



RED

July 4, 2023

MEMORANDUM

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

FROM The Provincial Environment and
Natural Resources Officer
Sta. Monica, Puerto Princesa City

SUBJECT **COMPLAINT AGAINST DENR-PENRO,
FELIZARDO B. CAYATOC, REGARDING
ALLEGED INACTION OF THE PROVINCIAL
ENVIRONMENT AND NATURAL RESOURCES
(PENRO) MIMAROPA REGION RELATIVE TO A
CASE AFFECTING A PRIVATE PROPERTY IN
BARANGAY IV, CORON, PALAWAN WITH TICKET
REFERENCE NO. POSM-062723-94-005**

**The Office of the President
8888 Citizen's Complaint Hotline**

This pertains to the complaint lodged by Joaquin C. Gonzalez Jr. representing the Heirs of Limabaria Rogers (Complainant) on June 22, 2023, to the Office of the President, through the 8888 Citizens' Complaint Hotline. The complaint was emailed by the Office of the President on June 30, 2023, which this office received on the same date.

A cursory reading of the complaint shows that the Complainant was complaining as to the inaction of this Office in a case affecting their private property in Barangay IV, Coron, Palawan.

This case arose when a verified petition was filed by Anthony L. Ferrer, et al. against the Katibayan ng Orihinal na Titulo (KOT) Blg. E-25059 in the name of the complainant over a lot situated in Barangay Poblacion 6, Coron, Palawan. The petitioners alleged that long before the issuance of title on the complainant's property, said lot has been existing as an access road. The allegation of the petitioners was supported by the CENRO Coron when they issued a Certification (Lot Verification) stating that isolated Lot F-045309-499-D falls within Unclassified Public Forest per findings dated March 20, 2019.

Pursuant to the pertinent provisions of Department Administrative Order 2016-31, the Department of Environment and Natural Resources has jurisdiction to conduct an investigation involving a registered patent when the land is classified as forest or timberland. Accordingly, the proceeding shall be investigative in nature to determine the propriety of initiating reversion proceedings.



The undersigned denies the allegations of the complainant. This office properly took cognizance of the case and appropriate actions have been duly taken, to wit:

1. On June 3, 2022, upon the determination that said verified petition is in due form and has sufficient basis, an Order of Investigation was issued directing the Land Investigation Officer (LIO) to act on the petition. Attached hereto is a copy of the Order of Investigation as Annex "1";

2. Acting on the order issued by the Regional Executive Director, on August 2, 2022, the DENR-PENRO, furnished the concerned parties with a Notice of Preliminary Conference inviting them to appear before Special Investigator I Karla Kristine V. Aballa on August 23, 2022 at PENR Office, Barangay Sta. Monica, Puerto Princesa City. Attached hereto is a copy of the Notice of Preliminary Conference as Annex "2";

3. In connection with the request, on September 5, 2022, Anthony Ferrer manifested that they are willing to attend the preliminary conference but they could not attend since they are all residents of Coron and they are of advanced age. Instead, they requested that the preliminary conference be conducted in Coron, Palawan. Attached hereto is a copy of the letter request of Anthony L. Ferrer attached as Annex "3";

4. Meanwhile, on July 6, 2022, Special Investigator Karla Kristine V. Aballa transmitted a status update to the Provincial Environment and Natural Resources Officer informing that she requested the parties to appear in the preliminary conference; that only the heirs of Limabaria Rogers have attended thru their representative; that the other party sent a request letter regarding their circumstances; and that both parties requested for a reschedule of the aforesaid conference. Attached hereto is a copy of the memorandum dated July 6, 2022 as Annex "4";

5. Likewise, on September 14, 2022, the Provincial Environment and Natural Resources Officer transmitted a status update to the Regional Executive Director, requesting that the conduct of ocular inspection be delegated to CENRO-Coron personnel due to lack of financial resources in this Office for the land claims and conflict cases. Attached hereto is a copy of the memorandum dated September 14, 2022 as Annex "5";

6. That, Special Investigator Karla Kristine V. Aballa will conduct an ocular inspection on land cases with standing orders of investigation from the Regional Office on July 13, 2023. This includes the case which was complained of by Joaquin C. Gonzalez Jr. Attached hereto is a copy of the corresponding Travel Order to Special Investigator I Karla Kristine V. Aballa as Annex "6";


Considering that there is no inaction on the part of the undersigned, this office maintains that pending the investigation of the above-mentioned case, it is in the best interest of the parties to await the proper procedure of the petition under the Department Administrative Order 2016-31.

