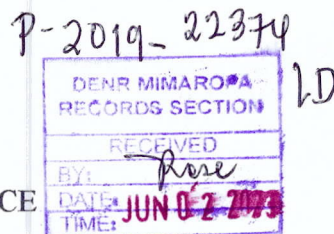




Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434 - 8791
Email Add: penropalawan@denr.gov.ph



May 16, 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 : REQUEST FOR CONFISCATION ORDER AND ORDER OF
FINALITY FOR MITSUBISHI DELICA VAN WITH PLATE NO.
RAW-668 OWNED BY NELIAN DELA CUESTA APPREHENDED
LAST FEBRUARY 5, 2006

Respectfully forwarded is the memorandum of CENRO Puerto Princesa, Palawan dated April 12, 2023 relative to the above subject.

Per memorandum, CENRO Puerto Princesa is requesting the issuance of Order of Finality for the "*Administrative Hearing and Investigation Report of Confiscated 499.85 board feet lumbers of Ipil species loaded on a Shuttle Van bearing Plate No. RAW-668 at Purok Kasikaan, Barangay Bacungan, Puerto Princesa City, Palawan.*" The report of the administrative hearing was forwarded to Regional Office last September 20, 2006. Attached are the photo copy of CENRO PPC memorandum dated September 15, 2006 and March 17, 2006 for your ready reference.

For your information and further instruction.

"For the PENRO"

[Signature]
RONIE B. GANDEZA
DMO IV/ OIC-Chief TSD
Officer In-Charge, PENRO

Copy Furnished
CENRO Quezon, Palawan
JCP/MES/Doc. Ref. No. 2023-3429

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By: *[Signature]*
Date: 18 MAY 2023

23-3429/23-4/2



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
South National Highway, Bgy. Sta. Monica Puerto Princesa City
Email Address: cenropuertoprincesa@denr.gov.ph
Tel. Fax No.: (048) 717-0702

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 L&S Bldg., Roxas Boulevard, Ermita, Manila

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

FROM : The OIC, Community Environment and Natural Resources Officer

SUBJECT : **REQUEST FOR CONFISCATION ORDER AND ORDER OF FINALITY FOR MITSUBISHI DELICA VAN WITH PLATE NO. RAW-668 OWNED BY NELIAN DELA CUESTA APPREHENDED LAST FEBRUARY 5, 2006**

DATE : April 12, 2023

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

BY: *[Signature]*
DATE: 04-14-2023 CN: 23-3429

Respectfully requesting the issuance of Order of Finality for the “**ADMINISTRATIVE HEARING AND INVESTIGATION REPORT OF CONFISCATED 499.85 BOARD FEET IPIL LUMBERS LOADED ON A SHUTTLE VAN BEARING PLATE NUMBER RAW 668 AT PUROK KASIKAN, BRGY. BACUNGAN, PUERTO PRINCESA CITY.**” The report of the administrative hearing was forwarded to Regional Office on September 20, 2006.

This request is based on the letter request of Mr. Eugene Carlo A. Dela Cuesta III for the release of the above mention conveyance.

Attached are photocopy of CENRO PPC Memorandum dated September 15, 2006 and March 17, 2006 for your ready reference.

For information, consideration, and approval.

[Signature]
PEDRO A. VELASCO

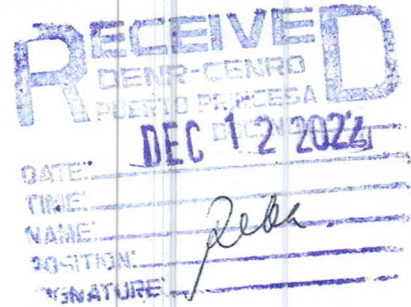
**DENR MIMAROPA REGIONAL
OFFICE - PUERTO PRINCESA
RELEASED**
NO: *876*
DATE: *4-14-23*
BY: *[Signature]*

December 12, 2022

PEDRO A. VELASCO

OIC- CENRO

Sta. Monica, Puerto Princesa City



Sir,

Greetings!

