



JUN 08 2023

☐ INCOMING ☐ OUTGOING

BY: May 3, 2023 DATE NO. _____

MEMORANDUM

**FOR : The Regional Executive Director
DENR-MIMAROPA Region**

THRU : The OIC, Assistant Regional Director for Technical Services

FROM : The OIC, PENR Officer

**SUBJECT : RESULT OF ADMINISTRATIVE CONFISCATION
PROCEEDINGS OVER THE APPREHENDED SIX (6) PIECES
OF LOGS OF TALUTO, ANTIPOLLO, CUJAOJAO AND
PALASAHINGIN WITH A TOTAL VOLUME OF 5.34 CUBIC
METERS IN SO. LAPOTE, BARANGAY MANGYAN
MABABAD, MOGPOG MARINDUQUE ON SEPTEMBER 27,
2022**

Respectfully forwarded is the memorandum dated 12 January 2023 of SFMS Joybert F. Mijares, Hearing Officer of Technical Services Division regarding the above-cited subject.

The report disclosed that on September 27, 2022 personnel of this Office under Monitoring and Enforcement Section (MES) conducted site investigation and verification regarding the reported illegal cutting of trees in Sitio Lapote, Barangay Mangyan, Mababad, Mogpog, Marinduque. Per verification, it was discovered a total of six (6) trees were felled down which are identified as two (2) Taluto (*Pterocymbium tinctorium*), two (2) Antipollo (*Artocarpus blancoi*), one (1) Cujaojao (*Alstonia macrophylla*) and one (1) Palsahingin (*Canarium asperum*) with an approximate volume of 5.34 cubic meters or 2264.16 bd.ft.. However, based on the record of this Office the said forest products have no tree cutting permit issued by this Office.

Relative thereto, the apprehended forest products was brought to DENR Impounding area at Barangay Ulong, Mogpog, Marinduque.

In view of the foregoing and pursuant to Section 7 of DAO 97-32, a Notice of Hearing was prepared by this Office for the alleged violators of Messrs, Rommel Dy, Sannie Boy Marcial, Rein Mark Ola was scheduled on November 08, 2022. Likewise, the Notice of Hearing for Antonio Muhi, Rendontor Limpiada, and Joseph Mauzar was scheduled on January 12, 2023 wherein based on their sworn statements, the following facts were found, to wit;

ROMMEL DY

- That, Mr. Rommel Dy admitted that he was the owner of JEDIDIAH Construction;
- That, Mr. Rommel Dy did not give any instruction on the cutting of trees without the cutting permit from the DENR;



May 3, 2023

MEMORANDUM

**FOR : The Regional Executive Director
DENR-MIMAROPA Region**

THRU : The OIC, Assistant Regional Director for Technical Services

FROM : The OIC, PENR Officer

**SUBJECT : RESULT OF ADMINISTRATIVE CONFISCATION
PROCEEDINGS OVER THE APPREHENDED SIX (6) PIECES
OF LOGS OF TALUTO, ANTIPOLLO, CUJAOJAO AND
PALASAHINGIN WITH A TOTAL VOLUME OF 5.34 CUBIC
METERS IN SO. LAPOTE, BARANGAY MANGYAN
MABABAD, MOGPOG MARINDUQUE ON SEPTEMBER 27,
2022**

Respectfully forwarded is the memorandum dated 12 January 2023 of SFMS Joybert F. Mijares, Hearing Officer of Technical Services Division regarding the above-cited subject.

The report disclosed that on September 27, 2022 personnel of this Office under Monitoring and Enforcement Section (MES) conducted site investigation and verification regarding the reported illegal cutting of trees in Sitio Lapote, Barangay Mangyan, Mababad, Mogpog, Marinduque. Per verification, it was discovered a total of six (6) trees were felled down which are identified as two (2) Taluto (*Pterocymbium tinctorium*), two (2) Antipollo (*Artocarpus blancoi*), one (1) Cujaojao (*Alstonia macrophylla*) and one (1) Palsahingin (*Canarium asperum*) with an approximate volume of 5.34 cubic meters or 2264.16 bd.ft.. However, based on the record of this Office the said forest products have no tree cutting permit issued by this Office.

Relative thereto, the apprehended forest products was brought to DENR Impounding area at Barangay Ulong, Mogpog, Marinduque.

In view of the foregoing and pursuant to Section 7 of DAO 97-32, a Notice of Hearing was prepared by this Office for the alleged violators of Messrs, Rommel Dy, Sannie Boy Marcial, Rein Mark Ola was scheduled on November 08, 2022. Likewise, the Notice of Hearing for Antonio Muhi, Rendontor Limpiada, and Joseph Mauzar was scheduled on January 12, 2023 wherein based on their sworn statements, the following facts were found, to wit;

ROMMEL DY

- That, Mr. Rommel Dy admitted that he was the owner of JEDIDIAH Construction;
- That, Mr. Rommel Dy did not give any instruction on the cutting of trees without the cutting permit from the DENR;



- That, according to Mr. Rommel Dy, the DENR and DPWH has already conducted inspection/inventory of the trees to be affected during the road construction;
- That, Mr. Rommel Dy is still waiting for the cutting permit from the DENR for the said road projects and Mr. Rommel Dy's instruction is to clean the area and not to cut the tree.
- That, Mr. Rommel Dy have no idea on the other trees that was allegedly cut by his staff,

SANNIE BOY N. MARCIAL & REIN MARK OLA

- That, Messrs. Sannie Boy Marcial and Rein Mark Ola work with JEDIDIAH Construction as spotter and backhoe operator respectively;
- That, Mr. Reign Mark Ola also admitted that Sannie Boy N. Marcial is only his spotter;
- That, Mr. Reign Mark Ola and Sannie Boy N. Marcial admitted that they get the instruction from their foreman namely Redentor Limpiada, Jr. to cut the two (2) Taluto trees and not from Mr. Rommel Dy;
- That, according to Mr. Reign Mark Ola, the backhoe operator mentioned that the other trees such as one (1) cujaojao (Batino) and one (1) palsahingin were already felled down due to landslide;
- That, Mr. Rein Mark Ola only acted on the request of Barangay Chairman Antonio Muhi of Brgy. Mababad, Mogpog to remove the felled trees including the soil and rock debris caused by landslide during the typhoon that block the road to make it passable;
- That, Mr. Reign Mark Ola, the backhoe operator's action is with permission from Mr. Rommel Dy, the owner of the construction company as per request of Barangay Chairman Antonio Muhi;
- That, Mr. Reign Mark Ola categorically denied the allegation that he cut the two (2) Antipolo trees;
- That, it was Joseph Mauzar of Barangay Boc-Boc, Mogpog, Marinduque, the heavy equipment operator personnel of the Provincial Engineering Office who cut/felled the said two (2) Antipolo tree;
- That, Mr. Rein Mark Ola also admitted that Mr. Rommel Dy has no participation or instruction to cut the trees;
- That, the instruction to cut/remove the trees came from his foreman in the name of Mr. Reden Limpiada.

