



May 30, 2023

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

FROM : The OIC - PENRO
Oriental Mindoro

SUBJECT : **SUBMISSION OF COMPLETE DOCUMENTS FOR THE
APPREHENDED ONE (1) UNIT STIHL CHAINSAW AT SO.
BARUBO, BRGY. B. DEL MUNDO, MANSALAY, ORIENTAL
MINDORO**

Forwarded is a Memorandum from CENRO Roxas with enclosed pertinent documents relative to the above subject, such as:

1. Apprehension Receipt;
2. On-site Report;
3. Tally Sheet;
4. Certified Geo-tagged Photos;
5. Seizure Order;
6. Seizure Receipt;
7. Notice of Apprehension;
8. Notice of Administrative Hearing;
9. Result of Administrative Proceedings;
10. Minutes of Administrative Proceedings;
11. Custodial Receipt;
12. Certification from CENRO Roxas; and,
13. Pertinent documents from MPS Mansalay.

Please be informed that a criminal case was filed by the MPS Mansalay with Criminal Case No. M-23-3593 against identified offender for violation of R.A. 9175. Be informed further that the said apprehended implement were under the custody of CENRO Roxas for safekeeping and proper disposition.

That based scrutiny of the submitted report, the recommendation of CENRO Roxas is to release the apprehended chainsaw despite that the Certificate of Registration was expired. In addition, based on the minutes of Administrative Proceedings, the owner, Jenna Daguno, failed to renew the said chainsaw on time due to the deaths of her mother and close relative in Odiongan, Romblon

For further instructions.


ALAN VALLE

PENRO Tracking No.: 2305000632
FN: TSD/MES/Rick



DENR PENRO 2305000078



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

Community Environment and Natural Resources Office

Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxasormindoro@denr.gov.ph

MEMORANDUM

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

ATTN: The Chief Law Enforcement Division
The Chief Legal Division

THRU : The OIC, PENR Office
DENR, PENRO, Calapan City

FROM : CENR Officer
Roxas, Oriental Mindoro

SUBJECT : **SUBMISSION OF COMPLETE DOCUMENTS FOR THE APPREHENDED ONE (1) UNIT STIHL CHAINSAW BEARING SERIAL NO. S-181964948 AT SO. BARUBO, BRGY. B. DEL MUNDO, MANSALAY, ORIENTAL MINDORO**

DATE : May 17, 2023

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	MAY 26 2023
TIME:	

This is to inform you that an apprehension was made on April 14, 2023, related to the above subject. The apprehended item is under court litigation with Criminal Case No. M-23-3593 for violation of RA 9175.

In connection with this, this office recommends that the apprehended machinery/equipment - one (1) unit STIHL chainsaw with Serial No. S-181964948 **shall be released to the owner.**

Attached are the necessary documents for your review.

For information and further instruction.

[Signature]
ENGR. CAESAR E. QUEBEC
CENR Officer



APPREHENSION RECEIPT

CENRO Control No.: 2023- 05
E-FMS No:2023-175212

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Date of Birth/Age	Participation	Status of the Person
Joey Antonio Garga	So. Bailan, Brgy. Mabuhay, Roxas, Oriental Mindoro	Single	35 yrs. Old	The operator of the chainsaw and owner of forest products	Subject for inquest proceeding by MPS Police Mansalay, Or. Mdo.

pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 for the following Forest Products, Conveyances, Machinery/Equipment, Tool, and Implements that have been apprehended, to wit:

1. Forest Products:

Major Forest Products									
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Pcs.	Volume /Unit of Measurement	Estimated Value	Impound ing Area	Custodian
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Enforcement Brgy. San Mariano, Roxas, Or.Mdo

Minor Forest Products				
Kind	No. of Units	Unit of Measurement	Estimated Value	Custodian
N/A	N/A	N/A	N/A	Enforcement Brgy. San Mariano, Roxas, Or. Mdo

Machine Involved					
Type	Make/ Model/ Year	Serial No.	Color/Markings	CR No.	OR No.
Chainsaw	STIHL	181964948	Orange / JAG	N/A	N/A

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories		Custodian
N/A	N/A	N/A		Enforcement Brgy. San Mariano, Roxas, Or. Mdo

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A



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Community Environment and Natural Resources Office
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VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

2. The subject Forest Products and other items have undergone the following Apprehension proceedings.

APPREHENSION						
Date and Time of Apprehension	Place of Apprehension				Apprehending Officer	Legal Basis for Apprehension
	Province	City/ Municipality	Barangay	Sitio		
April 14, 2023 1:00 P.M.	Oriental Mindoro	Mansalay	B-Del Mundo	Barubo	PSSg. Joseph Froilan M. Manalo	Violation of RA 9175

Apprehension was done under the following circumstances:

- The subject machine involved (e.i. STIHL Chainsaw) was confiscated with expired documents from the concerned agency.

The subject forest products, conveyances, machinery/equipment, tools and implements, and others apprehended should be kept and protected from defacement in any manner, destruction, or loss and should not be altered or removed until otherwise ordered by the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 17th day of April 2023 at DENR-CENRO Brgy. San Mariano, Roxas, Oriental Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

PSSg JOSEPH FROILAN M. MANALO
MPS Mansalay
Mansalay, Oriental Mindoro

WITNESS
(Signature Over Printed Name)

JASPER B. PALMEJAR
Forest Ranger

ATTESTED BY:

REYNALDO D. PUDIQUET
Forester III/Chief MES
DENR – CENRO
San Mariano, Roxas
Oriental Mindoro

Copy Received by:

Signature Over Printed Name
Remarks

Date / Time:



MEMORANDUM

FOR : The OIC, CENRO
Roxas, Oriental Mindoro

THRU : The Chief Monitoring and Enforcement Section

FROM : The Enforcement Team

SUBJECT : **SUBMISSION OF ON-SITE REPORT FOR THE APPREHENDED ONE (1) UNIT CHAINSAW (STHIL) WITH SERIAL NUMBER S-181964948 AT SO. BARUBO, BRGY. B.DEL MUNDO, MANSALAY, ORIENTAL MINDORO.**

DATE : April 17, 2023

BASIC INFORMATION GATHERED:

1. Time of Apprehension - On or about 1:00 pm
Date of Apprehension - April 14, 2023
Place of Apprehension - So. Barubo, Brgy. B. Del Mundo, Mansalay, Oriental Mindoro
2. Full Name of Alleged Offender - Joey Antonio Garga
3. Name of accompanying or providing assistance to the apprehending officers **PSSg. Joseph Froilan M. Manalo**
MPS MANSALAY
4. Circumstances that lead to the apprehension - Elements of MPS Mansalay led by PMAJ Joel S. Saguid, while conducting intel monitoring at So. Barubo, Brgy. B. del Mundo, Mansalay, Or. Mdo. chanced upon Joey Antonio Garga in the act of cutting a gmelina tree using a chainsaw. Upon verification, MPS Mansalay discovered that the said chainsaw STIHL with serial no. S-181964948 was owned by Jenna Daguno has an expired permit from the DENR which led to the confiscation of the said chainsaw.
5. Name of Local Government
Officials present and/or Witnessing the apprehension - NONE



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MIMAROPA Region
Community Environment and Natural Resources Office
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6. Preliminary description of items being apprehended - 1 unit Chainsaw STHIL with serial no. S-181964948
7. Origin - So. Barubo, Brgy. B. del Mundo
Municipality of Mansalay,
Oriental Mindoro
8. Consignor/s and consignee - N/A.
9. Other data or information, comments, and recommendations:

Elements of MPS Mansalay led by PMAJ Joel S. Saguid, while conducting intel monitoring at So. Barubo, Brgy. B. del Mundo, Mansalay, Or. Mdo. chanced upon Joey Antonio Garga in the act of cutting a gmelina tree using a chainsaw. Upon verification, MPS Mansalay discovered that the said chainsaw STIHL with serial no. S-181964948 was owned by Jenna Daguno has an expired permit from the DENR which led to the confiscation of the said chainsaw. The arrested person together with the chainsaw was placed under the custody of the Mansalay Police Station for proper disposition.

