



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph

June 21, 2023

MEMORANDUM

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

THRU : The OIC, ARD for Technical Services

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : SUBMISSION OF MINUTES OF ADMINISTRATIVE HEARING
ON APPREHENSION AND SEIZURE OF SIX (6) PIECES
APITONG LUMBER WITH A TOTAL VOLUME OF 176.67
BOARD FEET IN BRGY. ISUGOD, QUEZON, PALAWAN
WITHOUT LEGAL DOCUMENTS

Respectfully forwarded is the memorandum of CENRO Quezon, Palawan dated May 25, 2023 relative to the above subject.

Per memorandum, the apprehended six (6) pieces of undocumented Apitong lumber with 176.67 board feet were apprehended by PNP-MG of Quezon, Palawan at around 8:00 P.M. on April 22, 2023 at Barangay Isugod, Quezon, Palawan in the possession of Mr. Gudofredo Sta. Maria Sabanes and Mr. Mark Jhon Aguilar. Due to unable to show/provide legal documents or permit of the respondent, the apprehending team of PNP-MG declared arrest and apprehension and they informed the respondents of their violation committed under Section 77 of PD 705 and subsequently informed their rights under the Miranda Doctrine.

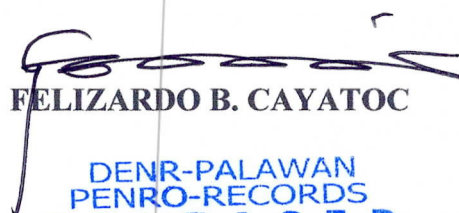
The said apprehended undocumented lumber has an estimated fair market value of Php8,833.50. The apprehended item was brought to the compound of Barangay Isugod, Quezon, Palawan under the custody of Punong Barangay Glendy M. Cacho for safekeeping purposes.

One (1) notice of hearing was sent to Mr. Gudofredo S. Subanes and Mr. Mark John Aguilar dated May 3, 2023 for the scheduled Administrative Hearing dated May 9, 2023 at DENR-CENRO Quezon, Palawan in relation to section 8 of DAO 1997-32.

We concur with CENRO recommendation for the issuance of confiscation order of the apprehended lumber.

For information and further instruction.

Copy Furnished
CENRO Quezon, Palawan
JCP/MES Doc. Ref. No. 2023-4982


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 
Date: 29 JUN 2023 1623-1749



May 25, 2023

MEMORANDUM

FOR : 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 ON APPREHENSION AND SEIZURE OF SIX (6) PIECES APITONG LUMBERS WITH A TOTAL VOLUME OF 176.67 BOARD FEET IN BRGY ISUGOD, QUEZON, PALAWAN WITHOUT LEGAL DOCUMENTS.**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

BY: *[Signature]*
DATE: 05-31-2023 **ON** 23-4982

Forwarded herewith the memorandum dated May 25, 2023 of 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 May 9, 2023;
2. Attendance sheet;
3. Notice of Administrative hearing dated May 3, 2023;
4. Request letter for scaling/evaluation from PNP-Maritime dated April 24, 2023;
5. Scaling Report dated April 24, 2023;
6. Tally sheet of scaled lumber;
7. CENRO Certification;
8. Seizure order;
9. Seizure receipt;
10. Copy of COMPLAINT filed by PNP-Maritime;
11. Malayang Sinumpang Salaysay of Apprehending officer;
12. Certificate of custody; and
13. Pictures.

For your information and further instruction.

[Signature]
RENATO S. GONZAGA
OIC-CENRO and
Concurrent PASu MMPL





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

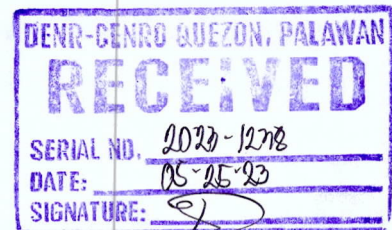
May 25, 2023

MEMORANDUM

FOR : The OIC, Community Environment and Natural Resources Officer and Concurrent PASu, MMPL

FROM : The Hearing Officer

SUBJECT : **MINUTES OF ADMINISTRATIVE HEARING ON THE APPREHENSION AND SEIZURE OF SIX (6) PIECES APITONG LUMBERS WITH A TOTAL VOLUME OF 176.67 BOARD FEET IN BRGY ISUGOD, QUEZON, 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 May 09, 2023 at DENR-CENRO Quezon, Palawan.

Please be informed that prior to the conduct of hearing, a notice of hearing was given to the respondents informing them of their privilege to exercise their right 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 for reason that they did not get their own lawyer.

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

I. FACTS OF THE CASE:

WHAT: Apprehension and seizure of six (6) pieces of undocumented Apitong lumbers having a total volume of 176.67 board feet.

WHEN: On or about 8:00 PM of April 22, 2023

WHERE: Brgy. Isugod, Quezon, Palawan

WHO: Mr. Gudofredo Sta Maria Sabanes and Mr. Mark John Aguilar, both are residents of Brgy Isugod, Quezon, Palawan.

HOW: On or about 8:00 PM of April 22, 2023, the PNP-MG while conducting mobile patrolling with their service vehicle in the vicinity of Barangay Isugod, Quezon along the national highway have noticed two (2) individuals transporting lumbers by means of carabao. Upon verification, the two (2)

individuals identified as Mr. Gudofredo Sta Maria Sabanes and Mr. Mark John Aguilar, both are residents of Brgy Isugod, Quezon, Palawan failed to present a corresponding permit. Due to lack of permit presented by the respondents, the apprehending team declared apprehension. The apprehended items were deposited at the Barangay hall of Isugod, Quezon, Palawan.