May I inquire and follow-up my request for the release of our vehicle which is a Mitsubishi Delica Van bearing plate number RAW-668 owned and named to my mother Nellan A. Dela Cuesta.

Hoping for your favourable response.

Thank you and God bless.

Sincerely,


Eugene Carlo A. Dela Cuesta III

0928-202-8898



Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PUERTO PRINCESA CITY
South National Highway, Bgy. Sta. Monica Puerto Princesa City
Email Address: cenropuertoprincesa@denr.gov.ph
Tel. Fax No.: (048) 717-0702

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 L&S Bldg., Roxas Boulevard, Ermita, Manila

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

FROM : The OIC, Community Environment and Natural Resources Officer

SUBJECT : **REQUEST FOR CONFISCATION ORDER AND ORDER OF FINALITY FOR MITSUBISHI DELICA VAN WITH PLATE NO. RAW-668 OWNED BY NELIAN DELA CUESTA APPREHENDED LAST FEBRUARY 5, 2006**

DATE : **April 12, 2023**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**

BY:
DATE: 04/14/2023 DN 23-3429

Respectfully requesting the issuance of Order of Finality for the “**ADMINISTRATIVE HEARING AND INVESTIGATION REPORT OF CONFISCATED 499.85 BOARD FEET IPIL LUMBERS LOADED ON A SHUTTLE VAN BEARING PLATE NUMBER RAW 668 AT PUROK KASIKAAN, BRGY. BACUNGAN, PUERTO PRINCESA CITY.**” The report of the administrative hearing was forwarded to Regional Office on September 20, 2006.

This request is based on the letter request of Mr. Eugene Carlo A. Dela Cuesta III for the release of the above mention conveyance.

Attached are photocopy of CENRO PPC Memorandum dated September 15, 2006 and March 17, 2006 for your ready reference.

For information, consideration, and approval.

PEDRO A. VELASCO

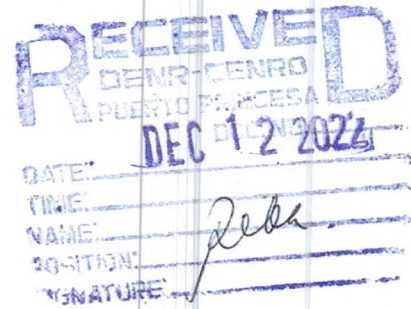
**DENR MIMAROPA REGIONAL OFFICE
PUERTO PRINCESA CITY
RELEASED**
NO: 876
DATE: 4-14-23
BY:

December 12, 2022

PEDRO A. VELASCO

OIC- CENRO

Sta. Monica, Puerto Princesa City



Sir,

Greetings!

May I inquire and follow-up my request for the release of our vehicle which is a Mitsubishi Delica Van bearing plate number RAW-668 owned and named to my mother Nellan A. Dela Cuesta.

Hoping for your favourable response.

Thank you and God bless.

Sincerely,


Eugene Carlo A. Dela Cuesta III

0928-202-8898

7/1/04
Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay Sta. Monica, Puerto Princesa City

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
L & S Bldg., 1515 Roxas Blvd., Manila

THRU : The Provincial Environment and
Natural Resources Officer
Puerto Princesa City

FROM : The Community Environment and
Natural Resources Officer
Puerto Princesa City

SUBJECT : RADMES RE: APPREHENDED 499.85 BD.FT. IPL
LUMBER LOADED IN A SHUTTLE VAN BEARING
PLATE NO. RAW 668 AT PUROK KASIKAN, BGY.
BACUNGAN, PUERTO PRINCESA CITY.

DATE : September 15, 2006

This is in connection with your radio message received dated August 22, 2006 regarding the above cited subject to conduct another administrative hearing to give a chance to Mr. Edwin dela Cuesta to ventilate his side following the due process.

Please be informed that on September 13, 2006 this office scheduled the administrative hearing wherein Mr. Edwin dela Cuesta had attended. That during the hearing he informed the hearing officer that he will no longer give oral statement but instead his Counter Affidavit submitted to City Prosecution Office copy furnished this office received on June 21, 2006 will serve as his statement of the subject case.