Subsequently, the personnel of MPS Mansalay led by PMAJ Joel S. Saguid, coordinated with Forester Reynaldo Pudiquet of the DENR CENRO Roxas, Oriental Mindoro requesting technical assistance for the apprehended machine. Pursuant to the facts and circumstances, an apprehension receipt was immediately prepared cognizant to One (1) unit of Chainsaw STHIL with serial number S-181964948.

However, only the subject chainsaw was currently under the custody of DENR CENRO compound San Mariano, Roxas, Oriental Mindoro for safekeeping. The felled gmelina tree was not handed over by the elements of MPS Mansalay.

For information, record, and further instruction.


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit

SUBSCRIBED AND SWORN to before me this 17th day of April 2023 at DENR-CENRO Office San Mariano, Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Forester III/ Chief MES



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MIMAROPA Region
Community Environment and Natural Resources Office
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TALLY SHEET

This is to certify that the apprehended chainsaw are properly itemized and listed below, to wit:

No. of Pieces	Unit	Forest Products	Estimated Market Value
1	Unit	CHAINSAW (STIHL) with serial no. S-181964948 and marking (JAG)	Php. 35,000.00
		-----TOTAL AMOUNT-----	Php. 35,000.00
---nothing follows---			

The following are scaled, counted, and recorded in our presence on this 17th day of April 2023 at DENR CENRO ROXAS, Roxas, Oriental Mindoro.

Documented and recorded by:


JASPER B. PALMEJAR
Forest Ranger

Attested by:


REYNALDO D. PUDIQUET
Forester III/Chief MES



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Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
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CERTIFICATION


TO WHOM IT MAY CONCERN:

This is to certify that these are the true pictures of the confiscated) one (1) unit of Chainsaw (STIHL) with serial number S-181964948 at So. Barubo, Brgy. B Del Mundo, Mansalay, Oriental Mindoro. The subject forest products are currently under the custody of DENR CENRO-Roxas, Oriental Mindoro for safekeeping.

Signed this 17th day of April 2023 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.


JASPER B. PALMEJAR
Forest Ranger

SUBSCRIBED AND SWORN to before me this 17th day of April 2023 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.


REYNALDO D. PUDIQUET
Forester III / MES chief



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MIMAROPA Region
Community Environment and Natural Resources Office
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DENR-IV-B, MIMAROPA, Forest Protection
Supervision

CERTIFICATE OF NO REGISTRATION

April 17, 2023

TO WHOM IT MAY CONCERN

THIS IS TO CERTIFY that there is one (1) unit of Chainsaw (STIHL) with serial number S-181964948 intercepted by a member of Mansalay Municipal Police.

Said machine involved was intercepted at Sitio Barubo, Brgy. B Del Mundo, Mansalay, Oriental Mindoro.

This is to certify also that the subject chainsaw machine's market value is THIRTY-FIVE THOUSAND PESOS (Php 35,000).

Further, this is to certify that this office has not issued any certification for the renewal of the expired Certificate of Registration of the said machinery.

This certification is issued in connection with the case filed against the respondent for violation of Republic Act No. 9175.

Signed this 17th day of April 2023 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro.


REYNALDO P. PUDIQUET
Forester III/Chief MES



SEIZURE ORDER

CENRO Control No.:
E-FMS No: 2023-175212

Pursuant to the provision of P.D. 705 as amended by E.O. No. 277 and DENR Administrative Order No. 97-32 Series of 1997 the following forest products are hereby ordered seized, to wit:

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Enforcement Brgy. San Mariano, Roxas, Or.Mdo.

Minor Forest Products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	Enforcement Brgy. San Mariano, Roxas, Or.Mdo.

Machine Involved					
Type	Make/ Model/ Year	Plate No.	Color/Markings	CR No.	OR No.
Chainsaw	STHIL	181964948	Orange / JAG	N/A	N/A

Conveyance Involved (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian*
N/A	N/A	N/A	Enforcement Brgy. San Mariano, Roxas, Or. Mdo.

**turned over to the highest officer of the Regional Office concerned if government-owned vehicle.*

If Animal					
Kind	Quantity	Gender	Age (Adult/Young)	Color	Custodian
N/A	N/A	N/A	N/A	N/A	N/A



Equipment Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

Implements Involved			
Type	Quantity	Details	Custodian
N/A	N/A	N/A	N/A

The subject Forest Products and other items were apprehended while under the possession/ control/ownership of:

Name	Address	Civil Status	Age	Participation	Status of the Person
Joey Antonio Garga	So. Bailan, Brgy. Mabuhay, Roxas, Oriental Mindoro	Single	35 yrs old	The operator of the chainsaw	Subject to inquest proceeding by Mansalay Police

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 17, 2023 09:26 a.m.	Oriental Mindoro	Roxas	San Mariano	N/A	REYNALDO D. PUDIQUET	Violations of RA 9175

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
PSSg. Joseph Froilan M. Manalo	April 17, 2023	09:26 a.m.	DENR-CENRO
FR. Jaspher B. Palmejar	April 17, 2023	09:26 a.m.	DENR-CENRO

After a thorough evaluation of the Apprehension Report dated April 17, 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.

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

So ordered this 17th day of April 2023 at DENR-CENRO, San Mariano, Roxas, Oriental Mindoro

REYNALDO D. PUDIQUET
Seizure Officer



SEIZURE RECEIPT
No. 05

The following apprehended item with Apprehension Receipt No. 2023-175212 is under administrative seizure pursuant to Section 3 of DAO 97-32

A. MACHINERY

No. of pieces	Machine	Serial No.	Color/Markings	Estimated Value
1	Chainsaw STIHL	181964948	Orange; JAG	Php. 35,000.00
-----TOTAL AMOUNT-----				Php. 35,000.00
----nothing follows----				

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

NAME	ADDRESS	NATURE OF PARTICIPATION
1. Joey Antonio Garga	So. Bailan, Brgy. Mabuhay, Roxas, Oriental Mindro	chainsaw operator

B. MACHINE

Name of Registration/Owner: JENNA DAGUNO
Address: Brgy. Dangay, Roxas, Oriental Mindoro
Type of Machine: STIHL CHAINSAW
Model No.: MS-070
Serial No: S-181964948
Certificate of Registration No. 2021-23
Estimated Fair Market Value: Php. 35,000.00



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

Note: The confiscated Chainsaw STHIL bearing Serial No. S-181964948 has an estimated market value of Php. 35,000.00.

(State reasons or offense committed)

The items were apprehended by the elements of MPS Mansalay at So. Barubo, Brgy. B. Del Mundo, Mansalay, Oriental Mindoro on April 14, 2023.