ANTONIO L. MUHI

- That, Mr. Antonio Muhi is 76 years old, married and currently the Barangay Chairman of Barangay Mangyan Mababad, Mogpog, Marinduque.
- That, Mr. Antonio Muhi first seek the assistance from Rommel Dy, owner of JEDIDIAH Construction to help him clear the area from soil and rock debris including the two felled trees (one (1) cujaojao (Batino) and one (1) palsahingin) caused by landslide during the typhoon using his heavy equipment (back hoe).



- That, Mr. Antonio Muhi only acted in his official capacity as the Barangay Captain to clear the area and make the area passable for his constituent to avoid further damage to life and property;
- That, Mr. Antonio Muhi also personally approached the Honorable Mayor Agosto Livelo of the municipality of Mogpog and seek assistance to clear the road from soil and rock debris caused by landslide to make the road passable to any vehicle and to include the removal of two (2) Antipolo trees (one already felled down and the other one is already leaning that may cause damage to life and property).

JOSEPH MAUZAR

- That, Mr. Joseph Mauzar is a heavy equipment operator of the Provincial Engineering Office of Marinduque.
- That, every day Mr. Joseph Mauzar is reporting to the Mayor's office and get fuel for the heavy equipment (back hoe) stationed in Mogpog River doing dredging;
- That, Mr. Joseph Mauzar personally ask the Honorable Mayor Agosto Livelo if he is aware on the request of Barangay Captain Muhi to clear the road from soil and rock debris including the already felled down two (2) Antipolo tree and to cut down the other remaining leaning Antipolo tree;
- That, Mr. Joseph Mauzar mentioned that, the Honorable Mayor Livelo instructed him to act on the request of the Barangay Captain Muhi to clear the road from soil and rock debris caused by landslide including the felled down Antipolo tree and also the felling down of the other leaning Antipolo tree that is already hazardous to the residence and the by passer;
- That, he acted based on the verbal instruction of the Honorable Mayor Agosto Livelo in response to the verbal request of Honorable Barangay Captain Antonio Muhi to facilitate the clearing of the soil and rock debris including two (2) landslide damage Antipolo trees that is already posing hazard to the public and vehicles using the road.

REDENTOR M. LIMPIADA, JR.

- That, Mr. Redentor Limpiada Jr. is the current foreman of JEDIDIAH Construction;
- That, Mr. Redentor Limpiada instructed the cutting down of (2) two Taluto (*Pterocymbium tinctorium*) trees to the operator as the trees will affect the conveyance to the construction of road and he also mentioned that Mr. Rommel Dy, the owner of the construction company has nothing to do with the cutting of trees;
- That, Mr. Redentor Limpiada Jr instructed to cut/remove the 2 taluto trees and acted is his personal action and decision as the Foreman to facilitate delivery of construction materials to start the construction and to avoid the delay on the construction of road.

SUMMARY AND CONCLUSION

1. Considering the aforementioned statements provided by the parties involved in the incident, together with the investigation conducted by the DENR personnel, the inventoried trees are to be considered as felled trees except for the two (2) Taluto trees



which were damaged and affected by the typhoon hence, its immediate removal is necessary so as to prevent possible accident in the area.

2. During the conduct of administrative hearing conducted, Mr. Redentor Limpiada, Jr admitted that he was the one who instructed the cutting of two taluto to give way in the construction of the road project. Moreover, Rein Ola, the backhoe operator, disclosed that he was the one who carried out the instruction of Mr. Limpiada, Jr. together with Mr. Marcial as his spotter.
3. Based on their statements, Mr. Rommel Dy did not give any instruction to his staff to cut any trees prior to the issuance of tree cutting permit from the DENR, and he was also not aware of any cutting which involved two (2) taluto trees. Furthermore, it can be considered that Joseph Mauzar and Brgy. Chairman Antonio Muhi were not involved in any illegal activity sanctioned by law for the reason that they only removed those identified as felled down trees damaged by a typhoon so as to avoid any danger to the public that the trees may pose without any intention of utilizing, possessing or appropriating the same unlawfully and/or for their benefit.

RECOMMENDATIONS

Considering the circumstances of the case and in accordance with the legal and technical findings of this Office, it can be concluded that two (2) Taluto of the six (6) forest products were illegally cut, and all of the subject trees are undocumented due to lack of appropriate permit/documents in accordance with existing environmental laws, rules and regulations. Therefore, this office respectfully recommends for the issuance of a confiscation order for the **SIX (6) PIECES LOGS OF TALUTO, ANTIPOLLO, CUJAOJAO AND PALSAHINGIN WITH A TOTAL VOLUME OF 5.34** cubic meters so as lawfully retrieve and possess the same from barangay who served as its caretaker, to be delivered to the DENR-PENRO Marinduque's log depository area located in Sitio Ulong, Capayang, Mogpog, Marinduque. It is also recommended that a criminal complaint be filed against **MESSRS. REDENTOR M. LIMPIADA, JR., REIN MARK OLA AND SANNIE BOY N. MARCIAL** for violation of **Section 77 of PD 705** ("The Revised Forestry code of the Philippines") as amended.

Attached is the copy of the minutes of the Administrative Confiscation Proceedings (ACP) for your reference.

For information, record and further evaluation.


IMELDA M. DIAZ



January 12, 2023

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief Technical Services Division

FROM : The Hearing Officer

SUBJECT : **RESULT OF ADMINISTRATIVE CONFISCATION PROCEEDINGS OVER THE APPREHENDED SIX (6) PIECES OF LOGS OF TALUTO, ANTIPOLLO, CUJAOJAO AND PALASAHINGIN WITH A TOTAL VOLUME OF 5.34 CUBIC METERS IN SO. LAPOTE, BARANGAY MANGYAN MABABAD, MOGPOG MARINDUQUE ON SEPTEMBER 27, 2022**

The Administrative Confiscation Hearing stemmed from the verification/investigation conducted by the personnel of this Office on September 27, 2022 regarding the complaint of Mr. Rodrigo Lusterio through the 8888 hotline on the above cited subject.

After receiving the report, immediately some personnel of Monitoring and Enforcement Section (MES) was dispatched to validate the complaint and conducted site investigation and verification regarding the reported illegal cutting of trees in So. Lapote, Barangay Mangyan, Mababad, Mogpog, Marinduque. During the conduct of on-site investigation, it was discovered that, a total of that six (6) trees were felled down which are identified as two (2) Taluto (*Pterocymbium tinctorium*), two (2) Antipolo (*Artocarpus blancoi*), one (1) Cujaojao (*Alstonia macrophylla*) and one (1) Palsahingin (*Canarium asperum*) with an approximate volume of 5.34 cubic meters or 2264.16 bd.ft.. However, based on the record of this Office the said forest products have no tree cutting permit issued by this Office. Furthermore, the apprehended forest products was put under the custody of Barangay Kagawad Cristian R. Inglesia of Barangay Mangyan, Mababad, Mogpog, Marinduque.