Further, this office already filed a complaint in the City Prosecutors Office against Edwin dela Cuesta on May 16, 2006 for violation of Sec. 77 (formerly Sec. 68) of P.D. 705 as further amended by E.O. 277 and R.A. 7161 docketed under I.S. No. 06-380.

That per Resolution dated June 30, 2006 of Prosecutor I Carlos F. Santos, Jr. stated that there is a reasonable ground to believe that the crime had been committed by the respondent, and that the respondent probably guilty thereof, and should be held for trial. The subject case was recommended by the Prosecutor that an information be filed in court charging the accused for such violation.

Attached herewith the xerox copy of Notice of Hearing, Counter Affidavit of Mr. Edwin dela Cuesta and Resolution of Prosecutor I Carlos F. Santos, Jr. for your ready reference.

For his information, evaluation and further instruction.

[Signature]

0640

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PENRO Compound, Barangay Sta. Monica, Puerto Princesa City

MEMORANDUM

FOR: The Regional Executive Director
DENR MIMAROPA Region
L & Bldg., Roxas Blvd., Manila

THRU: The Provincial Environment and
Natural Resources Officer
Puerto Princesa City

FROM: The Community Environment and
Natural Resources Officer

SUBJECT: SUBMISSION OF INVESTIGATION AND ADMINISTRATIVE
HEARING REPORT OF CONFISCATED 499.85 BD. FT.
IPIL LUMBER LOADED ON A SHUTTLE VAN BEARING
PLATE NO. RAW 668.

DATE: March 17, 2006



Respectfully submitted for your information, evaluation and further appropriate action is the Investigation and Administrative Hearing Report of the confiscated 499.85 board feet ipil lumber loaded on a Shuttle Van with Plate No. RAW 668.

Please be informed that the 39 pieces of ipil lumber with an equivalent volume of 499.85 board feet were apprehended by composite team of DENR-CENRO, Bantay Gubat and Kilos Agad Action Center (KAAC) personnel at Purok Kasikaan, Barangay Bacungan, Puerto Princesa City last February 5, 2006 loaded on Shuttle Van bearing Plate No. RAW 668 without the required transport permit. The subject shuttle van is owned and driven by Mr. Edwin dela Cuesta, a resident of Banca-bancao, Puerto Princesa City. The above items were temporarily deposited at City Hall Compound, Barangay Sta. Monica, Puerto Princesa City under custody of Mr. Jocson Ansgar, Security Guard on duty while the matter is under further investigation.

During the administrative hearing scheduled on February 13, 2006, Mr. Edwin dela Cuesta invoked his constitutional rights to obtain a counsel to assist him in the hearing. He requested the Hearing Officer to re-set and to return and inform on the next day after consultation and upon knowing the vacant day of his lawyer for the schedule of subject hearing but Mr. dela Cuesta failed to showed up on the said day.

Mr. Tony Laab of KAAC/Apprehending Officer testified that about 3:00 A.M. of February 5, 2006, their office received information from Bantay Gubat Office that a Delica Van with Plate No. RAW 668 is allegedly loaded with lumber going direction to City proper. That they immediately formed a team and immediately proceeded/responded, while on their way aboard on their service vehicle, they seen approaching the subject Delica Van that matched with the description given by the informant. That when they confirmed, they immediately maneuvered, chased and followed the subject vehicle with an estimated running speed of 40-50 kph. They requested the driver to momentary stop and the driver responded and he opened the door


and previously apprehended by their office of same offense. That when Mr. Laab is in motion to step down in their service vehicle and that the driver sensed that he will be apprehended, he immediately speed up his van going direction to City proper and upon reaching the junction of Barangay Bacungan, the driver turned right going to Candes and after which the team could no longer determine the location of the vehicle. Mr. Laab further testified that their group searched the area and later they found and locate the van on downward position and its lights still blinking abandoned by the driver near the river bank. They tried to find nearby the persons involved in the loading and transport of subject lumber but they failed to locate their whereabouts. That their team immediately requested assistance from the Barangay officials, PNP and DENR for further investigation.