The same items are under the custody of DENR-CENRO San Mariano, Roxas, Oriental Mindoro. Further, these apprehended items are now deposited at DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

That the undersigned hereby acknowledge that the above-listed items (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. 05 on this 17th day of April 2023 at DENR-CENRO Roxas, Oriental Mindoro.


REYNALDO B. PUDIQUET
Seizure Officer



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

Community Environment and Natural Resources Office

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PAGBIBIGAY-ALAM SA PAGDINIG

Abril 17, 2023

SA MGA KINAUUKULAN:


Ipinapaalam po ng mga kawani o tauhan ng MPS Police Mansalay na nakatalaga sa Barangay Poblacion, Mansalay, Silangang Mindoro ay nakahuli/nakasamsam ng isang (1) CHAINSAW STIHL na may Serial No. na 181964948 sa So. Barubo, Brgy. B. del Mundor, Mansalay ika-10:14 ng umaga, April 14, 2023. Ito ay kasalukuyang nakadeposito/pag-iingat ng DENR-CENRO, Barangay San Mariano, Bayan ng Roxas, Silangang Mindoro.

Sa katunayan nito at alinsunod sa R.A 9175, ang may-ari nito na si Mr. Joey Antonio Garga ay aming inaanyayahan na magbigay salaysay pagkatapos matanggap o makita itong sulat at magsadya sa gaganaping pagdinig na isasagawa ng aming tanggapan na matatagpuan sa Barangay San Mariano, Roxas, Silangang Mindoro sa April 24, 2023 sa ganap na 9:00 ng umaga sa nasabing lugar. Ang nabanggit na pagdinig ay ipinatutupad sa ilalim ng Department Administrative Order 97-32 na nagbibigay ng pagkakataon sa may-ari ng kahoy na magpakita ng mga kinakailangang katibayan/dokumento na kung saan ang mga nabanggit na mga nahuling produkto, makinarya o kagamitan ay hindi tuluyang masamsam o makumpiska sa panig ng pamahalaan.

Inaasahan po na lahat ng ito ay bibigyan ng kaukulang pansin at lubos na pahalagahan.

Maraming salamat po.

Sumasainyo,


Joey Garga
APRIL 17, 2023


REYNALDO D. PUDIQUET
Forester II/Chief MES



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

I hereby acknowledge to have received from the apprehending officers (DENR-CENRO PERSONNEL) the following items listed below, to wit;

ONE (1) UNIT OF CHAINSAW STHIL BEARING SERIAL NO. S-181964948

As a custodian, I will protect from defacement in any manner, destruction, or loss and should not be altered or removed until otherwise ordered by the Secretary of the DENR or his duly authorized representative, or any Court of Justice of the Philippines.

Done this 17th day of April 2023 at DENR-CENRO San Mariano Roxas, Oriental Mindoro.

Custodian:


REY G. FIRMANES
Forester II/ Chief, Enforcement Unit



April 18, 2023

NOTICE OF APPREHENSION

This is to inform the public that the Oriental Mindoro MPS Mansalay led by PMajor Joel S. Saguid had apprehended on 14th day of April 2023, on or about 1:00 pm the following forest products/conveyance/equipment:

No. of Pieces	Species	Articles and Description	Estimated Market Value
1	unit	One (1) unit Chainsaw (STHIL) with Serial No. S-181964948	Php. 35,000.00
---nothing follows---			

at So. Barubo, Barangay B. del Mundo, Mansalay, Oriental Mindoro, the same having found to be without the necessary legal documents, hence, violates Rep.Act No. 9175, as amended.

The subject forest products/equipment/conveyance is properly impounded under the custody of DENR-CENRO compound San Mariano, Roxas, Oriental Mindoro


REY G. FIRMANES
FORESTER II
(Position)

DENR-CENRO Roxas
(Agency)



Community Environment and Natural Resources Office

Camia St., San Mariano, Roxas, Oriental Mindoro

Contact No. : 0917 876 9985/ 0917 113 5572

VOP: (043) 289-7118

Email: cenroroxas_orientalmin@yahoo.com

May 16, 2023

MEMORANDUM

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

ATTN: The Chief Law Enforcement Division
The Chief Legal Division

THRU : The OIC, PENR Office
Suqui, Calapan City,
Oriental Mindoro

FROM : Hearing Officer

SUBJECT : **SUBMISSION OF THE RESULT OF ADMINISTRATIVE
PROCEEDINGS ON MACHINERY/EQUIPMENT APPREHENDED
AT SO. BARUBO, BRGY. B. DEL MUNDO, MANSALAY,
ORIENTAL MINDORO**

Attached is the transcript of the Minutes of the Administrative Hearing undertaken on the case entitled *Department of Environment and Natural Resources –versus- Joey Antonio Garga* for violation of R.A. 9175, as amended. Please be informed that Administrative Hearing was conducted last May 16, 2023, in accordance with Item 2, Section 7 of DAO 97-32 which was attended by the respondent, with the following observations:

1. Based on the spot report of the Municipal Police of Mansalay, their intel operatives led by PSSg. Joseph Froilan M. Manalo chanced upon a person in the act of cutting a gmelina tree using a chainsaw while they are conducting intel monitoring at So. Barubo, Brgy. B del Mundo, Mansalay, Oriental Mindoro.
2. MPS Mansalay immediately caught the said person identified as Joey Antonio Garga, 35 years old, single, chainsaw operator, and resident of So. Bailan, Brgy. Mabuhay, Roxas, Oriental Mindoro.
3. MPS Mansalay asked Joey Antonio Garga if he has a registration for the use of the chainsaw. He showed a permit but it was already expired for eight days. Upon verification from this office, the said chainsaw was owned by Jenna Daguno.
4. An administrative hearing was conducted on May 16, 2023, after the turn-over of the documents from the Municipal Police of Mansalay.
5. During the administrative hearing, Joey Antonio Garga admitted that he cut one gmelina tree using the said chainsaw with an expired permit from this office. He only did it because his *kumpare* "Dudoy" asked for his help so the latter can use it for his house. He said that he borrowed the said chainsaw from the owner - Jenna Daguno's husband at the latter's store.



6. He further claimed that they asked for the permission of the barangay and the police before cutting the said one Gmelina tree which the police allowed them. However, to their surprise, they were apprehended by 2 policemen in civilian attire after they cut down the tree.
7. Also, during the administrative hearing, the owner of the said chainsaw, Jenna Mayor Daguno, claimed that she did not know that her chainsaw was borrowed from his husband at their store. With that then, she denied any participation in the said cutting of the tree as she was at her house at that time of apprehension. She claimed that she was not able to apply for the renewal of the expired permit of the chainsaw because her mother and another relative died at Odiongan, Romblon. She prayed that her chainsaw be brought back to her.
8. The subject chainsaw was turned over by the apprehending officers to the nearest authorized Seizure Officer pursuant to Section 3 of DAO 97-32.

FINDINGS AND RECOMMENDATIONS:

The undersigned after having reviewed the documents at hand, the statements of the respondent, and the Administrative Hearing conducted, determines that the STHIL Chainsaw bearing Serial No. S-181964948 with an expired permit was used in the act of cutting the gmelina tree. However, the said one felled gmelina tree was only to be used in the premises of the house of the owner and the certificate of registration of the said chainsaw was only expired for eight (8) days at the time of apprehension. The chainsaw's owner was not able to promptly apply for renewal because her mother and another relative died at Odiongan, Romblon. Such facts show that the respondent has no ill will to transgress the law. This act is not in violation of Republic Act No. 9175 as a humanitarian consideration but with a stern warning to the respondent.