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 ***PAT Ronnel M. Lamarca***, (*PNP-Matime Group*), on or about 8:00 PM of April 22, 2023, the PNP-2nd SOU-MG while conducting mobile patrolling with their service vehicle within the vicinity of Barangay Isugod, Quezon, Palawan have noticed two (2) individuals transporting lumbers by means of carabao. Immediately, they stopped and approached the two (2) individuals and subsequently identified their team as members of PNP-MG.

In the course of field verification/investigation, the respondents who identified themselves as Gudofredo Sta Maria Sabanes and Mark John Aguilar, both are residents of Brgy Isugod, Quezon, Palawan failed to present any permit from the DENR. Considering that the respondents have no permit of possession and to transport Apitong lumbers, the team of PNP-MG declared arrest and apprehension and they informed the respondents of their violation committed under Section 77 of PD 705 and subsequently informed their rights under the Miranda Doctrine.

The arrested persons were brought to the PNP-2nd SOU-MG station for further investigation and documentation and the apprehended lumbers were deposited at Barangay Hall of Isugod, Quezon, Palawan.

2. In the same hearing, Mr. Gudofredo Sta Maria acknowledged the violation he committed and explained that because their fiesta was approaching, he voluntarily presented himself to make a way to fix some damages of their church. He cut trees and lumbers derived were used in their church. However, there are some pieces of lumber left from that repair so he decided to bring it home for the repair of window of their house.

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 transport and possession of forest products (6 pieces of Apitong lumbers having a total volume of 176.67 board feet) is not covered by appropriate DENR documents/permit, hence a patent violation of Section 77 of PD 705 as further amended;
2. 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. Gudofredo Sta Maria Sabanes** and **Mr. Mark John Aguilar** for violation of Section 77 of PD 705 as further amended by E.O. 277 and R.A. 7161.

V. RECOMMENDATION

1. In view of the above findings and evaluation, it is recommended that the six (6) pieces of undocumented Apitong lumbers having a total volume of 176.67 board feet be confiscated in favor of the government in addition to the filing of case against the above –mentioned offender for violation of Section 77 of PD 705 as further amended by E.O. 277.

Note: *Please be informed that the criminal case against **Mr. Gudofredo Sta Maria Sabanes** and **Mr. Mark John Aguilar** for violation of Section 77 of PD 705 as further amended has already been filed before the Office of the Provincial Prosecutor with NPS Docket No. IV-08-INV-23E-0410.*

For his information and further evaluation/instruction.


DAVID E. GALLEMA, JR.
Hearing Officer



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

PEOPLE OF THE PHILIPPINES

CENRO Admin Case No.
PPAL-CQZN-AC-2023A-003

Plaintiff,

-versus -

MARK JOHN AGUILAR
GUDOFREDO S. STA MARIA

-for-

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 kahoy na Apitong na walang kaukulang dokumento sa Bgy. Isugod, Quezon, Palawan noong April 22, 2023. Ang pagdinig administratibo ay ginanap noong May 9, 2023 sa ganap na 2:00 ng hapon sa DENR CENRO, Quezon, Palawan.

DAVID E. GALLEMA, JR.
Hearing Officer

CATHERINE F. REGIS
Stenographer

Mga dumalo

Katungkulan/Tanggapan/Tirahan

Gudofredo Sta Maria Sabanes
Mark John Aguilar

Bgy. Isugod, Quezon, Palawan (Operator)
Bgy. Isugod, Quezon, Palawan (helper)

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

H.O. : 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 6 piraso na kahoy (Apitong) noong April 22, 2023 ganap na 8:00 ng gabi sa Bgy. Isugod, Quezon, Palawan na walang kaukulang dokumento na nahuli ng PNP-Maritime Quezon Personnel ay pormal 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. Ganun paman, 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 pag dinig na ito kahit wala kayong abogado?

Respondent : Opo, itutuloy.

H.O. : At kayo rin ay pinayuhan na magdala ng mga dokumento may kinalaman sa mga nahuling kahoy, may dala po ba kayo?