5



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

Hoping for your kind consideration and favorable action.


FELIZARDO B. CAYATOC

Provincial Environment and Natural Resources Officer

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By
Date: 05 JUL 2023 2023-1812

DENR-PENRO PALAWAN
RELEASED
THROUGH E-MAIL
EMAILED TO: RED cc: DENR 8808, RED 8808
and 8808 Complaint Center
E-MAILED BY: Sylvia
DATED 5 JUL 2023 TIME: 9:13 am



IN RE : PETITION FILED BY ANTHONY L. FERRER,
CATALINA L. NAVARRA, ET AL. AGAINST THE
KATIBAYAN NG ORIHINAL NA TITULO BLG. E-
25059 IN THE NAME OF HEIRS OF LIMBANIA V.
ROGERS, REP. BY HENRY V. ROGERS
COVERING ISOLATED LOT, F-045309-499-D WITH
AN AREA OF 9,700 SQUARE METERS LOCATED
IN BRGY. POBLACION 6, CORON, PALAWAN

DENR PENRO
PALAWAN REC'D
RECEIVED
BY
DATE 07-14-2022 22-6302

ORDER OF INVESTIGATION

A verified petition was filed by Anthony L. Ferrer, Catalina L. Navarra, et al. against the Katibayan ng Orihinal na Titulo (KOT) Blg. E-25059 in the name of Heirs of Limbania V. Rogers, represented by Henry V. Rogers over the 9,700 square meters lot situated in Barangay Poblacion 6, Coron, Palawan.

The Petitioners alleged that sometime in February 2019, Respondent Henry V. Rogers closed the existing road right of way being used by the herein Petitioners by putting a six-wheeler truck and piles of gravel and sand as blockage denying them free access to their respective residence. Said road has been existing since time immemorial long before the issuance of title on the Respondent's property.

On October 8, 2019, the CENRO Coron, Palawan issued a Certification (Lot Verification) stating that Isolated Lot, F-045309-499-D falls within **UNCLASSIFIED PUBLIC FOREST** per findings and recommendation on the investigation report dated March 20, 2019.

Pursuant to the pertinent provisions of DAO 2016-31, an office-initiated investigation may be conducted.

WHEREFORE, the PENRO Palawan is hereby directed to assign a Land Investigation Officer (LIO) to act on the Petition in accordance with Sections 33 and 34 of DAO 2016-31 and submit the corresponding investigation report on the matter. Moreover, secure certified copies of the Original Certificate of Title and derivative title/s of Isolated Lot, F-045309-499-D to form part of the records of the case, at the instance of the parties.

SO ORDERED.

City of Manila, Philippines. JUN 13 2022


LORMELYN E. CLAUDIO, CESO IV
Regional Executive Director



Copy furnished:

Anthony L. Ferrer, Catalina L. Navarra, et al.
Sitio Banga, Barangay 6, Coron, Palawan

Heirs of Limbania V. Rogers,
Rep. by Henry V. Rogers
Barangay IV, Coron, Palawan

PENRO Palawan
CENRO Coron, Palawan



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

"ANNEX 2"

July 26, 2022

MEMORANDUM

TO : The Community Environment and Natural Resources Officer
Coron, Palawan

FROM : The Provincial Environment and Natural Resources Officer

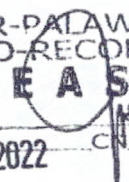
SUBJECT : **NOTICE OF PRELIMINARY CONFERENCE RE: PETITION FILED BY ANTHONY FERRER ET AL. AGAINST THE KATIBAYAN NG ORIHINAL NA TITULO BLG. E25059 IN THE NAME OF HEIRS OF LIMBANIA V. ROGERS REP. BY HENRY V. ROGERS**

Due to time constraints and the delay in postal delivery, it is hereby requested to please cause the immediate service/delivery of the enclosed **Notice of Preliminary Conference and the letter for Mr. Anthony Ferrer, et al** re: above-captioned case.