In view of the foregoing, these are the findings and recommendations of the hearing officer:

JOEY ANTONIO GARGA, the respondent for CENRO Case No. 2023-02, did not violate R.A. 9175. The STIHIL CHAINSAW bearing Serial No. S-181964948 shall **be released** to the owner.

This case has been filed at the Regional Trial Court Br. 43, Roxas, Oriental Mindoro, with Criminal Case No. M-23-3593 for violation of R.A. 9175.

Attached are the minutes of the Administrative Hearing and the necessary documents for your review and further instruction.


REYNALDO S. PUDIQUET
Hearing Officer



SUBJECT:

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

CENRO CASE NO. 2023- 02

VERSUS -

JOEY ANTONIO GARGA

: For Violation of Republic Act 9175

X- -----X

PRELIMINARY HEARING

Minutes of the Administrative Hearing undertaken on the above-mentioned case on May 16, 2023, at 10:21 am at CENRO-Roxas, Oriental Mindoro.

REYNALDO D. PUDIQUET
Hearing Officer

SER MICHAEL LANCELOT P. GAMBOA
Legal Researcher/Recorder

APPEARANCES:

JOEY ANTONIO GARGA
JENNA MAYOR DAGUNO

Petsa at Oras : May 16, 2023/ 10:21 a.m.

HEARING OFFICER:

SA BISA NG KAPANGYARIHANG IPINAGKALOOB SA AKIN ALINSUNOD SA ITINADHANA NG SEKSYON 45 NG PRESIDENTIAL DECREE 705, REPUBLIC ACT 9175 AT DEPARTMENT ADMINISTRATIVE ORDER NO. 97-32, ANG PAGDINIG NA ITO AY KAUGNAY SA KASONG ADMINISTRATIBO SA SEC. 7 NG R.A. 9175 "PAGGAMIT NG CHAINSAW NG WALANG KAUKULANG PERMISO" AY MAGKAKAROON NGAYON NG PORMAL NA PAGDINIG. PINAPAKIUSAPAN ANG LAHAT NG NARIRITO NA MANAHIMIK LAMANG AT HUWAG MAKIALAM O MAMAGITAN NA MAARING MAKAAANTALA SA PAGDINIG AT ITO AY HINDI PINAHIHINTULUTAN. BUKOD DITO, GUSTO KONG IPABATID SA LAHAT NG NARIRITO NG MGA SAKSI AT SUSPEK SA NASABING KASO NA KAYO AY BINIBIGYAN NG TANGING PREBILIHIYO NA GAMITIN ANG INYONG ABOGADO UPANG TAGAPAYO, ALINSUNOD SA TINADHANA NG BAGONG SALIGANG BATAS NG PILIPINAS.



SALAYSAY NI GINOONG JOEY ANTONIO GARGA

- Hearing Officer: Bago po tayo magsimula sa ating pagdinig sa oras na ito, maaari niyo po ba na ipakilala ang inyong sarili? Ang inyong pangalan edad at address?
- S. Joey: Ako si Joey Antonio Garga, kasalukuyang naninirahan sa So. Bailan, Brgy. Mabuhay, Roxas, Oriental Mindoro. Tatlumput Lima (35) na taong gulang.
- Hearing Officer: Meron po ba kayong abogado na kasama?
- S. Joey: Wala po.
- Hearing Officer: Okay lang ba sa inyo na wala kayong abogado dito sa administrative proceeding?
- S. Joey: Okay lang po.
- Hearing Officer: Noong Abril 14, 2023, sa ganap na ika-1:00 ng hapon sa So. Barubo, Barangay B. del Mundo, Mansalay, Silangang Mindoro, ang mga pulis ng Mansalay, habang sila ay nagapatrolya laban sa pagpuputol ng puno ng kahoy, ay nakita kayo sa aktong pagpuputol ng puno ng kahoy gamit ang isang chainsaw. Nang kayo ay tanungin kung kayo ay may permit, mayroon kayong ipinakita na rehistro ng chainsaw subalit ito ay expired na noon pang Abril 6, 2023.
- S. Joey: Expired na po ang chainsaw ng walong araw.
- Hearing Officer: Kaugnay nito, kayo ay nahaharap sa kasong administratibo at kriminal. Kayo ay pinadalhan ng Notice of Hearing para sa kasong administratibo noong Abril 17, 2023. Nakasaad dito na maari kayo magbigay ng written explanation at inaanyayahan ang inyong presensya sa opisina ng DENR-CENRO para magpaliwanag at magbigay ng salaysay.
- Hearing Officer: Ano po ang inyong trabaho?
- S. Joey: Chainsaw operator po.
- Hearing Officer: Noong oras at araw ng nasabing pangyayari, nasaan kayo at ano ang inyong ginagawa?
- S. Joey: Nagputol po ako ng isang puno ng gmelina sa So. Barubo, Brgy. B. del Mundo, Mansalay, Or. Mindoro para sa bahay ni "Dudoy".
- Hearing Officer: Ano po ang pangalan ng nagpaputol o nagpalagari sa inyo ng puno ng kahoy?
- S. Joey: "Dudoy" po ang pagkakilala ko po sa nagpalagari ng kahoy. Hindi ko po alam ang kanyang tunay na pangalan. Siya po ay aking kumpare.
- Hearing Officer: Ano po ang pangalan ng may-ari ng chainsaw?



- S. Joey: Jenna Mayor Daguno po ang pangalan ng may-ari ng chainsaw. Dati niya po akong operator sa cocolumber.
- Hearing Officer: Alam ba ng may-ari ng chainsaw na ginamit mo sa paglagari o pagputol ng puno ng kahoy?
- S. Joey: Hindi po alam ng may-ari ng chainsaw. Ang nakakaalam lang po ay ang mister ninya.
- Hearing Officer: Maari nyo bang isalaysay ang nangyaring paghuli sa inyo?
- S. Joey: Kumuha po kami ni “Dudoy” ng barangay certification sa Brgy. B. del Mundo, Mansalay, Oriental Mindoro. Dinala po namin sa Mansalay Police Station ang barangay certification kaalinsabay ng permit po ng chainsaw. Sila naman po ay pumayag sa pagpuputol ng gmelina kahit expired na. Pumunta naman po kami sa area ng pagpuputulan ng kahoy, subalit may nakabantay pala na dalawang (2) pulis na naka-civilian attire po. Nakatumba na po ang puno noong kami ay hinuli ng 2 pulis na ito. Hindi pa po nagayat ang puno. Hindi pa natistis po.
- Hearing Officer: Alam nyo ba na ipinagbabawal ang paggamit ng chainsaw ng walang rehistro?
- S. Joey: Opo, alam po.
- Hearing Officer: Meron po ba kayong gustong sabihin o idagdag sa inyong salaysay?
- S. Joey: Wala na po.