In view of the foregoing and pursuant to Section 7 of DAO 97-32, the undersigned prepared Notice of Hearing for the alleged violators in the persons of, Messrs, Rommel Dy, Sannie Boy Marcial, Rein Mark Ola scheduled November 08, 2022, Antonio Muhi, Rendentor Limpiada, and Joseph Mauzar scheduled on January 12, 2023 wherein based on their sworn statements, the following facts were found, to wit;

ROMMEL DY

- That, Mr. Rommel Dy admitted that he was the owner of JEDIDIAH Construction;
- That, Mr. Rommel Dy did not give any instruction on the cutting of trees without the cutting permit from the DENR;



- That, according to Mr. Rommel Dy, the DENR and DPWH has already conducted inspection/inventory of the trees to be affected during the road construction;
- That, Mr. Rommel Dy is still waiting for the cutting permit from the DENR for the said road projects and Mr. Rommel Dy's instruction is to clean the area and not to cut the tree.
- That, Mr. Rommel Dy have no idea on the other trees that was allegedly cut by his staff,

SANNIE BOY N. MARCIAL & REIN MARK OLA

- That, Messrs. Sannie Boy Marcial and Rein Mark Ola work with JEDIDIAH Construction as spotter and backhoe operator respectively;
- That, Mr. Reign Mark Ola also admitted that Sannie Boy N. Marcial is only his spotter;
- That, Mr. Reign Mark Ola and Sannie Boy N. Marcial admitted that they get the instruction from their foreman namely Redentor Limpiada, Jr. to cut the two (2) Taluto trees and not from Mr. Rommel Dy;
- That, according to Mr. Reign Mark Ola, the backhoe operator mentioned that the other trees such as one (1) cujaojao (Batino) and one (1) palsahingin were already felled down due to landslide and make the road not passable;
- That, Mr. Reign Mark Ola only acted on the request of Barangay Chairman Antonio Muhi of Brgy. Mababad, Mogpog to remove the felled trees including the soil and rock debris caused by landslide during the typhoon that block the road to make it passable;
- That, Mr. Reign Mark Ola, the backhoe operator's action is with permission from Mr. Rommel Dy, the owner of the construction company as per request of Barangay Chairman Antonio Muhi;
- That, Mr. Reign Mark Ola categorically denied the allegation that he cut the two (2) Antipolo tree;
- That, it was Joseph Mauzar of Barangay Boc-Boc, Mogpog, Marinduque, the heavy equipment operator personnel of the Provincial Engineering Office who cut/felled the said two (2) Antipolo tree;
- That, Mr. Reign Mark Ola also admitted that Mr. Rommel Dy have no participation or instruction to cut the trees;
- That, the instruction to cut/remove the trees came from his foreman in the name of Mr. Reden Limpiada.

ANTONIO L. MUHI

- That, Mr. Antonio Muhi is 76 years old, married and currently the Barangay Chairman of Barangay Mangyan Mababad, Mogpog, Marinduque.
- That, Mr. Antonio Muhi first seek the assistance from Rommel Dy, owner of JEDIDIAH Construction to help him clear the area from soil and rock debris including the two felled trees (one (1) cujaojao (Batino) and one (1) palsahingin) caused by landslide during the typhoon using his heavy equipment (back hoe).



- That, Mr. Antonio Muhi only acted in his official capacity as the Barangay Captain to clear the area and make the area passable for his constituent to avoid further damage to life and property;
- That, Mr. Antonio Muhi also personally approached the Honorable Mayor Agosto Livelo of the municipality of Mogpog and seek assistance to clear the road from soil and rock debris caused by landslide and to include the removal of two (2) Antipolo trees (one already felled down and the other one is already leaning that may cause damage to life and property) caused by typhoon to make the road passable to any vehicle;

JOSEPH MAUZAR

- That, Mr. Joseph Mauzar is a heavy equipment operator of the Provincial Engineering Office of Marinduque.
- That, every day Mr. Joseph Mauzar is reporting to the Mayor's office and get fuel for the heavy equipment (back hoe) stationed in Mogpog River doing dredging;
- That, Mr. Joseph Mauzar personally ask the Honorable Mayor Agosto Livelo if he is aware on the request of Barangay Captain Muhi to clear the road from soil and rock debris including the already felled down two (2) Antipolo tree and to cut down the other remaining leaning Antipolo tree;
- That, Mr. Joseph Mauzar mentioned that, the Honorable Mayor Livelo instructed him to act on the request of the Barangay Captain Muhi to clear the road from soil and rock debris caused by landslide including the felled down Antipolo tree and also the felling down of the other leaning Antipolo tree that is already hazardous to the residence and the by passer and can may cause damage to life and property;
- That, he acted based on the verbal instruction of the Honorable Mayor Agosto Livelo in response to the verbal request of Honorable Barangay Captain Antonio Muhi to facilitate the clearing of the soil and rock debris including two (2) landslide damage Antipolo trees that is already posing hazard to the public and vehicles using the road.

REDENTOR M. LIMPIADA, JR.

- That, Mr. Rendtor Limpiada Jr. is the current foreman of JEDIDIAH Construction;
- That, Mr. Rendtor Limpiada instructed the cutting down of (2) two Taluto (*Pterocymbium tinctorium*) trees to the operator as the trees will affect the conveyance to the construction of road and he also mentioned that Mr. Rommel Dy, the owner of the construction company has nothing to do with the cutting of trees;
- That, Mr. Rendtor Limpiada Jr instructed to cut/remove the 2 taluto trees and acted is his personal action and decision as the Foreman to facilitate delivery of construction materials to start the construction and cannot cause much delay on the construction of road.

SUMMARY AND CONCLUSION

1. Considering the aforementioned statements provided by the parties involved in the incident, together with the investigation conducted by the DENR personnel, the

Capitol Compound, Barangay Bangbangalon, Boac, Marinduque
Telephone Nos.: (042) 332-1490/(042) 332-0727/(042) 332-0927/(042) 332-1913
Website: <https://penromarinduque.gov.ph/>
Email: penromarinduque@denr.gov.ph



inventoried trees are to be considered as felled trees except for the two (2) Taluto trees which were damaged and affected by the typhoon hence, its immediate removal is necessary so as to prevent possible accident in the area.

2. During the conduct of administrative hearing conducted, Mr. Redentor Limpiada, Jr admitted that he was the one who instructed the cutting of two taluto tree to give way in the construction of the road project. Moreover, Rein Mark Ola, the backhoe operator, disclosed that he is the one carried out the instruction of Mr. Limpiada, Jr. together with Mr. Sanny Boy Marcial as his spotter.
3. Based on their statements, Mr. Rommel Dy did not gave any instruction to his staff to cut any trees prior to the issuance of tree cutting permit from the DENR, and he was also not aware of any cutting which involved two (2) taluto trees. Furthermore, it can be considered that Joseph Mauzar and Brgy. Chairman Antonio Muhi were not involved in any illegal activity sanctioned by law for the reason that they only removed those identified as felled down trees damaged by a typhoon so as to avoid any danger to the public that the trees may pose without any intention of utilizing, possessing or appropriating the same unlawfully and/or for their benefit.