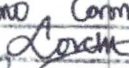
For information and appropriate action.


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED

By: 
Date: 02 AUG 2022 CN 22-6302

TSD/File *kkva
Doc. Ref. No. 2022-6302

DENR-PENRO PALAWAN	
RELEASED	
THROUGH E-MAIL	
EMAIL TO:	CENRO Comm
E-MAIL:	
DATE:	01 AUG 2022
TIME:	2:27 pm



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

"ANNEX 2" (1)

IN RE: PETITION FILED BY ANTHONY L. FERRER, CATALINA L. NAVARRA, ET AL. AGAINST THE KATIBAYAN NG ORIHINAL NA TITULO BLG. E-25059 IN THE NAME OF HEIRS OF LIMBANIA V. ROGERS, REP BY HENRY V. ROGERS COVERING ISOLATED LOT, F-045309-499-D WITH AN AREA OF 9,700 SQUARE METERS LOCATED IN BRGY. POBLACION 6, CORON, PALAWAN

NOTICE OF PRELIMINARY CONFERENCE

TO: ANTHONY L. FERRER, CATALINA NAVARRA, ET AL.

Sitio Banga, Barangay 6, Coron, Palawan

**HEIRS OF LIMBANIA V. ROGERS
REP. BY HENRY V. ROGERS**

Barangay IV, Coron, Palawan

Pursuant to Section 33 of DENR Administrative Order No. 2016-31 dated December 29, 2016 you are hereby invited to attend the **Preliminary Conference** in connection with the foregoing investigation on the above-captioned case.

In this regard, the above-named parties are hereby requested to appear before **Special Investigator I Karla Kristine V. Aballa on August 23, 2022 (Tuesday) at 2:00 in the afternoon at PENR Office, Barangay Sta. Monica, Puerto Princesa City.**

Parties are hereby enjoined to attend and bring all pertinent documents to support their respective position in this case.

Issued this 26th day of July 2022 in Puerto Princesa City.

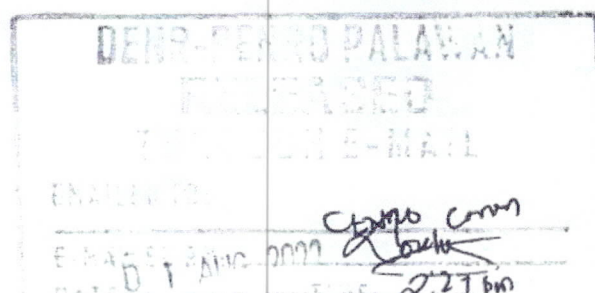
DENR-PALAWAN
PENRO-RECORDS
RELEASED
By _____
Date: 02 AUG 2022 12-6302

FELIZARDO B. CAYATOC

Cc:

CENRO-Coron, Palawan

TSD/File *kkva
Doc. Ref. No. 2022-6302



"ANNEX 3"

Department of Environmental and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Sta. Monica, Puerto Princesa City, Palawan

September 5, 2022

To: Mr. Felizardo B. Cayatoc
PEN Officer
PENRO, Puerto Princesa City
Palawan

Thru: Madam Karla Kristine V. Aballa
Special Investigator
DENR Office, Puerto Princesa, Palawan

01-05-2022 22-7988

In Re: Request to Conduct Preliminary Conference of the case (*Petition filed by Anthony Ferrer, Catalina L. Navarra, et al against the Katibayan ng orihinal na titulo bilang E- 25059 in the name of heirs of Limbania V. Rogers, Represented by Henry V. Rogers covering Isolated lot, F-045309-499-D with an area of 9,700 square meters located in Brgy. Poblacion 6, Coron, Palawan.*) at Coron, Palawan

Sir/Madam:

In connection with the above subject matter, may we respectfully request that the Preliminary Conference of the above- mentioned case be conducted at Coron, Palawan instead of at Puerto Princesa City, based on the following reasons:

1. That they are most interested and willing to attend the Preliminary Conference of the above-mentioned case, but primary petitioners are already member of the Senior citizens;
2. That they can no longer endure the long and risky travel by sea and land from Coron to Puerto Princesa as there is no available transportation direct to Puerto Princesa City at this time;
3. That the primary petitioners are simple individual with minimal income and could not afford to shoulder the expenses of travel from Coron to Puerto Princesa City.
4. That because of this predicament, we are humbly requesting your office to conduct the Preliminary Conference and other proceedings of the case here at Coron, Palawan instead of at Puerto Princesa City.
5. That the herein preliminary petitioners are willing to shoulder whatever expenses to be incurred by the assigned special Investigator for that purpose.
6. That we are submitting our herein request with ardent prayer that it will be granted for humanitarian consideration.

Respectfully yours,


ANTHONYFERRER


CATALINA L. NAVARRA



"ANNEX 4"

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

July 6, 2022

MEMORANDUM

FOR : The Chief, Legal Division

THRU : The Provincial Environment and
Natural Resources Officer

FROM : The Undersigned Special Investigator I

SUBJECT : **STATUS UPDATE – ORDER OF INVESTIGATION DATED
JUNE 3, 2022 RE: PETITION FILED BY ANTHONY L.
FERRER, CATALINA L. NAVARRA, ET AL AGAINST KOT
BLG. E-25059 IN THE NAME OF THE HEIRS OF LIMBANIA
ROGERS, REP. BY HENRY V. ROGERS**

In compliance to the electronic mail from the DENR MIMAROPA – Legal Division requesting for a status update relative to the issued Order of Investigation on the Petition filed by Anthony L. Ferrer, Catalina L. Navarra, et al against KOT Blg. E-25059 in the name of the Heirs of Limbania Rogers, rep. by Henry V. Rogers covering Isolated Lot F-045309-499-D with an area of 9,700 square meters located in Barangay Poblacion 6, Coron, Palawan.

Please be informed that the undersigned have requested the parties to appear in this Office for a preliminary conference scheduled on August 23, 2022 at 2:00 in the afternoon. Parties have been notified thru a Notice of Preliminary Conference¹ dated July 26, 2022. Due to distance and delayed in postal delivery, this Office have instructed CENRO Coron, Palawan the immediate service/delivery of the said Notice per Memorandum² also dated July 26, 2022. The said Memorandum and the Notice of Preliminary Conference have been emailed to CENRO Coron on August 1, 2022.

During the scheduled conference, only the Heirs of Limbania Rogers thru their representative Ms. Monette B. Garduce have attended. The undersigned received a phone call from both parties in the afternoon of August 23, 2022 and both have mentioned that they only received the Notice from CENRO-Coron a day before the said conference. Both have requested to reschedule the aforesaid conference.

The undersigned also sent thru electronic mail copies of the Order of Investigation and Petition to the Heirs of Limbania Rogers.

On September 5, 2022, the Petitioners sent a letter³ thru electronic mail requesting that the preliminary conference and other proceedings be conducted in Coron, Palawan primarily due to long and risky travel by sea and land from Coron to Puerto Princesa City since they are already Senior Citizens with minimal income and could not afford the travel



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

expenses. They have also expressed their desire to shoulder the expenses that will be incurred by the assigned land investigator if their proposal will be granted.

In view hereof, may we request for your legal advice on the forward action to be taken on this instant case. Likewise, due to lack of financial resources in this Office for the land claims and conflict cases, may we also request that the conduct of ocular inspection be delegated to CENRO-Coron personnel.