SALAYSAY NI GINANG JENNA MAYOR DAGUNO

- Hearing Officer: Maaari niyo po ba na ipakilala ang iyong sarili? Ang iyong pangalan edad at address?
- S. Jenna: Ako si Jenna Mayor Daguna, kasalukuyang naninirahan sa Brgy. Dangay, Roxas, Oriental Mindoro. Apatnaput-siyam (49) na gulang po.
- Hearing Officer: Meron po ba kayong abogado na kasama?
- S. Jenna: Wala po.
- Hearing Officer: Okay lang ba sa inyo na wala kayong abogado dito sa administrative proceeding?
- S. Jenna: Okay lang po.
- Hearing Officer: Ano po ang inyong trabaho?
- S. Jenna: May negosyo po ako na retailing ng coco-lumber. May puwesto po kami sa Dangay, Roxas, Oriental Mindoro.



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Camia St., San Mariano, Roxas, Oriental Mindoro
Contact No. : 0917 876 9985/ 0917 113 5572
VOP: (043) 289-7118
Email: cenroroxas_orientalmin@yahoo.com

- Hearing Officer: Noong oras at araw ng nasabing pangyayari, nasaan kayo at ano ang inyong ginagawa?
- S. Jenna: Ako po ay nasa bahay. Nakuha po ang nasabing chainsaw sa aming puwesto ng retailing ng coco-lumber. Malayo po sa aming bahay. Hindi ko po alam na hiniram po ang nasabing chainsaw sa aking asawa. Nalaman ko na lang po noong nabalitaan ko po na nahuli ng pulis si Joey Antonio Garga.
- Hearing Officer: Ano po ang pangalan ng nagpapatulot o nagpalagari sa inyo ng puno ng kahoy?
- S. Jenna: Hindi ko po kilala.
- Hearing Officer: Kayo po ba ang may-ari ng nasabing chainsaw?
- S. Jenna: Opo, ako po, ang may-ari ng chainsaw. Dati ko pong operator si Joey Antonio Garga.
- Hearing Officer: Alam ninyo po ba na expired na ang inyong permit sa chainsaw?
- S. Jenna: Opo, alam ko po na ito ay expired na ng walong araw.
- Hearing Officer: Bakit ninyo po hindi naparenew ang chainsaw na expired na ng walong araw?
- S. Jenna: Hindi po ito naparehistro agad dahil namatay po ang aking nanay tapos ilang araw lamang ay may namatay naman po kaming kamag-anak sa Odiongan, Romblon. Pagbalik ko naman po ay holiday na. Ito po ang rason kung bakit hindi na po namin naasikaso agad ang pag renew ng chainsaw.
- Hearing Officer: Maari nyo bang isalaysay ang nangyaring paghuli kay Joey Antonio Garga?
- S. Jenna: Wala po ako doon sa lugar na pinaghulihan kay Joey Antonio Garga. Malayo po ako doon sa B. del Mundo, Mansalay. Nasa bahay po ako sa Dangay, Roxas noong siya po ay mahuli. Hindi ko po alam na ginamit nya ang aking chainsaw.
- Hearing Officer: Alam nyo ba na ipinagbabawal ang paggamit ng chainsaw ng walang rehistro?
- S. Jenna: Opo, alam po.
- Hearing Officer: Meron po ba kayong gustong sabihin o idagdag sa inyong salaysay?
- S. Jenna: Kung maari po ay ako po ay nakikiusap po sa inyo na maibalik po sa amin ang aking chainsaw na ginagamit namin sa aming paghahanap-buhay. Sa hirap po ng buhay sa ngayon, hindi ko na po afford na bumili ng bagong chainsaw sa dami naming pinagkakagastusan po. May 3 po akong anak na pinapaaral sa kolehiyo ngayon. Maraming salamat po.



Hearing Officer : Maraming salamat po sa inyong pagunlak sa aming paanyaya nang pagdinig sa araw na ito at pasensya sa kaunting abala. Kami ay umaasa sa inyo na maging responsable sa ating kapaligiran. Ipagpaalam na din ninyo na ang DENR ay talagang maghihigpit para mapursige ang pag -iimplementa ng batas hindi lang sa Roxas kundi sa buong Pilipinas. Kaya ang pakiusap po namin sa inyo ay maging responsable tayo sa ating kalikasan. Salamat po ng marami.

Nagsasalaysay:


JOEY ANTONIO GARGA


JENNA MAYOR DAGUNO


Administrative Hearing adjourned: 11:12 a.m.

Aking lalagdaan ang testimonyang ito ngayong ika -16 nang May taong 2023 sa DENR-CENRO San Mariano, Roxas, Oriental Mindoro.

I HEREBY CERTIFY that this instrument consisting of five (5) pages including this page are true and correct to the best of my knowledge and belief.


SER MICHAEL LANCELOT P. GAMBOA
Legal Researcher/Recorder

SUBSCRIBED AND SWORN to before me this 16th day of May 2023 at DENR CENRO-Roxas, Oriental Mindoro.


REYNALDO P. PUDIQUET
Hearing Officer

**Republic of the Philippines
Fourth Judicial Region
MUNICIPAL TRIAL COURT
Roxas, Oriental Mindoro**

**PEOPLE OF THE PHILIPPINES,
Plaintiff,**

**CRIMINAL CASE NO. M-23-3593
(RTC Case)**

-versus-

-for -

**JOEY ANTONIO GARGA,
Accused.**

**VIOLATION OF RA 9175
(Chainsaw Act of 2002)**

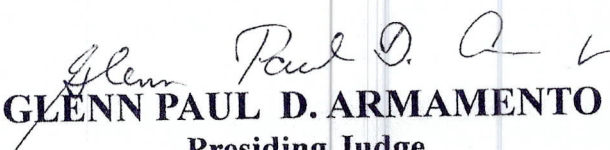
X -----X

ORDER OF RELEASE

Considering the absence of Hon. Erwin Y. Dimayacyac, Acting Presiding Judge (A.O. No. 324-2020) of the Regional Trial Court, Branch 43, Roxas, Oriental Mindoro as certified by Atty. Cindee V. Guno, Clerk of Court VI, dated May 3, 2023, and in accordance with par. (a) Sec. 17 of the Rule 114 of the Revised Rules of Court in the Philippines, the accused **JOEY ANTONIO GARGA**, through bondswoman Donacel T. Magbanua, having posted a CASHBOND in this court in the amount of **Ten Thousand (P10,000.00) Pesos** under **O. R. No. 3210263 C** dated **May 3, 2023** is hereby ordered **PROVISIONALLY RELEASED** from confinement of the law immediately upon receipt of this order unless he is charged for some other lawful cause/s which requires further detention.

SO ORDERED.

**Roxas, Oriental Mindoro.
May 3, 2023.**


GLENN PAUL D. ARMAMENTO
Presiding Judge

PNP

Republic of the Philippines
DEPARTMENT OF JUSTICE
National Prosecution Service
OFFICE OF THE PROVINCIAL PROSECUTOR
ORIENTAL MINDORO
-o0o-

PNP-MANSALAY, OR. MINDORO,
Represented by PCMS Estonina II,
Complainant,

NPS DOCKET NUMBER:
IV-07b-INQ-23D-00019

-versus-

-for-

JOEY ANTONIO GARGA (arrested),
Respondent,

VIOLATION OF RA 9175

X-----X

RESOLUTION
(INQUEST)

Brought for inquest proceedings by the operatives of MANSALAY MUNICIPAL POLICE STATION is **JOEY ANTONIO GARGA** (arrested) who is presently under custody of MANSALAY MUNICIPAL POLICE STATION, Mansalay, Oriental Mindoro.