Forest Ranger Elmore Maquitoque narrated that on or about 4:00 A.M. of February 5, 2006, KAAC personnel coordinated to him informing that their other group chased a van loaded with lumber. That while on their way to the area, they learned thru handheld radio that the subject van was already located and found near river bank of Barangay Bacungan. That upon reaching the area and after coordination with the apprehending team, he decided to open the van with the presence of other law enforcement officers and barangay officials to conduct inventory and scale the lumber loaded on the van. As a result of scaling, disclosed that there are 39 pieces of ipil lumber with an equivalent volume of 499.85 board feet. That after unloading, the van was pulled from its direction and the lumbers were again reloaded on the van. That per his initial investigation, he recovered documents/papers (Community Tax Certificate, Criminal Complaint, Subpoena, Unsigned Urgent Motion To Release Vehicle and other supporting documents) inside the van as proof and pinpointing, Mr. Edwin dela Cuesta as the alleged owner of the conveyance. The team decided to haul and deposit the subject items including the conveyance used at City Hall Compound under custody of Mr. Ansgar Jocson, Security Guard on duty.

That a second notice for the administrative hearing regarding the matter scheduled on March 13, 2006 was sent and properly acknowledged by Mr. Edwin dela Cuesta but still he failed to attend of unknown reason.

Foregoing considered and after thorough evaluation of the case in so far as administrative proceedings is concerned this office disclosed that there is a prima evidence committed beyond reasonable doubt to warrant the filing of criminal charges against Edwin dela Cuesta for violation of Section 77 (formerly Section 68) of P.D. 705 as further amended by E.O. 277 and R.A. 7161. It is recommended that the lumber including the conveyance used should be confiscated in favor of the government and subsequently issuance of Forfeiture Order.

For his information, evaluation and further instruction.


BOGLIU D. PAGLINAWAN

7/11/06
Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay Sta. Monica, Puerto Princesa City

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
L & S Bldg., 1515 Roxas Blvd., Manila

THRU : The Provincial Environment and
Natural Resources Officer
Puerto Princesa City

FROM : The Community Environment and
Natural Resources Officer
Puerto Princesa City

SUBJECT : RADMES RE: APPREHENDED 499.85 BD.FT. IPL
LUMBER LOADED IN A SHUTTLE VAN BEARING
PLATE NO. RAW 668 AT PUROK KASIKAAN, BGY.
BACUNGAN, PUERTO PRINCESA CITY.

DATE : September 15, 2006

This is in connection with your radio message received dated August 22, 2006 regarding the above cited subject to conduct another administrative hearing to give a chance to Mr. Edwin dela Cuesta to ventilate his side following the due process.

Please be informed that on September 13, 2006 this office scheduled the administrative hearing wherein Mr. Edwin dela Cuesta had attended. That during the hearing he informed the hearing officer that he will no longer give oral statement but instead his Counter Affidavit submitted to City Prosecution Office copy furnished this office received on June 21, 2006 will serve as his statement of the subject case.

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For his information, evaluation and further instruction.

[Signature]

0640

Republic of the Philippines
Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
PENRO Compound, Barangay Sta. Monica, Puerto Princesa City

MEMORANDUM

FOR: The Regional Executive Director
DENR MIMAROPA Region
L & Bldg., Roxas Blvd., Manila

THRU: The Provincial Environment and
Natural Resources Officer
Puerto Princesa City

FROM: The Community Environment and
Natural Resources Officer

SUBJECT: SUBMISSION OF INVESTIGATION AND ADMINISTRATIVE
HEARING REPORT OF CONFISCATED 499.85 BD. FT.
IPIL LUMBER LOADED ON A SHUTTLE VAN BEARING
PLATE NO. RAW 668.

DATE: March 17, 2006



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For his information, evaluation and further instruction.


EOCILIO D. PAGLINAWAN