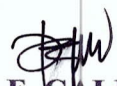
- Attendees** : Wala po.
- H.O.** : Sa pagpapatuloy, ako po ay maglalalatag ng ilang patnubay atgabay upang maisagawa natin ng matiwasay ang pagdinig na ito. Mahigpit na ipinagbabawal ang anumang gawain na makakagambala sa daloy ng pagdinig na ito at ang paggamit ng masasama at hindi kanais-nais na mga salita. Ang bawat isa ay mabibigyan ng sapat na panahon upang ihayag at ipaliwanag ang kaniyang panig, kung kayat kung sino lang ang tinatanung ay siya lamang ang sasagot. Maliwanag po ba?
- Attendees** : Opo
- H.O** : Bagamat wala ngayon ang mga apprehending officers na sina **PAT Ronnel M. Lamarca, at PAT Harry I. Lalawe** (PNP-Maritime Group) sila ay nagsubmit ng kanilang Malayang Sinumpaang Salaysay. Ayon sa Sinumpaang Salaysay ni **PAT Ronnel M. Lamarca**, binanggit niya na noong ika – 22 buwan ng Abril 2023 ganap na 7:40 ng gabi habang sila ay nagpapatrolya sa sakop ng Bgy. Isugod, Quezon, Palawan lulan ng kanilang sasakyan nang may namataan sila na dalawang lalaki na may dalang kalabaw na hinihinalang mga kahoy. Pagkakita nila ay agad silang huminto at bumaba sa knailang sasakyan at agad na pinatigil at nilapitan. Agad din silang nagpakilala na miyembro ng PNP-Maritime Group. Ang dalawang tao na nagpakilalang sina **Gudofredo Sta Maria y Sabanes**, 57 taong gulang may asawa at kasalukuyang nakatira sa Sitio Balenteng, Bgy. Isugod, Quezon, Palawan at si **Mark John Aguilar**, 22 taong gulang, walang asawa at kasalukuyang nakatira sa Sitio Balenteng, Bgy. Isugod, Quezon, Palawan. Tinanung nila ang mga ito kung anong kahoy ang dala nila, ang sagot ay APITONG at ito ay dadalhin nila upang maibenta at tinanong nila kung mayroon ba silang kaukulang dokumento galing sa kinauukulang ahensiya na sila ay pinahihintulutan sa pagbibiyahe at paagbebenta ng mga kahoy at sinagot sila na WALA po. Agad nila itong ipinaalam sa kanilang PNCOIC na si **PEMS Richard P Rodriguez** na wala silang kaukulang dokumento sa pag angkin at pagbibiyahe ng mga kahoy galing sa kinauukulang ahensiya. Ganap na 8:00 ng gabi ika-22 ng Abril, 2023 ay nagdeklara ang kanilang PNCOIC ng pag-aresto sa kadahilanan na wala silang naipakitang dokumento o permit sa pag pagbyahe ng kahoy galing sa kinauukulang ahensiya at doon ay ipinaliwanag ang kanilang nilabag sa batas ang Section 77 ng PD 705 at kasunod ay pagpapaliwanag ng karapatan alinsunod sa saligang batas o (MIRANDA DOCTRINE) sa lenggwahe o salita na kanilang naiintindihan sa wikang tagalog, at agad silang kumuha ng mga litrato na maaring gamitin mga ebedinsiya sa pagsampa ng kaukulang reklamo/kaso laban sa inaresto. Pagkatapos ay dinala nila ito sa Barangay Hall ng Brgy. Isugod, Quezon, Palawan para sa pag imbentaryo. Nag disisyon na silang dalhin ang inaresto sa kanilang himpilan na nakabase sa Sitio Bliss, Bgy. Alfonso XIII, Quezon, Palawan.
- H.O.** : Sa ating pagpapatuloy, binabanggit po dito sa report ng PNP Maritime-Quezon na Si **Gudofredo Sta Maria at Mark John Aguilar** na residente ng Bgy. Isugod, Quezon, Palawan ay nahuli ng PNP-Maritime Quezon sa aktong pagbibiyahe ng Apitong na kahoy na walang kaukulang dokumento/permit gamit ang kalabaw. Maari po ba kayong tumayo itaas ang iyong kanang kamay magpakilala at mangangakong magsasabi ng pawang katotohanan lamang?
- G.Sta Maria** : Ako po si Gudofredo Sta Maria nasa hustong gulang, may asawa at anak, nakatira sa Bgy. Isugod, Quezon, Palawan at nangangakong mag-sasabi ng pawang katotohanan lamang.
- H.O.** : Ano po ang kaugnayan niyo sa pangyayaring iyon?
- G.Sta Maria** : Umamin po ako na sa akin po iyong kahoy kasi po noong May 1, 2023 po ang start po ng fiesta sa amin sir kaya may kinuha po akong kahoy pang paayos po ng simbahan namin para kahit papaano maganda ang simbahan sa fiesta kasi naawa din po ako na hindi maayos ang simbahan namin. Tapos may natira po na kahoy kaya inuwi ko para hindi po masayang.

- H.O.** : Pang ilang biyahe mo na iyong time na iyon?
- G.Sta Maria** : Dalawa lang po iyon sir, iyong natira lang po na kahoy na ginamit namin sa simbahan at may sobra po kaya dinala ko sa bahay kasi masisira lang ang kahoy pag pinabayaan lang po.
- H.O.** : Dalawang basis ?
- G.Sta Maria** : Opo sir, at inamin ko naman po na may pagkakamali din po ako pero pangdagdag ko lang din po sana iyon sa bintana ng bahay ko at kuntang pangbigas lang sir.
- H.O.** : Sino po ang nag putol ng puno?
- G.Sta Maria** : Ako din po ang nagputol ng puno na yan sir, ako lang ang nilapitan nila kasi alam din nila na may chainsaw ako kaya pumayag ako total kasi sabi nga malapit na ang fiesta para ma paayos din po namin ang simbahan namin. Noong nahuli po kami ng PNP-Maritime umamin naman po ako sa mga Pulis na kasalanan ko po kaya nakikiaawa po ako sa inyo na matulongan niyo po sana ako sir.
- H.O.** : Gusto ko lang po ipaliwanag sa inyo na ang pagdinig na ito ay nakasentro lamang sa nahuling kahoy at tinitingnan po dito kung mayroon bang permit o kaukulang dokumenta iyong mga kahoy na nahuli ng PNP-Maritime. Ang mga respondents po kagaya niyo ay binibigyan ng pagkakataon na mag paliwanag dahil ang PNP-Maritime ang nakahuli po sa inyo sila na po ang bahala sa legal na usapin at kami sa DENR ay tungkol lamang sa kahoy.
- H.O.** : May sasabihin pa po kayo?
- G.Sta Maria** : Wala na po, tatanggapin ko nalang po talaga dahil alam ko po na may kasalanan po ako.
- H.O.** : Sige po, pakipaalala din po kay Mr. Aguilar na pumunta dito kahit anong oras upang magpaliwanag tungkol sa usaping ito.
- G.Sta Maria** : Sige po sir.
- H.O.** : Sapat na ang mga napakinggan ko sa inyo at yamang wala na akong maitatanong, dito ko na tinatapos ang pagdinig sa umagang ito. Maraming salamat po sa inyong kooperasyon.