RECOMMENDATIONS

Considering the circumstances of the case and in accordance with the legal and technical findings of this Office, it can be concluded that two (2) Taluto trees of the 6 (trees) forest products were illegally cut, and all of the subject trees are undocumented due to lack of appropriate permit/documents in accordance with existing environmental laws, rules and regulations. Therefore, this office respectfully recommends for the issuance of a confiscation order for the **SIX (6) PIECES LOGS OF TALUTO, ANTIPOLLO, CUJAOJAO AND PALSAHINGIN WITH A TOTAL VOLUME OF 5.34** cubic meters so as lawfully retrieve and possess the same from barangay who served as its caretaker, to be delivered to the DENR-PENRO Marinduque's log depository area located in Sitio Ulong, Capayang, Mogpog, Marinduque. It is also recommended that a criminal complaint be filed against **MESSRS. REDENTOR M. LIMPIADA, JR., REIN MARK OLA AND SANNIE BOY N. MARCIAL** for violation of **Section 77 of PD 705** ("The Revised Forestry code of the Philippines") as amended.

Attached is the copy of the minutes of the Administrative Confiscation Proceedings (ACP) for your reference.

JOYBERT F. MIJARES



**ELECTRONIC MESSAGE FOR TRANSMISSION
27 SEPTEMBER 2022**

The Regional Executive Director
DENR IVB, MIMAROPA
ERMITA MANILA

THRU : The OIC-Assistant Regional Director for Technical Services

SUBJECT : **SPOT REPORT**

PLEASE BE INFORMED THAT ON 27 FEBRUARY 2022 PERSONNEL OF MONITORING AND ENFORCEMENT SECTION (MES) OF PENRO MARINDUQUE APPREHENDED SIX (6) PIECES OF ASSORTED UNDOCUMENTED FOREST PRODUCTS TALUTO, ANTIPOLLO, CUJAOJAO, PALSAHINGIN LOGS HAVING A TOTAL VOLUME OF 2,264.16 BOARD FEET AT BARANGAY MANGYAN, MABABAD, MOGPOG, MARINDUQUE.

THE SAID APPREHENDED FOREST PRODUCTS WERE TEMPORARILY IMPOUNDED AT BARANGAY MANGYAN, MABABAD, MOGPOG, MARINDUQUE UNDER THE CUSTODY OF CRISTIAN R. IGLESIA, BARANGAY KAGAWAD OF SAME BARANGAY FOR SAFE KEEPING AND CUSTODY PENDING THE CONDUCT OF ADMINISTRATIVE CONFISCATION PROCEEDING (ACP) IN ACCORDANCE WITH DAO-97-32.

THE RESULT OF ACP FOR THE SAID APPREHENSION SHALL BE SUBMITTED UPON COMPLETION OF THE SAME.

OIC-PENR Officer

Sender:

IMELDA M. DIAZ
OIC-PENR Officer



ON- SITE RECORD

Upon thorough inspection, there are indications of violations of forestry laws, rules and regulations and therefore, a probable cause exist an apprehension. Henceforth, the following on-site records have been taken.

1. Place, date and time of apprehension:

The apprehension was undertaken at Mangyan-mababao, Mogrogon
SEPTEMBER 27, 2022 at 02:31 o'clock in the AFTER NOON.

2. Name, signature, addresses and Community Tax Certificates of persons apprehended.

Name/ Signature	Address	Community Tax Certificate		
		Number	Date Issued	Place Issued
N/A	N/A	N/A	N/A	N/A

3. Quantities and description of items apprehended.

Quantities	Items	Descriptions
2	TALUTO TREE	LOGS
2	ANTIPOLO TREE	LOGS
1	CUJAOJAO	LOGS
1	PALABAHINGIN	LOGS

Mangyan-mababao, Mogrogon

SEPTEMBER 27, 22

Place and Date Issuance

1. MICHAEL JOSEPH A. MARAHAN

2. _____

3. RANDY M. ESTRELLA

Apprehending Officer

WITNESSES:

KGO. CRISTIAN R. IGLESIA

Note: In case of refusal to sign, indicate here the fact or circumstances and reasons, if any, or such refusal in their presence as proof of action.



ON-SITE REPORT

1. Place, date and time of apprehension.

The apprehension was undertaken at MAHAYAN-MABABAD, MOGROG on SEPTEMBER 27, 2022 at 02:31 o'clock in the AFTERNOON.

2. Name and address of Apprehending Officers.

Names	Address
N/A	N/A

3. Names and addresses of individuals/ officials assisted and witnessed the apprehension.

Names	Address
N/A	N/A

4. Circumstances that led to the apprehension (such as actual delivery of the item, spot check by monitoring base, intelligence report, etc.)

888 HOTLINE COMPLAINT

5. Quantities and description of items apprehended.

Quantities	Items	Description
2	TALUTO TREE	LOGS
2	AHTIPOLO TREE	LOGS
1	CU JAO JAO	LOGS
1	PALSAHINGIN	LOGS

6. Place, time and date of origin and intended destinations, consignors and consignee of items apprehended.

7. Nature of offense cited.

SECTION 77 OF PD 705

8. Other date, comments and recommendations.

Apprehending Officer/s:

MICHAEL JOSEPH A. MARAHAN

RANDY H. ESTRELLA



ON THE SPOT REPORT

The following items described below were apprehended at MANGYAH-MABABAD, MOGPO on SEPTEMBER 27, 2022 at around 02:31 PM the personnel/elements of DENR-PENRO, M'DUQUE for violation of forestry laws, rules and regulations.

1. Quantities and description of items apprehended:

Quantities	Items	Descriptions
2	TALUTO TREE	LOGS
2	ANTIPOLO TREE	LOGS
1	CUJAOJAO	LOGS
1	PALABAHINGIN	LOGS

2. Nature of Offense (Please checked)

- ☐ Without the requisite authorization or permit.
☐ With incomplete required supporting documents.
☐ With genuine authorization or permits and/ or supporting documents that have an expired validity, have been cancelled or that contain forged entries.
☐ With spurious (fake) authorizations, permits and / or supporting documents.

3. Names of apprehended persons

Names	Signature
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Place and Date Issuance	Apprehending Officer (s)
<u>SEPTEMBER 27, 2022</u>	<u>MICHAEL JOSEPH A. MARANAN</u>
<u>SEPTEMBER 27, 2022</u>	<u>WITNESSES RANDY N. ESTRELLA</u>
<u>KGD. CRISTIAN R. IGLEBIA</u>	

Note: (Should the apprehended persons refused to sign or acknowledge in writing his receipt of the Apprehension Receipt or refused to take delivery thereof, such fact shall be stated hereof with an explanation thereof).

AUTHORITY Item 1 & 2 Sections 5 DAO 97-32



APPREHENSION RECEIPT

PENRO Control No. :
E-FMS No.