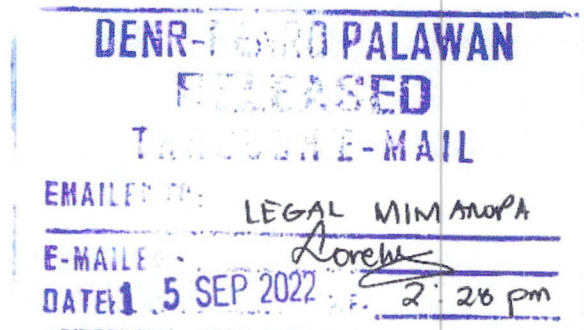
For your information and advice of action.


KARLA KRISTINE V. ABALLA

Enclosures

1. Notice of Preliminary Conference dated July 26, 2022
2. PENRO Memorandum dated July 26, 2022
3. Letter dated September 5, 2022 from Mr. Anthony Ferrer and Ms. Catalina Navarra

TSD/File *kkva
Doc. Ref. No. 2022-7962/2022-7988



Records



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

"ANNEX 5"

September 14, 2022

MEMORANDUM

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

ATTENTION: The Chief, Legal Division

FROM : The Provincial Environment and
Natural Resources Officer

SUBJECT : STATUS UPDATE - ORDER OF INVESTIGATION DATED
JUNE 3, 2022 RE: PETITION FILED BY ANTHONY L.
FERRER, CATALINA L. NAVARRA, ET AL AGAINST KOT
BLG. E-25059 IN THE NAME OF THE HEIRS OF LIMBANIA
ROGERS, REP. BY HENRY V. ROGERS

Forwarded is the Memorandum from Special Investigator I Karla Kristine V. Aballa of even date submitting the status update on the above captioned case and requesting for legal advice on the forward action to be taken on the matter. And due to lack of financial resources in this Office for the land claims and conflict cases, may we also request that the conduct of ocular inspection for this instant case be delegated to CENRO-Coron personnel.

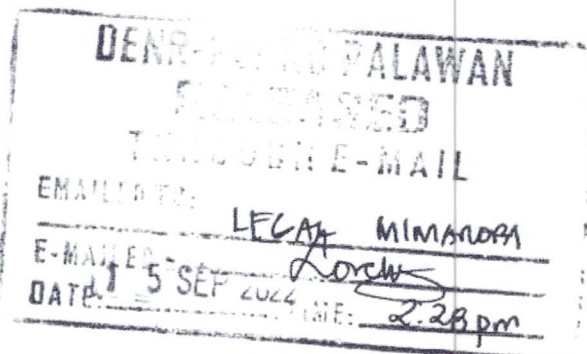
For your information, consideration and advice of action.

DENR-PALAWAN
PENRO-RECORDS
RELEASED

By: *[Signature]*
Date: 16 SEP 2022 *2022-2461*

[Signature]
FELIZARDO B. CAYATOC

TSD/File *kkva
Doc. Ref. No. 2022-7962/2022-7988





Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan

"ANNEX 6"

TRAVEL ORDER

No. 2023-06-22-706

Name : KARLA KRISTINE V. ABALLA

Salary :

Position Special Investigator I

Div./Sec. /Unit : TSD / RPS

Departure Date : July 13, 2023

Official Station : DENR-PENRO

Destination : Coron and Busuanga, Palawan

Arrival Date : July 19, 2023

Purpose of Travel : To conduct ocular inspection on land cases with standing orders of investigation from the Regional Office and to assist in addressing issues/concerns re: patent issuance and other RPS matters.

Per Diems/Expenses Allowed: _____

Assistants or Laborers Allowed: _____

Appropriations to which travels should be charged : _____

Remarks or Special Instructions: Return to Official station upon completion of travel and submit report.

Certifications:

This is to certify that the travel is necessary and is connected with the functions of the official/employee of this Division/Section/Unit.

Recommendation:

WAMALAYDA S. TALABUCON

Planning Officer III

In-Charge, Management Services Division

Approved:

FELIZARDO B. CAYATOG

PENRO

I hereby authorize the Accountant to deduct the corresponding amount of the unliquidated cash advance from my succeeding salary for my failure to liquidate this travel within the prescribed thirty-day period upon return to my permanent official station pursuant to Item 5.1.3 COA Circular

KARLA KRISTINE V. ABALLA

Official/Employee

for
signature.