The hearing ended at 3:00 PM

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


CATHERINE R. BARJA
 Forest Ranger/ Stenographer


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

Photos taken during the Administrative Hearing held on May 9, 2023 at
DENR-CENRO Quezon, Palawan.



cp mjb



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

May 3, 2023

MR. MARK JOHN AGUILAR

Sitio Balentang, Bgy. Isugod,
Quezon, Palawan

Ginoong Aguilar,

Isang Makakalikasang Pagbati!

Ang sulat na ito ay tungkol sa nahuling kahoy na Apitong na may kabuoang bilang na 6 na piraso at may kabuoang bulto na 176.67 board feet na nasabat ng tauhan ng PNP Maritime Group Quezon SBU sa Sitio Balentang, Bgy. Isugod, Quezon, Palawan noong April 24, 2023.

Kaugnay po dito, kayo ay aming inaanyayahan na dumalo sa gaganaping Administrative Hearing dito sa tanggapan ng DENR - CENRO Quezon, Palawan sa May 9, 2023 ganap na ika 2:00 ng hapon 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 at may kaugnayan sa pag kahuli ng kahoy at testimonya ng PNP Maritime Group 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,

“For the CENRO



[Signature]
ROSALYN S. JASMIN
Land Management Officer II/
Officer In-charge



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: centroquezon@denr.gov.ph

ADMINISTRATIVE HEARING

Date: May 9, 2023/ 2:00 PM at DENR-CENRO Quezon, Palawan.

ATTENDANCE

[illegible]



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

May 3, 2023

MR. GUDOFREDO S. STA MARIA
Sitio Balentang, Bgy. Isugod,
Quezon, Palawan

Ginoong Sta Maria,

Isang Makakalikasang Pagbati!

Ang sulat na ito ay tungkol sa nahuling kahoy na Apitong na may kabuoang bilang na 6 na piraso at may kabuoang bulto na 176.67 board feet na nasabat ng tauhan ng PNP Maritime Group Quezon SBU sa Sitio Balentang, Bgy. Isugod, Quezon, Palawan noong April 24, 2023.

Kaugnay po dito, kayo ay aming inaanyayahan na dumalo sa gaganaping Administrative Hearing dito sa tanggapan ng DENR - CENRO Quezon, Palawan sa May 9, 2023 ganap na ika 2:00 ng hapon 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 at may kaugnayan sa pag kahuli ng kahoy at testimonya ng PNP Maritime Group 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,

“For the CENRO


ROSALYN S. JASMIN
Land Management Officer II/
Officer In-charge





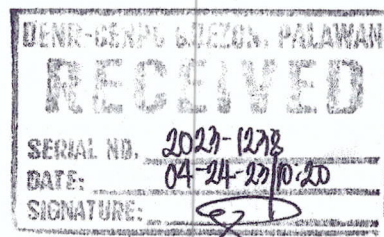
Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
2nd Special Operations Unit - Maritime Group
QUEZON MARITIME SPECIAL BOAT CREW
Sitio Bliss, Brgy Alfonso XIII, Quezon, Palawan



April 24, 2023

RENATO S GONZAGA
OIC-CENRO
Quezon, Palawan

Greetings!



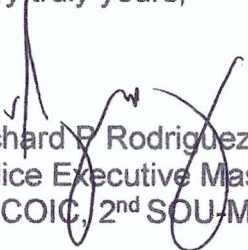
This pertains to the Law Enforcement Operation conducted by the element of 2nd Special Operation Unit Maritime-Group, QUEZON SBC, at about 08:00 PM of April 22, 2023 within the vicinity of Brgy Isugod, Quezon, Palawan that resulted to the successful apprehension of **Gudofredo Sta Maria y Sabanes**, 57 years old, male, married, a resident of Sitio Balentang, Brgy Isugod, Quezon, Palawan and **Mark John Aguilar**, 22 years old, male, single, a resident of Sitio Balentang, Brgy Isugod, Quezon, were caught in actual transporting, possession and control of 4 pieces 2x5x36 and 2 pieces 2x5x32 without pertinent document to show from concerned agencies at the time of arrest, which is a violation of PD 705 Section 77 "Forestry Reform Code of the Philippines".

In view of the above, I am humbly requesting to your good office to please send any of your authorized representatives to conduct a detailed scaling/evaluation in order for us to determine the exact number, volume, species, value and other relevant information of cut/sliced lumbers which is essential for filing of proper charges.

Thank you very much for your usual cooperation and support to pursue our objective to stop illegal environmental activities especially in the Province of Palawan.

Attached are the Spot Report and Actual Footage of the Operation.