This APPREHENSION RECEIPT is issued to –

Name	Address	Civil Status	Date of Birth/ Age	Participation	Status of the Person
N/A	N/A	N/A	N/A	N/A	N/A

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 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	Pieces	Vol./Unit Of Measurements	Estimated Value	Impounding Area	Custodian
LOGS		BREG.		TALUTO	2	4.34	4,123	BREG.	KAGAWAD
LOGS		mangyan		ANTIPOLO	2	0.46	437	mangyan	CRISTIAN
LOG		mababao		CUJAOJAO	1	.21	199.50	mababao	R.
LOG		to BREG.		PALASAH	1	.33	231	MOGROG	IGLESIA
		Gumangga				5.34	4,990.50		
		MOGROG							

MINOR FOREST PRODUCTS				
Kind	Unit of Measurement	No. of Units	Estimated 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.	Chassis No.	Accessories	Custodian
N/A	N/A	N/A	N/A

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

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		
SEPTEMBER 27, 2022 02:31 PM	M' DUQUE	MOGPOG	MANGYAN	LAROTE	RANDY N. ESTRELLA	SECTION 77 OF P.D 705
			KABABAD			
					MICHAEL JOSEPH A MARAHAN	

Apprehension was done under the following circumstances:

- E.g., person involved was transporting forest product but unable to show permit or valid authorization
- _____
- _____
- _____



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

The subject forest products, conveyances, machinery/ equipment, tool 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 Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 27 day of SEPTEMBER year 2022 at

APPREHENDING OFFICER
(Signature over Printed Name)

1. MICHAEL JOSEPH A. MARANAN
Position: FOREST RANGER
Address: DENR - PENRO, M'DUQUE

2. RANDY M. ESTRELLA
Position: FOREST RANGER
Address: DENR - PENRO, M'DUQUE

3. _____
Position: _____
Address: _____

4. _____
Position: _____
Address: _____

WITNESSES:

KGO. CRISTIAN R. IGLESIA

Copy Received by:

Signature over Printed Name

Date/ Time

Remarks:



CUSTODY RECEIPT

I hereby acknowledgement receipt for temporary safekeeping from the apprehending Officers the following items listed below which were apprehended for violation of forest laws, rules and regulation.

Quantities	Items	Descriptions
2	TALUTO TREE	LOGS
2	ANTIPO TREE	LOGS
1	CUJAOJAO	LOG
1	PALABAHINGIH	LOG

As temporary custodian thereof, I shall ensure their safety and shall be responsible for their loss of damage while the same are in my possession and shall not deliver or release to anyone except upon order only of the DENR.

OCTOBER 14, 2022
MANGYAN- MABARAD, MOGROG
Place and Date Issuance

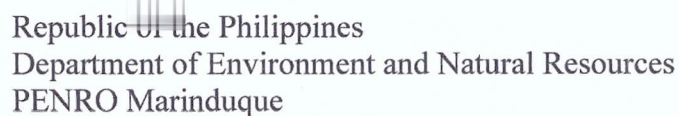
CRISTIAN R. IGLESIA
Name and Signature of Custodian

BRGY. LAGAWAP
Designation of Custodian

Apprehending Officer(s)
MICHAEL JOSEPH A. MARANAH
FOREST RANGER

RANDY N. ESTRELLA
FOREST RANGER

Witnesses



SCALED BY:

RANDY N. ESTRELLA

Don Gibson (A) Mercedes



SEIZURE ORDER

CENRO Control No. :
E-FMS No.

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 for the following forest products are hereby ordered seized, to wit:

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item	Source/ Origin of Forest Products	Species Grouping	Species	Piec es	Vol./Uni t Of Measure ments	Estimate d Value	Impoundin g Area	Custodian
LOGS		BOGU.		TALUTO	2	4.34	4,123	BOGU.	BOGU.
LOGS		manayan		ANTIPOLO	2	.46	437	manayan	KAGAYAD
LOG		maabao		CUJAOJAO	1	.21	199.50	maabao	CRISTIAN R.
LOG		TO BOGU.		PALASAH	1	.33	231	MOGROG	IGLEBIA
		sumanaga mogrog		HEIM		5.34	4,990.50		

MINOR FOREST PRODUCTS				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
H/A	H/A	H/A	H/A	H/A

CONVEYANCE INVOLVED					
Type	Make/ Model/ Year	Plate No.	Color/ Markings	CR No.	OR No.
H/A	H/A	H/A	H/A	H/A	H/A

CONVEYANCE INVOLVED (Additional Details)			
Engine No.	Chassis No.	Accessories	Custodian
H/A	H/A	H/A	H/A



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	Date of Birth/ Age	Participation	Status of the Person

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

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/ Municipality	Barangay	Sitio		
January 26, 2019	Marinduque	Mogpog	Nangayao			Sec. 77 of P. D 705
			Barabed			



Examination Conducted by Seizure Officer

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			
PR Randy Estrella	January 26, 2023		DENR Impounding
PR Michael Joseph A. Maranan			Area Bray. ulong, Mogpog, Marinduque

After thorough evaluation of the Apprehension Report dated September 28, 2022 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated and that the offender is probably guilty thereof.

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

So ordered this 26 day of January, year 2023 at
DENR PENRO Marinduque.

IMELDA M. DIAZ
OIC-PENR Officer
SEIZURE OFFICER

Copy furnished:



SEIZURE RECEIPT

The following items/ articles described below, which were seized and delivered to the undersigned custodian/s by FR Randy Estrella & FR Michael Joseph of DENR PENRO Marinduque on January 26, 2023 at Maranan around Bray - Ulong, Magpog, Marinduque

Quantities	Items/ Articles	Volume	Description
6 2	Taluto Tree	4. 34 cu.m	Logs
2	Antipolo Tree	0. 46 cu.m	Logs
1	Cujaojao	. 21 cu.m	Logs
1	Palasahingin	. 33 cu.m	Logs

Place and Date Issuance: Bray - Ulong Magpog Marinduque
January 26, 2023

DON GIBSON DA MERCADO
Name/ Signature of Custodian

WITNESSES

Kgd. Christian R. Iglesia

APPREHENDING PERSONS/ OFFICERS

FR Randy Estrella
Name/ Signature

FR Michael Joseph Maranan
Name/ Signature

Authority: (Item 1, Section 6 of Dept. Administrative Order No. 97-32)

NOTE:

State hereof an explanation in case the custodian or apprehended person/s to sign or acknowledge his receipt (in writing of this receipt, or re-delivery thereof).



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division *2/6/23*

FROM : The Technical Staff

SUBJECT : **REPORT ON THE HAULING OF APPREHENDED SIX PIECES OF LOGS OF TALUTO, ANTIPOLLO, CUJAOJAO (BATINO) AND PALASAHINGIN WITH A TOTAL VOLUME OF 5.34 CUBIC METERS LOCATED IN SO. LAPOTE, BARANGAY MANGYAN, MABABAD, MOGPOG MARINDUQUE LAST JANUARY 26 & 27, 2023**