Respondent not having opted for a regular preliminary investigation of the case against him, nor had executed a waiver pursuant to Art 125 of the Revised Penal Code, the determination of probable cause proceeded on the basis of the evidence at hand and submitted by the complaining police officers.

Upon perusal of the facts and circumstances obtaining in this case, the undersigned is of the honest belief that there is sufficient probable cause to indict respondent **JOEY ANTONIO GARGA** (arrested) for the crime of **VIOLATION OF RA 9175** and that he should be held for trial.

WHEREFORE, it is hereby resolved that the corresponding Information for **VIOLATION OF RA 9175** be filed with the proper court against respondent **JOEY ANTONIO GARGA** (arrested).

SO RESOLVED.

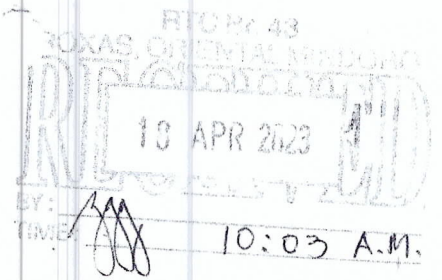
Pinamalayan for Roxas, Oriental Mindoro.

April 17, 2023

WITH THE PRIOR WRITTEN AUTHORITY FROM THE
PROVINCIAL PROSECUTOR HUMILITO A. DOLOR
UNDER OPP MEMO 21-1, DATE APRIL 05, 2021

E. D. San Miguel, Jr.
ENRIQUE D. SAN MIGUEL, JR.
Associate Provincial Prosecutor

Republic of the Philippines
REGIONAL TRIAL COURT
Fourth Judicial Region
ORIENTAL MINDORO
Branch XLIII
Roxas



PEOPLE OF THE PHILIPPINES,
Plaintiff,

CRIM CASE NO M-23-3593

versus

for

JOEY ANTONIO GARGA,
Accused.

VIOLATION OF RA 9175
(Chainsaw Act of 2002)

X-----X

INFORMATION

THE UNDERSIGNED Associate Provincial Prosecutor of Oriental Mindoro, under oath accuses **JOEY ANTONIO GARGA** of Sitio Bailan, Barangay Mabuhay, Roxas, Oriental Mindoro of the crime of Violation of RA 9175 otherwise known as the Chainsaw Act of 2002, committed as follows:

That on or about the 14th day of April 2023 at around 10:14 o'clock in the morning at Sitio Barubo, Barangay B. del Mundo, Municipality of Mansalay, province of Oriental Mindoro, Philippines, a place within the jurisdiction of this Honorable Court, the above-named accused JOEY ANTONIO GARGA, without any corresponding license or permit from the proper government agency did, then and there willfully, unlawfully, feloniously have in his possession, control and custody a unit of CHAINSAW branded as STIHL marked as "JAG", with serial number S-181964948 and without any legal authority, used the same to cut trees or timber in violation of the above-cited law, to the damage of the Republic.

CONTRARY TO LAW

Pinamalayan for Roxas, Oriental Mindoro
April 17, 2023

WITH THE PRIOR WRITTEN AUTHORITY FROM THE
PROVINCIAL PROSECUTOR HUMILITO A. DOLOR
UNDER OPP MEMO 21-1, DATE APRIL 05, 2021

E. D. S. M. J.
ENRIQUE D. SAN MIGUEL, JR.

Associate Provincial Prosecutor
MCLE COMPLIANCE VII - 0006596 04/14/25
Inquest Officer

WITNESSES:

PSSG JOSEPH FROILAN MANALO, Mansalay MPS, Mansalay, Or. Mindoro
PSSG KEVIN CHRISTOPHER CONDES -do-
PCMS SEVERO ESTONINA, -do-
REYNALDO PUDIQUET, DENR-CENRO, Roxas, Oriental Mindoro
JASPER PALMEJAR, -do-
AND OTHERS RESERVED.

EXHIBITS:

~~ORIG COPY OF SS OF PSSG JOSEPH FROILAN MANALO~~
~~ORIG COPY OF SS OF PSSG KEVIN CHRISTOPHER CONDES~~
~~ORIG COPY OF SS OF PSMS SEVERO ESTONINA II~~
~~ORIG COPY OF SPOT REPORT~~
~~ORIG COPY OF REQUEST FOR TURN OVER OF SEIZED PROPERTY~~
~~ORIG COPY OF DENR CERTIFICATION~~
~~PHOTOCOPY OF EXPIRED CERTIFICATE OF REGISTRATION~~
~~ORIG COPY OF APPREHENSION RECEIPT~~
~~COMPUTER GENERATED PRINT OF PHOTOGPRAHS~~
~~ONE UNIT OF STIHL CHAIN SAW MARKED "JAG" with SN S-181964948~~
(under the custody of DENR-Roxas, Or. Mindoro)

C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing information is filed pursuant to Section 7, Rule 112 of the 1985 Rules on Criminal Procedure as amended. The accused not having opted to avail of his right to preliminary investigation and not having executed a waiver pursuant to Art. 125 of the Revised Penal Code.

I further certify that this information is being filed with the prior authority of the Provincial Prosecutor.

E D S n J
ENRIQUE D. SAN MIGUEL, JR.
Associate Provincial Prosecutor
Inquest Officer

SUBSCRIBED AND SWORN to before me this 14th day of April 2023 at Pinamalayan, Or. Mindoro.

[Signature]
JOSE MARI T. MENDOZA
Public Attorney I

Pursuant to P.A. No. 9406

BAILBOND RECOMMENDED:

FORTY-EIGHT THOUSAND PESOS
(Php 48,000.000)

Republic of the Philippines
Regional Trial Court
Fourth Judicial Region
Branch 43
Roxas, Mindoro Oriental
e-mail address: rtc2rvm043@judiciary.gov.ph
contact number: 043 7383 820

PEOPLE OF THE PHILIPPINES,
Plaintiff,

Crim. Case No. M-23-3593
For: Violation of R.A 9175
(Chainsaw Act of 2002)

-versus-

JOEY ANTONIO GARGA,
Accused.

X-----X

COMMITMENT ORDER

TO:

THE DISTRICT JAIL WARDEN
Roxas District Jail, BJMP
Roxas, Oriental Mindoro

GREETINGS:

I hereby commit to you the body of the accused **Joey Antonio Garga**, of Sitio Bailan, Brgy. Mabuhay, Roxas, Oriental Mindoro to be kept in your custody as detention prisoner subject to the order of the Honorable Court.

The arraignment and pre-trial of this case are schedule on June 1, 2023 at 8:00 AM

Roxas, Oriental Mindoro, May 3, 2023.

ORIGINAL SIGNED
ERWIN Y. DIMAYACYAC
Acting Presiding Judge
(A.O. No. 324-2020)

ATTY. CINDEE V. GUNO-SIBULAN
Clerk of Court VI

Received by:

JOY MORALES JPM

Printed Name

Signature

Date: MAY 03 2023

Time: 1425H

Republika ng Pilipinas)
Lalawigan ng Silangang Mindoro) S.S.
Bayan ng Mansalay)
X-----X

SINUMPAANG SALAYSAY NG PAGKUHA NG VIDEO

AKO, PSSg Kevin Christopher C Condes, nasa wastong gulang, may asawa, aktibong kawani ng Pambansang Pulisya ng Pilipinas at nakatalaga sa Mansalay MPS, matapos mabatid ang aking mga karapatan na naaayon sa ating Bagong Saligang Batas ay Malaya at kusang loob na nagsasalaysay ng mga sumusunod:

1. Na, noong ika-14 ng Abril 2023, humigit kumulang alas 10:14 ng umaga habang kami ni PSSg Kevin Christopher C Condes ay nagsasagawa ng intel monitoring at nagseserve ng subpoena sa Sitio Barubo, Brgy. B Del Mundo, Mansalay, Silangang Mindoro.