Very truly yours,


Richard P. Rodriguez
Police Executive Master Sergeant
PNCOIC, 2nd SOU-MG, QUEZON SBU



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

April 24, 2023

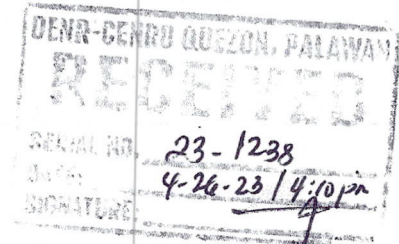
MEMORANDUM

FOR : The OIC-Community Environment and Natural Resources Officer and Concurrent PASu, MMPL
Quezon, Palawan

THRU : The Chief, MES

FROM : MES Personnel

SUBJECT : **SCALING REPORT ON APPREHENDED APITONG LUMBER BY THE QUEZON MARITIME SPECIAL BOAT CREW AT SITIO BALITANG, BGY. ISUGOD, QUEZON, PALAWAN**



This pertains with the letter dated April 24, 2023 of Police Executive Master Sergeant Richard P. Rodriguez, PNCOIC, 2nd SOU-MG, Quezon, SBU requesting for the scaling of apprehended lumber and to determine the species, volume and other relevant information that can be used for filing of case.

Please be informed that on April 24, 2023, MES personnel conducted scaling of apprehended lumber by Quezon Maritime Special Boat Crew at Sitio Balintang, Bgy. Isugod, Quezon, Palawan. Based on the scaling, the apprehended lumber was identified as Apitong with a total volume of 176.67 board feet with the dimension of 2x5x36 (5 pieces) and 2x5x32 (1 piece).

Attached herewith the tally sheet and geo-tagged photos of the said conducted activity.

For your information and record.


SANIE G. ALCANTARA
Forest Ranger


JESSE O. CASCARRA
Forest Technician I

**TALLY SHEET OF SCALED APPREHENDED APITONG
LUMBER IN BGY. ISUGOD, QUEZON, PALAWAN ON APRIL
22, 2023 BY 2ND SPECIAL OPERATIONS UNIT- MARITIME
GROUP .**

DIMENSIONS

No. of Pcs	Species	Thick	Width	Length	Volume (bd.ft.)
5	Apitong	2	5	36	150.00
1	Apitong	2	5	32	26.67
6	TOTAL				176.67

Prepared/Inventoried by:


JESSE O. CASCARA
Forest Technician I



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

May 11, 2023

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that this Office has not issued any cutting permit nor permit to possess, six (6) pieces of Apitong lumber with total volume of one hundred seventy six point sixty seven (176.67) board feet to **MR. MARK JOHN AGUILAR** and **MR. GUDOFREDO STA MARIA** on March 18, 2023.

This certification is issued to substantiate the filing of criminal complaint against the above subject person for violation of Section 77 of P.D. 705 as amended.

Prepared by:


MERCY A. SANTOS
Forest Technician II

Attested by:


RAMSES S. CASTILLO
Forester I

CONFORME:


RENATO S. GONZAGA
OIC-CENRO and Concurrent
PASu, MMPL



SEIZURE ORDER
No. PPAL-CQZN-SO-2023A-005

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	Bgy. Isugod, Quezon, Palawan	Apitong	6	176.67 board feet	Php 8,833.50	Barangay Isugod, Quezon, Palawan	Punong Barangay Glendy M. Cacho

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.
N/A	N/A	N/A	N/A	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No. /Body No.	Chassis No.	Accessories	Estimated Fair 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	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

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



SEIZURE RECEIPT
No. PPAL-CQZN-SR-2023A-005

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
Apitong	6	See Attached tally sheet	176.67 board feet	Php 8,833.50
Total	6		176.67 board feet	Php 8,833.50

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

NAME	ADDRESS	NATURE OF PARTICIPATION
Mr. Gudofredo S. Sta Maria	Bgy. Isugod, Quezon, Palawan	Owner
Mr. Mark John Aguilar	Bgy. Isugod, Quezon, Palawan	Helper

B. CONVEYANCE

Name of Registration/Owner: N/A
Ty
pe:
Address:
Model:
Color:
Engine/Motor Serial No. :
Chassis Serial No. :
Plate No.:
Estimated Fair Market Value:

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 PNP-Maritime Quezon personnel on or about 8:00 PM of April 22, 2023 at Bgy. Isugod, Quezon, Palawan 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 Punong Barangay Glendy M. Cacho. Further, these apprehended items are now deposited at Bgy. Isugod, Quezon, Palawan.

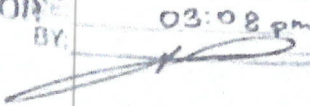
That the undersigned hereby acknowledge that the above listed item(s) are now in **ADMINISTRATIVE SEIZURE** and that I, as authorized Seizing Officer, assume the possession and control for the custodial legis, pending the conduct of administrative confiscation proceedings for their disposition.

Therefore issue this Seizure Receipt **No. PPAL-CQZN-SR-2023A-005** this April 28, 2023 at DENR-CENRO Quezon, Palawan.


DAVID E. GALLEMA, JR.
Seizure Officer

REPUBLIC OF THE PHILIPPINES
Department of Justice
OFFICE OF THE PROVINCIAL PROSECUTOR
Puerto Princesa City
Palawan

PROVINCIAL PROSECUTION OFFICE
PALAWAN
RECEIVED
MAY 12 2023

03:08 PM
BY: 

PEOPLE OF THE PHILIPPINES
Plaintiff

Case No. 17-08-INV-232-0410
NPS No.