DATE : February 3, 2023

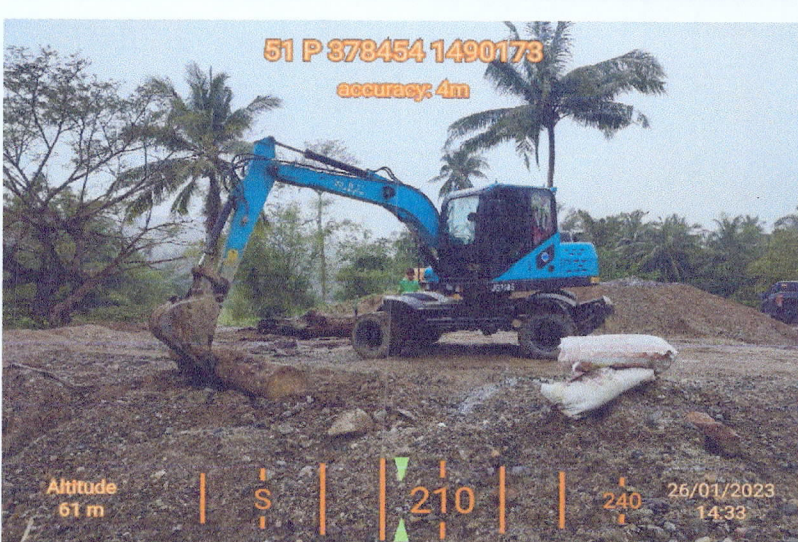
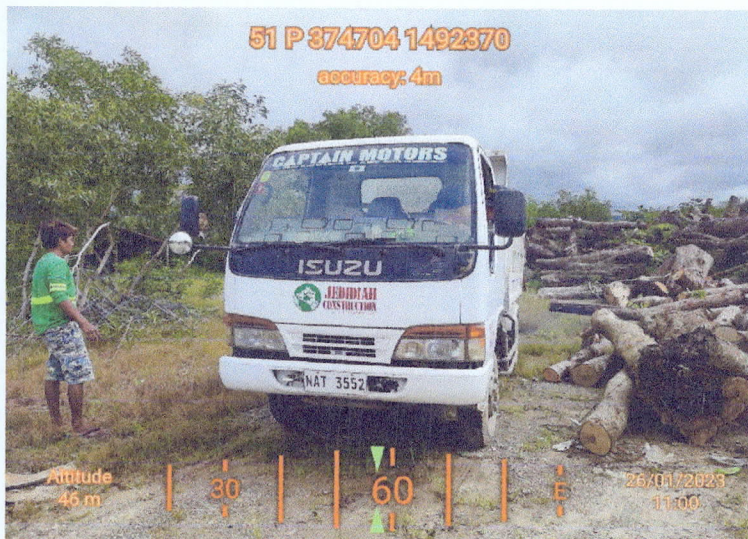
This is in connection with the apprehended 6 pieces of logs of two (2) pieces Taluto (*Pterocymbium tinctorium*), two (2) Antipolo (*Artocarpus blancoi*), one (1) Cujaojao (Batino) (*Alstonia macrophylla*), and one (1) palasahingin (*Canarium asperum*) with approximate volume of 5.34 cubic meters or 2,264.16 bd. ft. which was put under the custody of Barangay Kagawad Christian R. Iglesia.

Please be informed that the apprehended 6 pieces of logs of two (2) pieces Taluto (*Pterocymbium tinctorium*), two (2) Antipolo (*Artocarpus blancoi*), one (1) Cujaojao (Batino) (*Alstonia macrophylla*), and one (1) palasahingin (*Canarium asperum*) with approximate volume of 5.34 cubic meters or 2,264.16 bd. ft. was already hauled and delivered to the DENR log depository area in Sitio Ulong, Barangay Capayang, Mogpog Marinduque. The said forest product was separated from the rest and signage will be installed.

FOR THE OIC, PENR OFFICER'S INFORMATION AND INSTRUCTION, IF ANY.

FOR. JOYBERT F. MIJARES

TRISTAN JOSHUA O. SAET



Geo-tagged photos during the supervision/monitoring of cutting of trees at Brgy. Mangyan- Mababad, Mogpog, Marinduque.



September 28, 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division

FROM : Forest Ranger Michael Joseph A. Maranan
Forest Ranger Randy N. Estrella

SUBJECT : **8888 COMPLAINT OF MR. RODRIGO LUSTERIO ON THE ALLEGED ILLEGAL TREE CUTTING AND EXCAVATION ACTIVITY OF JEDIDIAH CONSTRUCTION AT BARANGAY SUMANGGA TO MANGYAN-MABABAD, MOGPog, MARINDUQUE**

I. BACKGROUND

WHEREAS, on September 20, 2022, an email was forwarded by the DENR MIMAROPA Office 8888 focal the complaint of Mr. Rodrigo Lusterio on the ongoing project in Brgy. Sumangga, Mogpog, Marinduque.

WHEREAS, on September 21, 2022, For. Don Gibson D. Mercado coordinated with the complainant as to the specific complaint he has with regard to the said project.

WHEREAS, accordingly, the DPWH has a project of road concreting within the internal road covering Brgy. Mangyan-Mababad to Brgy. Sumangga, Mogpog, Marinduque. That number of trees has been bulldozed and the contractor entered his private land and excavate the hill within his private land.

II. FACTS and FINDINGS

1. That the undersigned coordinated with Barangay Official Antonio L. Muhi (Chairman) of Barangay Mangyan-Mababad, Mogpog, Marinduque regarding the alleged illegal cutting of trees and excavation in So. Lapote site, Brgy. Mangyan Mababad, Mogpog, Marinduque. Accordingly, the DPWH project which was contracted to JEDIDIAH Construction has an ongoing road concreting project in the area which resulted in the clearing of the proposed area of the project.
2. The undersigned also proceeded to the project area to coordinate with the project engineers and foreman, unfortunately, they are not present in the area at the time of the investigation.
3. The team observed different species of trees which are already felled down along the course of the project with an approximate volume of 5.34 cu. m. 2217.52 bd. ft., however, based on the record of this Office no issued Tree Cutting Permit for the cutting of trees affected by the project.



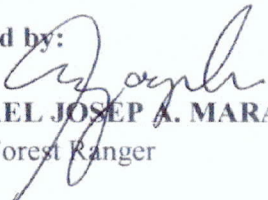
4. The undersigned also visited the area which was allegedly excavated and flattened by the staff of JEDIDIAH construction. Accordingly, the area was owned by a certain Mr. Muhi who prohibit the JEDIDIAH construction to enter the area to implement the project. In order to resolve the issue, Mr. Rommel Dy, owner of the construction company, bought a portion of land to construct the batching plant. The area which is hilly in topography was excavated and flattened to level the land for the establishment of the batching plant.
5. Per inspection conducted, the said logs were still in the area and not yet turned over to our Office for proper accounting and disposition.
6. Please find the attached Geo-tagged photos and tally sheet of the said inspected trees.

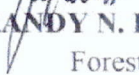
III. RECOMMENDATION

1. In view of the above findings gathered, that the trees affected in the area was cut without securing necessary permit it is hereby recommended that Mr. Rommel Dy (owner of JEDIDIAH construction) be summoned in this office to explain their side for violation of "section 77 of Presidential Decree 705 as amended by Presidential Decree 1559 which states that *"Any person who shall cut, gather, collect, removed timber or other forest products from any forest lands, or timber from A and D, public lands or private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forestry laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code"*. Further, PD 953 states that *"Any person who cuts, destroys, damages or injures, naturally growing or planted trees of any kind, flowering or ornamental plants and shrubs, or plants of scenic, aesthetic and ecological values, along public roads, in plazas, parks other than national parks, school premises or in any other public ground or place, or on banks of rivers or creeks, or along roads in land subdivisions or areas therein for the common use of the owners of lots therein, or any species of vegetation or forest cover found therein shall, be punished with imprisonment for not less than six months and not more than two years, or a fine of not less than five hundred pesos and not more than five thousand pesos, or with both such imprisonment and fine at the discretion of the court"*.
2. To endorse the said concern to EMB to verify the issuance of ECC or CNC to the project and to conduct further investigation in the area.
3. To furnish Mr. Rodrigo Lusterio with this report for his information and reference.