2. Na, habang kami ay nasa nasabing lugar ay may narinig kaming tunog ng isang chainsaw na umaandar kung kaya't iyon ay agad naming tinungo habang kami ay naglalakad ay sinimulan ko na ang pag-video kung saan ay aming nakunan ng video ang naabutan at naakuhang naglalagari ng puno ng Gemilina (Paper tree) at amin itong nilapitan at kinausap.

3. Na, amin siyang nakilala na si Joey Antonio Garga, 35 taong gulang, binata, chainsaw operator at nakatira sa Sitio Bailan, brgy. Mabuhay, Roxas, Silangang Mindoro. At siya ay hinanapan ko ng anumang kaukulang dokumento hinggil sa kaniyang ginamit na chainsaw na Stihl na may serial number na S-181964948, at siya naman ay agad na tumugon at ipinakita ang dokumento ng nasabing chainsaw, subalit ng ito ay usisain ni PSSg Manalo ay napag-alaman na ang nasabing dokumento (Certificate of Registration ng Chainsaw Stihl) ay expired na, at dahil sa pangyayari siya Joey Antonio Garga ay agad na binasahan ng kanyang karapatan alinsunod sa ipinag-uutos ng ating saligang batas at siya (Joey Antonio Garga) ay inaresto ni PSSg Manalo at siya ay dinala sa aming himpilan gayun din ang nakumpiskang ebidensya para madokumentuhan. Na ang nasabing pag video ay nagsimula ng kami ay papalapit sa aktwal na paglalagariP ng punong Gemilina, sa pakikipag-usap hanggang sa aktwal na pag-aresto kay Joey Antonio Garga at pagdala sa kanya sa aming himpilan ay nagsimula ang oras ay 10:14 ng umaga hanggang sa 10:32:09 ng umaga na may recording time na 00:18:38 Na, dahil sa intel monitoring at pagserve ng subpoena ang aming pakay sa lugar ng Sitio Barubo, Brgy. B Del Mundo kung kaya't hindi namin dala ang aming Elikliv body worn camera at dahil sa nagkataong pangyayari ay ang personal na cell phone (Realme 8) ang ginamit kung pagvideo sa actual na operation alinsunod sa A.M. No. 21-06-08-SC (Rules on the Use of Body-Worn Cameras in the Execution of Warrants.). At aming dinala sa aming himpilan itong si Joey Antonio Garga gayun din ang nakumpiskang ebidensya para madokumentuhan.

4. Na, noong ang oras humigit-kumulang 10:45 ng umaga ng araw ring iyon ay narating namin ang aming himpilan at ipinasok sa aming custodial facility ang arestadong suspect na si Joey Antonio Garga. Na, noong April 14, 2023 ang oras ika-8:20 ng gabi, ang nasabing ARD na Realme 8 na ginamit ko sa pag-video sa nasabing operasyon ay aking ibinigay kay PCMS Severo R Estonina II.

6. Na, ginawa ko ang salaysay na ito upang ilahad ang buong pangyayari kung paano ko kinunan ng video ang aktwal na pag-aresto kay Joey Antonio Garga at walang sinuman ang pumilit, nanuhol o nangako ng kahit anuman kapalit ng salaysay kong ito.

SA KATUNAYAN NG LAHAT NG ITO, ako ay lumagda ng aking buong pangalan at apelyido ngayong ika-17 ng Abril 2023 dito sa Himpilan ng Pulisya, Bayan ng Mansalay, Silangang Mindoro.


PSSg Kevin Christopher C Condes
(Nagsalaysay)

SUBSCRIBED AND SWORN TO before me this 17th day of April 2023 in Mansalay, Oriental Mindoro, Philippines and I hereby certify that I have personally examined the affiant under oath and that I am fully satisfied and he voluntarily executed and understood his given statement.



Republika ng Pilipinas)
Lalawigan ng Silangang Mindoro) S.S.
Bayan ng Mansalay)
X-----X

SINUMPAANG SALAYSAY
(Arresting/ Seizing Officer)

AKO, PSSg Joseph Froilan M Manalo nasa wastong gulang, may asawa, kawani ng Pambansang Pulisya ng Pilipinas at kasalukuyang nakatalaga sa Mansalay MPS, Mansalay, Silangang Mindoro, matapos mabatid ang aking mga karapatan ng naaayon sa ating Saligang Batas ay malaya at kusang-loob na nagbibigay ng salaysay na gaya ng mga sumusunod:

1. Na, noong ika-14 ng Abril 2023, humigit kumulang alas 10:00 ng umaga habang kami ni PSSg Kevin Christopher C Condes ay nagsasagawa ng intel monitoring at magserve ng Subpoena sa Sitio Barubo, Brgy. B Del Mundo, Mansalay, Silangang Mindoro.

2. Na, habang kami ay nag mamanman sa nasabing lugar ay may narinig kaming tunog ng isang chainsaw na umaandar kung kaya't iyon ay agad naming tinungo upang alamin ang pangyayari at aming naabutan at naaktuhang naglalagari ng puno ng Gemilina (Paper tree) at amin itong nilapitan at kinausap, nagsimula ang pag-video ang aking kasamahan na si PSSg Kevin Christopher C Condes ay simula ng aming tinungo ang lugar kung saan nagaganap ang paglalagari gamit ang chainsaw alinsunod sa A.M. No. 21-06-08-SC (Rules on the Use of Body-Worn Cameras in the Execution of Warrants.).

3. Na, amin siyang nakilala na si Joey Antonio Garga, 35 taong gulang, binata, chainsaw operator at nakatira sa Sitio Bailan, Brgy. Mabuhay, Roxas, Silangang Mindoro. At siya ay hinanapan ko ng anumang kaukulang dokumento hinggil sa kaniyang ginamit na chainsaw na Stihl na may serial number na S-181964948, at siya naman ay agad na tumugon at ipinakita sa akin ang dokumento ng nasabing chainsaw, subalit ng ito ay aking usisain ay aking napag-alaman na ang nasabing dokumento (Certificate of Registration with expiry date April 6, 2023) ay expired na, at dahil sa pangyayari siya Joey Antonio Garga ay aking binasahan ng kanyang karapatan alinsunod sa ipinag-uutos ng ating saligang batas at siya (Joey Antonio Garga) ay aking inaresto at siya ay dinala sa aming himpilan gayun din ang nakumpiskang ebidensya para madokumentuhan.

4. Na, noong Abril 17, 2023 mga humigit-kumulang sa alas 8:50 ng umaga ay iturn-over sa opisina ng CENRO, Brgy. San Mariano, Roxas ang nakumpiskang ebidensya (Chainsaw Stihl na may serial number na S-181964948) at gayun din ay sa harap ng empleyado ng CENRO ay aking minarkahan ng **JAG** ang isang Stihl chainsaw na may serial number na S-181964948.