-VERSUS-

-For-

GUDOFREDO STA MARIA Y SABANES and
MARK JOHN AGUILAR

Violation of PD 705 Section 77
"Forestry Reform Code of the
Philippines"

Respondent

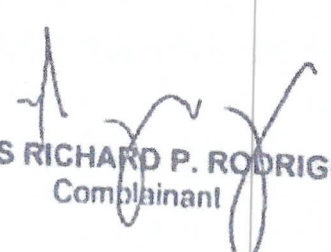
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COMPLAINT

The undersigned hereby accuses Gudofredo Sta Maria y Sabanes, 57 years old, male, married, resident of Sitio Balentang, Brgy. Isugod, Quezon, Palawan and Mark John Aguilar, 22 years old, single, male, single, resident of Sitio Balentang, Brgy Isugod, Quezon, Palawan for Violation of Section 77 of PD 705 (Forestry Reform Code of the Philippines) to damage and prejudice to the Philippine Government, this is an Environmental Case.

That on or about 8:00 PM of April 22, 2023 within the vicinity of Brgy Isugod, Quezon, Palawan and within the jurisdiction of this Honorable Office, the above-named persons did, then, and there, willfully, unlawfully and feloniously with intent to gain and in conspiracy with one another were caught in actual possession, control and transporting of four (4) pieces 2x5x36 and two (2) pieces 2x5x32 fresh cut lumbers of Apitong tree with a total board feet of 176.67 and with estimated market value of 8,833.50 php with the aid of two Philippine Carabao with estimated market value of 80,000 php without permit to own, posses, sell and to transport from concerned agencies which is a violation of Section 77 of PD 705 "Forestry Reform Code Of The Philippines.

ACTS CONTRARY TO LAW
Municipality of Quezon, Palawan, Philippines
April 24, 2023


PEMS RICHARD P. RODRIGUEZ
Complainant

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. Gudofredo S. Sta Maria	Bgy. Isugod, Quezon, Palawan	Married	57	Owner	Released
Mr. Mark John Aguilar	Bgy. Isugod, Quezon, Palawan	Single	22	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		
April 28, 2023 9:00 AM	Palawan	Quezon	Alfonso XIII	N/A	David E. Gallema, Jr.	Apprehension Receipt, pursuant to DAO 97-32

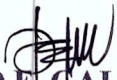
Examination Conducted by Seizure Officer:

Persons Examined (Apprehending Officer & Witnesses)	Date	Time	Place
PEMS Richard P Rodriguez	April 28, 2023	9:30 AM	Bgy. Alfonso XIII, Quezon, Palawan
PCPL Ronnel M Lamarca	April 28, 2023	9:20 AM	Bgy. Alfonso XIII, Quezon, Palawan
PAT Harry I. Lalawe	April 28, 2023	9:30 AM	Bgy. Alfonso XIII, Quezon, Palawan
PAT Darwin V. Mamuad Jr.	April 28, 2023	10:00 AM	Bgy. Alfonso XIII, Quezon, Palawan

After thorough evaluation of the Apprehension Report dated April 22, 2023 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 28th day of April year 2023 at Bgy. Alfonso XIII, Quezon, Palawan.


DAVID E. GALLEMA, JR.
SEIZURE OFFICER

MALAYA AT KUSANG LOOB NA SALAYSAY NI PAT RONNEL M LAMARCA, NA IBINIGAY SA PAGSISIYASAT NI PAT HARRY I LALawe DITO SA TANGGAPAN NG 2ND SOU-MG QUEZON MSBC NA NAKA BASE SA So. BLISS, BRGY. ALFONSO XIII, QUEZON, PALAWAN NGAYON IKA-22 NG ABRIL 2023, SA GANAP NA IKA 10:30 NG GABI SA HARAP NI PAT JONIEL O LAUZ SA PAMAMAGITAN NG MGA TANONG AT SAGOT.

(Ang nagsasalaysay ay pinahiwatigan o pinaalalahinnan ng lahat ng kanyang mga karapatan alinsunod sa itinatadhana ng ating Dagong Saligang Batas).

MGA TANONG AT SAGOT:

01. T - Ikaw ba ay handang magbigay ng iyong malaya at kusang loob na salaysay?
S - Opo.
02. T - Maaari mo bang sabihin ang iyong tunay na pangalan at iba pang mapagkikilanlan sa iyong tunay na pagkatao?
S - Ako po si Pat Ronnel M Lamarca, nasa hustong taong gulang, aktibong miyembro ng PNP-Maritime Group, 2nd Special Operation Unit-Maritime Group, Quezon MSBC na naka base sa, So. Bliss, Brgy Alfonso XIII, Quezon, Palawan.
03. T - Maaari bang malaman kung ano ang inyong mga nakatakdang gawain bilang miyembro ng PNP-MG, 2nd SOU?
S - Bilang miyembro ng 2nd Special Operation Unit – Maritime Group, kami ay naalasang magpatupad ng mga batas na may kinalaman sa pangangalaga sa kagubatan at kalikasan sa nasasakupan ng lalawigan ng Palawan kabilang dito ang PD 705 ("FORESTRY REFORM CODE OF THE PHILIPPINES").
04. T - Ano naman ang dahilan at ikaw ay naririto sa aming tanggapan at nagbibigay ng iyong malaya at kusang loob na salaysay?
S - Upang isalaysay ang ginawa naming operasyon na nauwi sa pagkaaresto ng dalawang tao at pagkakumpiska ng anim na pirasong tabla na Apitong na kahoy at hila-hila ng dalawang kalabaw.
05. T - Saan ito nangyari at kailan?
S - Sa Brgy Isugod, Quezon, Palawan ng ika-22 ng Abril taong kasalukuyan, ganap na 8:00 ng gabi.
06. T - Pwede mo bang isalaysay ang pangyayari?
S - Ganap na 7:40 ng gabi sa ika-22 ng Abril, 2023, kami ay nagpapatrolya sa sakop ng Brgy Isugod, Quezon, Palawan lulan ng aming sasakyan nang may namataan kaming dalawang lalaki na may dalang kalabaw na may hilahilang mga kahoy. Pagkakita namin ay agad kaming bumaba sa aming sasakyan at agad namin silang pinatigil at nilapitan. Pagkalapit namin ay agad kaming nagpakilala bilang mga miyembro ng PNP-Maritime Group. Tinanong ko ang dalawang tao na iyon na nakilala sa pangalang Gudofredo Sta Maria y Sabanes, 57 taong gulang, may asawa at kasalukuyang nakatira sa Sitio Balentang, Brgy Isugod, Quezon, Palawan at Mark John Aguilar, 22 taong gulang, walang asawa at kasalukuyang nakatira sa Sitio Balentang, Brgy Isugod, Quezon, Palawan kung kanino ang mga kahoy na iyon, ang sagot nila ay SA AMIN PO, sunod kung tanong ay kung anong kahoy iyon, ang sagot ay APITONG PO, tinanong ko ulit kung saan nila iyon dadalhin at ang sagot ay IBEBENTA PO, tinanong q ulit kung mayroon ba silang mga kaukulang dokumento galing sa kinauukulang ahensiya na silay ay pinahihintulutan sa pag angkin, pagtataglay, pagbibiyahe at pagbebenta ng mga tablang kahoy, at ang sagot nila ay WALA PO.

07. T- Ano naman sumunod ninyong ginawa?
S- Agad kung sinabihan ang aming PNCOIC na si PEMS Richard P Rodriguez na wala silang maipakitang mga kaukulang dokumento sa pag angkin, pagtataglay, pagbibiyahin at pagbobenta ng mga kahoy galing sa kinauukulang ahensiya. Ganap na 8:00 PM ng gabi ika-22 ng Abril, 2023 ay nagdeklara ng pag aresto ang aming PNCOIC sa kadahilanan na wala silang maipakitang mga dokumento o papeles na sila ay pinahihintulutan sa pag angkin, pagtataglay, pagbibiyahin at pagbobenta ng mga kahoy galing sa kinauukulang ahensiya at doon ay ipinaliwanag ko ang batas na kanilang nilabag, ang PD 705 Section 77 "Forestry Reform Code Of The Philippines" at kasunod nito ang pagpapaliwanag ko ng kanilang mga karapatan bilang inaaresto na ayon sa saligang batas o ang Miranda Doctrine sa lenggwage o salitang naiintindihan nila sa wikang tagalog.

08. T- Ano pa ang sumunod na pangyayari?
S- Agad namin silang dinala sa Brgy Hall ng Brgy Isugod, Quezon, Palawan para sa pag imbentaryo, doon ay nalaman namin ang sukat ng mga kahoy na kanilang dala, apat na piraso ng 2x5x36 at dalawang piraso na 2x5x32. Doon ay ipinakostudiya din namin sa punong barangay ng isugod na si Gng. Glenda M. Cacho ang anim na pirasong tabla na kahoy ng Apitong at dalawang kalabaw, isang babae at isang lalaki.

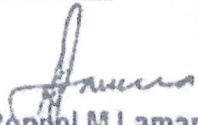
08. T- Maari mo bang isalaysay ang mga sumunod na pangyayari?
S- Para sa pagpatuloy ng aming imbestigasyon at pag dokumento, dinala namin ang dalawang naaresto sa aming himpilan sa Sitio Bliss, Brgy Alfonso XIII, Quezon, Palawan.

09. T- Pansamantala wala na akong maitatanong pa sa iyo, meron ka pa bang ibig idagdag o bawasin sa salaysay mong ito?
S- Wala po.

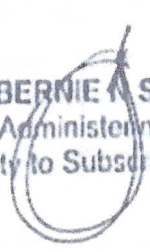
10. T- Handa mo bang lagda ang salaysay mong ito na binubuo ng dalawang (2) pahina?
S- Opo.

WAKAS NG SALAYSAY: April 22, 2023 /11:20 PM SA MARITIME MSBC, BLISS BRGY ALFONSO XIII, QUEZON PALAWAN

Bilang patunay, ako ay lalagda ngayong ika 23 ng Abril, 2023 sa Quezon MSBC, Sitio Bliss, Brgy. Alfonso XIII, Quezon, Palawan.


Pat Ronnel M Lamarca
Nagsasalaysay
PNP ID No. 22B2100063

SUBSCRIBED AND SWORN TO before me this 2nd day of May, 2023 at 2nd-COA, M6 HQ, PFC, PALAWAN. And I hereby certify that I have personally examined the affiant under oath and I am fully satisfied and he voluntarily executed and understood the content of this affidavit.