For information and further instruction.

Prepared by:


MICHAEL JOSEP A. MARANAN
Forest Ranger


RANDY N. ESTRELLA
Forest Ranger

Noted by:


DON GIBSON D. MERCADO
Forester I



TALLY SHEET

Location of the Project:

Brgy. Sumangga to Mangyan-Mababad, Mogpog, Marinduque

Tree No.	Species	D (cm)	MH M	TH (cm)	Volume (m3)
1	Taluto	49	12		2.26
2	Taluto	47	12		2.08
3	Antipolo	22	6		0.22
4	Antipolo	25	5		0.24
5	Misc.	20	7		0.21
6	Dapdap	23	8		0.33

cu m. 5.34

bd ft. 2217.52

Inventoried by:

Don Gibson D. Mercado
Forester I

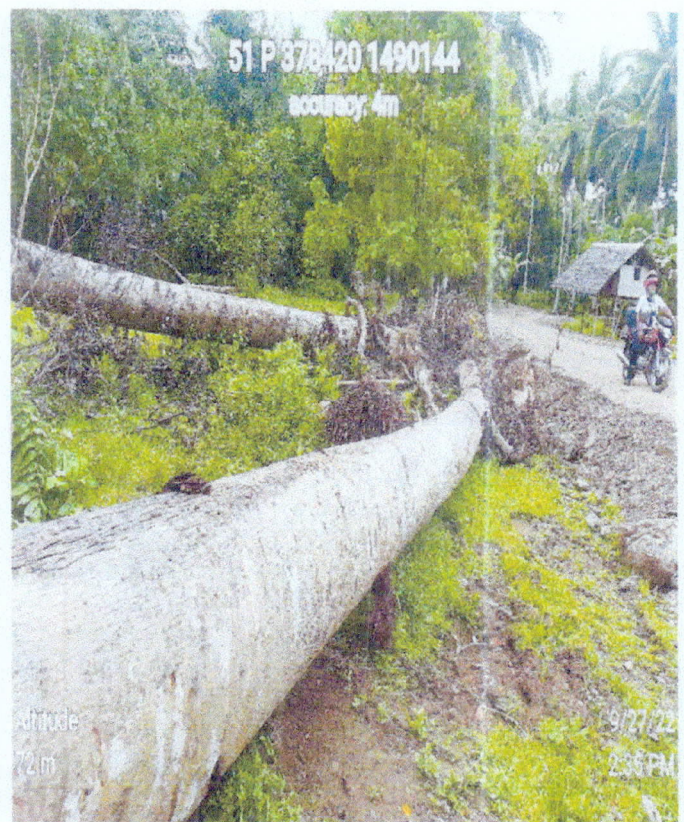
Randy N. Estrella
Forest Ranger

Michael Joseph A. Maranan
Forest Ranger



GEO-TAGGED PHOTOS TAKEN DURING COMPLIANCE/MONITORING REPORT ON THE ALLEGED ILLEGAL CUTTING ACTIVITY OF JEDIDIAH CONSTRUCTION AT BRGY. SUMANGGA TO MANGYAN-MABABAD, MOGPOG, MARINDUQUE

8/9



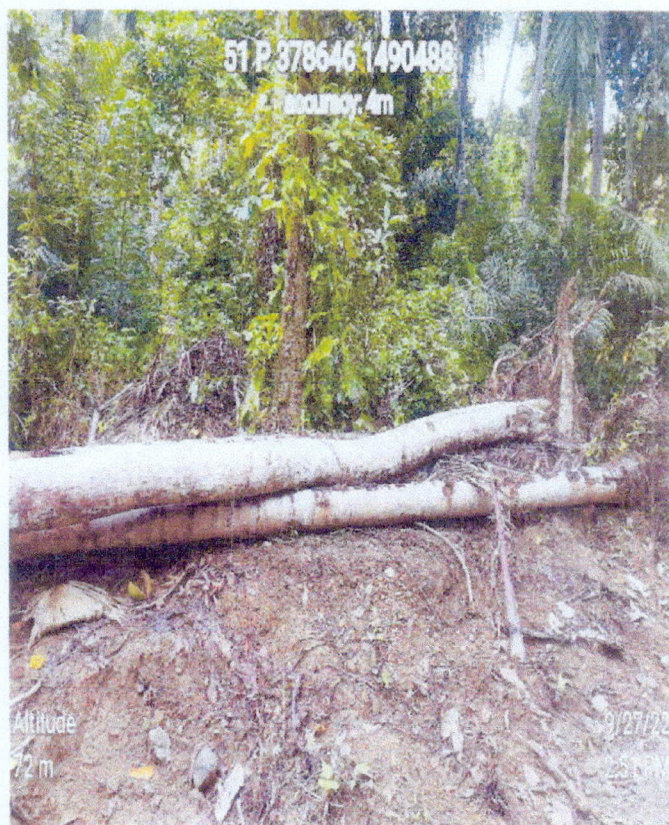
GEO-TAGGED PHOTOS TAKEN DURING COMPLIANCE/MONITORING REPORT ON THE ALLEGED ILLEGAL CUTTING ACTIVITY OF JEDIDIAH CONSTRUCTION AT BRGY. SUMANGGA TO MANGYAN-MABABAD, MOGPOG, MARINDUQUE

8/98



GEO-TAGGED PHOTOS TAKEN DURING COMPLIANCE/MONITORING REPORT ON THE ALLEGED
ILLEGAL CUTTING ACTIVITY OF JEDIDIAH CONSTRUCTION AT BRGY. SUMANGGA TO MANGYAN-
MABABAD, MOGPOG, MARINDUQUE

8/9



GEO-TAGGED PHOTOS TAKEN DURING COMPLIANCE/MONITORING REPORT ON THE ALLEGED ILLEGAL CUTTING ACTIVITY OF JEDIDIAH CONSTRUCTION AT BRGY. SUMANGGA TO MANGYAN-MABABAD, MOGPOG, MARINDUQUE

8



October 10, 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division

FROM : Forest Ranger Michael Joseph A. Maranan
Forest Ranger Randy N. Estrella

SUBJECT : **FOLLOW-UP INVESTIGATION ON THE ALLEGED ILLEGAL CUTTING OF TREES IN BARANGAY MANGYAN-MABABAD TO BARANGAY SUMANGGA, MOGPOG, MARINDUQUE**

I. BACKGROUND

WHEREAS, on September 27, 2022 the undersigned conducted investigation and verification on the veracity of the report of Mr. Rodrigo Lusterio through 8888 regarding the illegal cutting and excavation in So. Lapote site, Barangay Mangyan-Mababad, Mogpog, Marinduque.