NA SA KATUNAYAN ng lahat ng ito, ako ay lumagda ng aking buong pangalan sa ibaba nito ngayong ika- 17 ng Abril 2023 dito sa Mansalay, Silangang Mindoro upang sampahan ng hablang Violations of R.A. 9175 si Joey Antonio Garga.

WAKAS NG SALAYSAY.

PSSg Joseph Froilan M Manalo
(Nagsalaysay)

JURAT/CERTIFICATION

SUBSCRIBED AND SWORN to before me this 17th day of April 2023 in Mansalay, Oriental Mindoro, Philippines, I HEREBY CERTIFY that I have personally examined the affiants and I am fully satisfied that the affiants voluntarily executed his affidavit and he knew well and understood all the contents of his statements.

JOEL S SAGUID
Police Major
Administering Officer



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
ORIENTAL MINDORO POLICE PROVINCIAL OFFICE
MANSALAY MUNICIPAL POLICE STATION
Barangay Poblacion, Mansalay, Oriental Mindoro



April 17, 2023

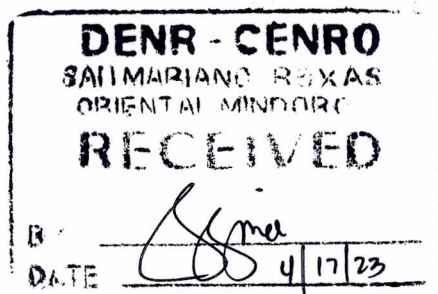
The Chief of CENRO

Department of Environment and Natural Resources
San Mariano, Roxas, Oriental Mindoro

Sir:

Respectfully turn-over to your office for proper disposition and safekeeping the one (1) unit of STIHL chainsaw with serial number S-181964948 marked as **JAG** operated by **Joey Antonio Garga**, (Arrested), 35 years old, single, chainsaw operator and a resident of Sitio Bailan, Brgy. Mabuhay, Roxas, Oriental Mindoro, was confiscated by the elements of this Station in Sitio Barubo, Brgy. B. Del Mundo, Mansalay, Oriental Mindoro on April 14, 2023.

Please acknowledge receipt.



JOEL S. SAGUID
Police Major
Chief of Police



Republic of the Philippines
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Barangay Poblacion, Mansalay, Oriental Mindoro



MEMORANDUM

MMPSE-2023-0414-002

FOR : Provincial Director
Oriental Mindoro PPO
Barangay Cacawan, Pinamalayan, Oriental Mindoro
(ATTN: Chiefs, PIDMU, PIU & POMU)

FROM : Acting Chief of Police

SUBJECT : **Spot Report on Violation of R.A.9175**

DATE : April 14, 2023

1. On April 14, 2023 at about 1:00 PM while intel operatives of this station led by PSSg Joseph Froilan M Manalo were conducting intel monitoring at Sitio Barubo, Brgy. B Del Mundo, Mansalay, Oriental Mindoro when accidentally chance upon one person identified as Joey Antonio Garga, 35 years old, single, chainsaw operator and a resident of Sitio Bailan, Brgy. Mabuhay, Roxas, Oriental Mindoro caught in the act cutting a Gemilina tree using a chainsaw. Upon verification the team found out that the said chainsaw STIHL with serial number S-181964948 owned by Jenna Daguno has an expired permit to operate from DENR which resulted in the confiscation of said chainsaw. The arrested person together with the recovered evidence was placed under the custody of this station for proper disposition. The investigator on Case is PCMS Severo R Estonina II with contact number 09266517028.

2. For your information.




PMAJ JOEL S SAGUID
Police Major



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

CERTIFICATE OF REGISTRATION

No. 2021-23

After having complied with the provisions of DENR Administrative Order No. 2003-24, Series of 2003 otherwise known as "The Implementation, Guidelines of the Chainsaw Act of 2002 (RA No. 9175) entitled "ACT REGULATING THE POSSESSION OWNERSHIP, SALE IMPORTATION AND USE OF CHAINSAW REPENALIZING VIOLATIONS THEREOF AND FOR THE OTHER RELATED PURPOSES." This Certificate of registration to possess, own or use chainsaw is hereby issued to:

JENNA DAGUNO
(Name of Owner)

Barangay Dangay, Roxas, Oriental Mindoro
(Address)

Bearing the following information and descriptions:

Use of the Chainsaw: Orchard-Tree Farms, Tree Plantation and Coco Lumber

Brand : STIHL Model No : MS-070

Date of Acquisition : April 20, 2018 Serial Number : S-181964948

Horsepower : 070

Maximum length of Guide Bar : 36 inches

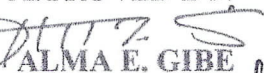
Others : _____

Issued on : April 07, 2021 at DENR-CENRO, Roxas, Oriental Mindoro

Expiry Date : April 06, 2023

As authenticated copy of this Certificate must accompany the chainsaw at all times.

APPROVED BY:


ALMA E. GIBE

OIC, CENR Officer

Registration Fee : P 500.00

Official Receipt Number : 9173459

Date : APR 07 2021

Purok Camia 2, Barangay San Mariano, Roxas, Oriental Mindoro
cenroroxas_orientalmin@yahoo.com



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

APPLICATION

Application No. CNSW-2021

Type: () New

(/) Renewal

Date: April 07, 2021

RED/CENRO concerned:

CENR Officer:

San Mariano, Roxas, Oriental Mindoro

Sir;

I/WE, JENNA DAGUNO at Barangay Dangay, Roxas, Oriental Mindoro and Telephone No/CP No. 09500742089 hereby applied for (Please check appropriate box):

- ☒ Certificate of Registration of Chainsaw (Renew)
- ☐ Permit to import chainsaw
- ☐ Permit to Manufacture
- ☐ Permit to purchase, sell, re-sell, distribute or transfer of ownership of chainsaw.

The requirements called for under my/our application are attached for your evaluation.

I/WE understand that the filing of this application does not convey the authority to the undersigned to purchase, import, assemble, manufacture, sell, re-sell, distribute or use the chainsaws subject of application until such time that a Permit or Certificate of Registration is issued by DENR.

I/WE further understand that any false statement, misrepresentation and/or misdeclaration stated therein shall be ground for denial and/or revocation of registration without prejudice to the filing of appropriate legal action.

Very truly yours,


JENNA DAGUNO

Signature over Printed Name of the
Applicant

Purok Camia 2, Barangay San Mariano, Roxas, Oriental Mindoro
cenroroxas_orientalmin@yahoo.com



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

TERMS AND CONDITIONS

1. The registered chainsaw shall be used for legitimate purpose only. Unauthorized use of the chainsaw shall be a ground for the cancellation of this Certification of Registration.
2. The CENRO concerned or nearest DENR Office should be informed in writing with thirty (30) Calendar days if the registered chainsaw was lost.
3. In case of unserviceable chainsaw the owner shall immediately report the same to the CENRO concerned and request for the revocation of the Certificate of Registration provided that if the Certificate of Registration has expired, the owner shall notify the CENRO in writing that he/she is no longer renewing the Certificate of Registration.


JENNA DAGUNO
Owner


ALMA E. GIBE
OIC, CENR Officer

Jerra Dagua
Dagay, Nixon, Dr. Mindoro

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