PMAJ BERNIE A. SALDET JR
Officer Administering the Oath
Authority to Subscribed RA 6975 Sec 50



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, MARITIME GROUP
2ND SPECIAL OPERATIONS UNIT
QUEZON MSBC
Sitio Bliss, Brgy. Alfonso XIII, Quezon, Palawan
Email: pnpmaritimequezon@gmail.com



CERTIFICATE OF CUSTODY

To whom it may concern;

This is to certify that I have received the following items listed below from the elements of 2nd SOU-MG Quezon MSBC, Sitio Bliss, Barangay Alfonso XIII, Quezon, Palawan.

Said items was apprehended by the elements of 2nd SOU-MG Quezon MSBC, at about 8:00 PM OF April 22, 2023 at Sitio Balanting, Brgy. Liguilla, Quezon, Palawan. Onboard _____ for violation of _____

PD 705

Further, said items shall be return if needed by the apprehending officer or court in good condition.

Items listed below

- 1.) 2X 5x36 - 4pcs Apitong tree fresh cut = 120bft
 - 2.) 2X 5x32 - 2pcs Apitong tree fresh cut = 54bft
 - 3.) One(1) head male crab color black
 - 4.) One(1) head female crab color black
- 174 board foot
= ₱ 3,132.00

Received by:

Gwendy M. Cacho
Gwendy M. Cacho
Purok Baramay

Turned over by:

PERS Richard P. Rodriguez
PERS Richard P. Rodriguez

Witness/ss:

1. *Godofredo Sta Maria*
Godofredo Sta Maria y Sabanes (owner)
2. *Mark John Aguilar*
Mark John Aguilar

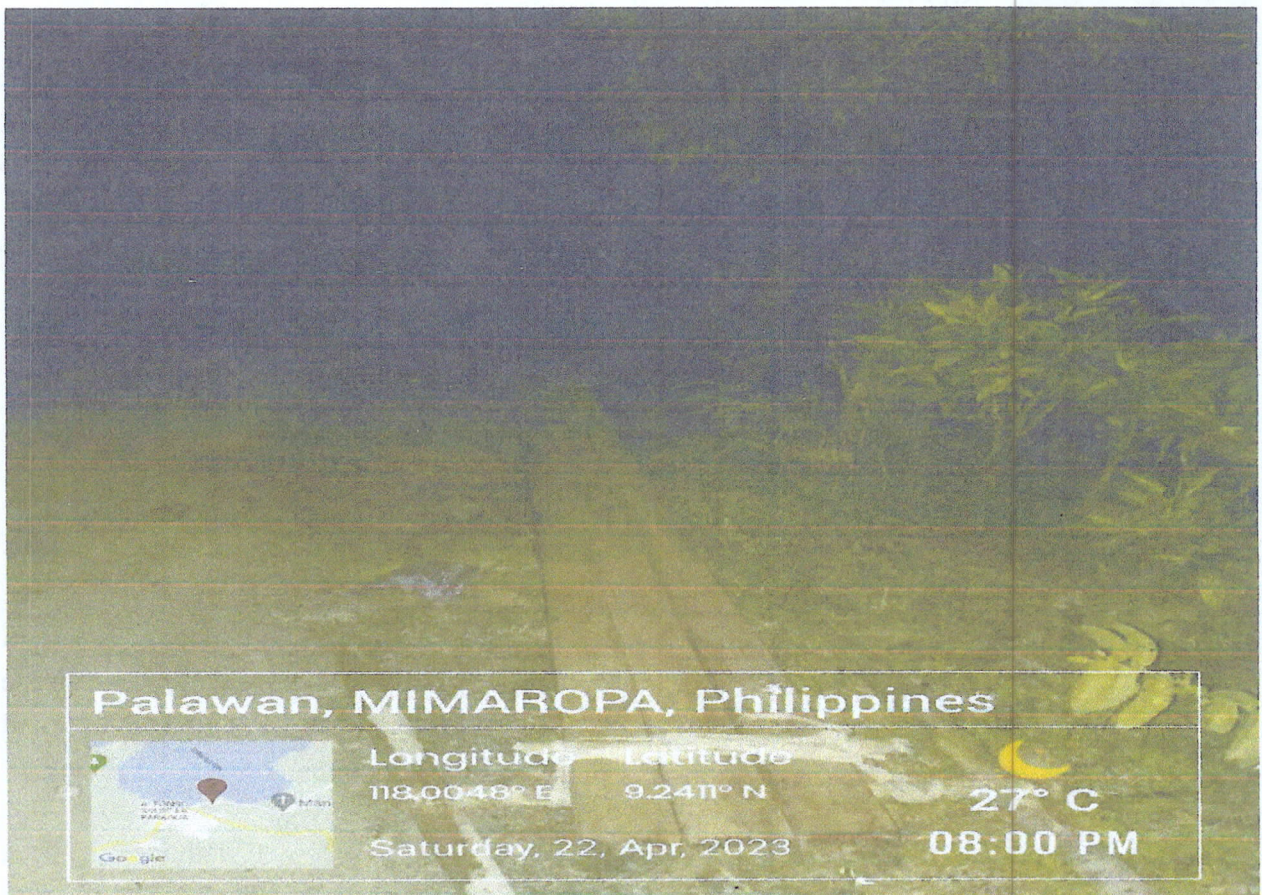
9°18'18"N, 118°7'34"E

accuracy: 4m

4/24/23

4:49 PM

Geo-tagged picture of scaling of apprehended Apitong lumber in So. Balitang, Bgy. Isugod, Quezon, Palawan.



Photograph Taken By: Pat Darwin V Mamuad Jr
Date and Time Taken: 8:00 PM of April 22,2023