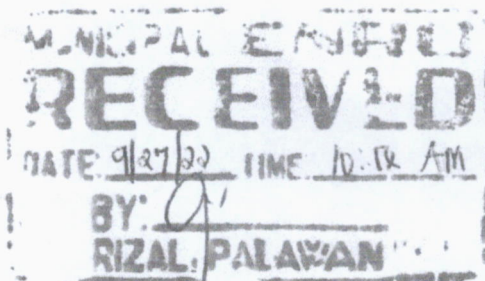
[Signature]
ELENITA A. MAHINAY-Treas.
CDW Morning Glory
Salongsong II, Iraan, Rizal, Pal.

[Signature]
REGIELYN L. JALBUNA-Aud.
CDW Bright Child
Salongsong I, Iraan, Rizal, Pal.

[Signature]
MELANIE T. ESPAÑOLA
CDW Omangon, Iraan, Rizal, P

[Signature]
ANGELITAG. MAQUIRANG- Asst.Proj.
CDW Damsite, Iraan, Rizal, Pal

Cc:
1. DENR _____
2. PNP _____
3. MENRO _____
4. KSK _____



[Signature]
Scanned in Damsan
Received 09-27-22
Received by *[Signature]* 10:32
Michael V. Javan
In-Charge Rizal Station 9-27-22 11:1

Escal

✓ NEMFA A. ESCALA- Bussiness Mngr.
CDW Ariringon
Ariringon, Iraan, Rizal, Pal.

Maquirang

LEAH R. MAQUIRANG- P.I.O
CDW Shining Star
Nagakakaisa, Iraan, Rizal, Pal.

Acabal

MARY LILIAN P. ACABAL- P.I.O
CDW Maligaya
Maligaya, Iraan, Rizal, Pal.

Mondragon

CECELIA M. MONDRAGON-P.I.O
CDW Eveuse
Magsasaka, Salongsong II, Iraan, Rizal, Pal.

Listahan ng Kahoy

1. $2 \times 12 \times 12 = 24$ bft. x 20pcs.=480
2. $1 \times 18 \times 12 = 18$ bft. x 35pcs.=630
3. $2 \times 6 \times 14 = 14$ bft. x 30pcs.=420
4. $1 \times 12 \times 14 = 14$ bft. x 20pcs.=280
5. $3 \times 6 \times 7 = 10.5$ bft. x 15pcs.= 157.5
6. $6 \times 6 \times 7 = 21$ bft. x 10pcs. = 210
7. $1 \times 16 \times 7 = 9.33$ bft. X 20pcs.= 186.66

Total = 2,364.16Bft.

NOTED BY:

[Signature]

DOMINADOR T. PANTALITA

Punong Barangay