WHEREAS, based on verification conducted, the DPWH has a project of road concreting within the internal road covering Brgy. Mangyan-Mababad to Brgy. Sumangga, Mogpog, Marinduque. That number of trees has been bulldozed and the contractor entered his private land and excavate the hill within his private land.

II. FACTS and FINDINGS

1. That the six (6) trees were felled using a backhoe which was operated by a certain Rein Ola, 32 years old, residence of Brgy. Sumangga, Mogpog, Marinduque with the help by a certain Mr. Sannie Marcial (spotter), 36 years old residence of Brgy. Mangyan-Mababad, Mogpog, Marinduque. Based on the interview, they start the said project on August 20, 2022 including the felling of trees using backhoe.
2. That the trees were identified as two (2) species of Taluto (*Pterocymnium tinctorium*) two (2) species of Antipolo (*Artocarpus blancoi*) , one species of Dapdap (*Erytrina variegata*) and one miscellaneous tree species, with an approximate volume of 5.34 cu. m. 2217.52 bd. ft., however, based on the record of this Office no issued Tree Cutting Permit for the cutting of trees affected by the project.
3. Per inspection conducted, the said logs were still in the area and not yet turned over to our Office for proper accounting and disposition.
4. Please find the attached Geo-tagged photos and tally sheet of the said inspected trees.

III. RECOMMENDATION

1. In view of the above findings gathered, that the trees affected in the area was cut without securing necessary permit it is hereby recommended that Mr. Rommel Dy (owner of



JEDIDIAH construction) be summoned in this office to explain their side for violation of "section 77 of Presidential Decree 705 as amended by Presidential Decree 1559 which states that "Any person who shall cut, gather, collect, removed timber or other forest products from any forest lands, or timber from A and D, public lands or private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forestry laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code".

Further, PD 953 states that "Any person who cuts, destroys, damages or injures, naturally growing or planted trees of any kind, flowering or ornamental plants and shrubs, or plants of scenic, aesthetic and ecological values, along public roads, in plazas, parks other than national parks, school premises or in any other public ground or place, or on banks of rivers or creeks, or along roads in land subdivisions or areas therein for the common use of the owners of lots therein, or any species of vegetation or forest cover found therein shall, be punished with imprisonment for not less than six months and not more than two years, or a fine of not less than five hundred pesos and not more than five thousand pesos, or with both such imprisonment and fine at the discretion of the court",

For information and further instruction.

Prepared by:


MICHAEL JOSEPH A. MARANAN
Forest Ranger


RANDY N. ESTRELLA
Forest Ranger

Noted by:


DON GIBSON D. MERCADO
Forester I



October 10, 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division

FROM : Forest Ranger Michael Joseph A. Maranan
Forest Ranger Randy N. Estrella

SUBJECT : **FOLLOW-UP INVESTIGATION ON THE ALLEGED ILLEGAL CUTTING OF TREES IN BARANGAY MANGYAN-MABABAD TO BARANGAY SUMANGGA, MOGPOG, MARINDUQUE**

I. BACKGROUND

WHEREAS, on September 27, 2022 the undersigned conducted investigation and verification on the veracity of the report of Mr. Rodrigo Lusterio through 8888 regarding the illegal cutting and excavation in So. Lapote site, Barangay Mangyan-Mababad, Mogpog, Marinduque.

WHEREAS, based on verification conducted, the DPWH has a project of road concreting within the internal road covering Brgy. Mangyan-Mababad to Brgy. Sumangga, Mogpog, Marinduque. That number of trees has been bulldozed and the contractor entered his private land and excavate the hill within his private land.

II. FACTS and FINDINGS

1. That the six (6) trees were felled using a backhoe which was operated by a certain Rein Ola, 32 years old, residence of Brgy. Sumangga, Mogpog, Marinduque with the help by a certain Mr. Sannie Marcial (spotter), 36 years old residence of Brgy. Mangyan-Mababad, Mogpog, Marinduque. Based on the interview, they start the said project on August 20, 2022 including the felling of trees using backhoe.
2. That the trees were identified as two (2) species of Taluto (*Pterocymnium tinctorium*) two (2) species of Antipolo (*Artocarpus blancoi*), one species of Dapdap (*Erythrina variegata*) and one miscellaneous tree species, with an approximate volume of 5.34 cu. m. 2217.52 bd. ft., however, based on the record of this Office no issued Tree Cutting Permit for the cutting of trees affected by the project.
3. Per inspection conducted, the said logs were still in the area and not yet turned over to our Office for proper accounting and disposition.
4. Please find the attached Geo-tagged photos and tally sheet of the said inspected trees.

III. RECOMMENDATION

1. In view of the above findings gathered, that the trees affected in the area was cut without securing necessary permit it is hereby recommended that Mr. Rommel Dy (owner of



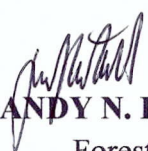
JEDIDIAH construction) be summoned in this office to explain their side for violation of "section 77 of Presidential Decree 705 as amended by Presidential Decree 1559 which states that "Any person who shall cut, gather, collect, removed timber or other forest products from any forest lands, or timber from A and D, public lands or private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forestry laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code".

Further, PD 953 states that "Any person who cuts, destroys, damages or injures, naturally growing or planted trees of any kind, flowering or ornamental plants and shrubs, or plants of scenic, aesthetic and ecological values, along public roads, in plazas, parks other than national parks, school premises or in any other public ground or place, or on banks of rivers or creeks, or along roads in land subdivisions or areas therein for the common use of the owners of lots therein, or any species of vegetation or forest cover found therein shall, be punished with imprisonment for not less than six months and not more than two years, or a fine of not less than five hundred pesos and not more than five thousand pesos, or with both such imprisonment and fine at the discretion of the court",

For information and further instruction.

Prepared by:


MICHAEL JOSEPH A. MARANAN
Forest Ranger


RANDY N. ESTRELLA
Forest Ranger

Noted by:


DON GIBSON D. MERCADO
Forester I

Republika ng Pilipinas
Lalawigan ng Marinduque } S.S
Bayan ng Boac

PINAGSAMANG SINUMPAANG SALAYSAY

Na kame, Forest Ranger **RANDY N. ESTRELLA** at Forest Ranger **MICHAEL JOSEPH A. MARANAN**, pawang may mga sapat na taong gulang at nanunungkulan sa tanggapan ng **Kagawaran ng Kapaligiran at Likas na Yaman (DENR)**, Provincial Environment and Natural Resources (PENRO), na matatagpuan sa Capitol Compound, Barangay Bangbangalon, Boac, Marinduque, ay kusang loob na nagsasalaysay ng mga sumusunod:

Na, noong Setyembre 27, 2022, mga alas tres ng hapon (3:00 pm) sa utos nadin ng aming hepe sa Monitoring and Enforcement Section, Forester Don Gibson D. Mercado ay nagtungo kame sa Barangay Mangyan-Mababad at nakipag-ugnayan sa mga opisyal ng barangay sa pangunguna ni Punong Barangay Antonio L. Muhi upang iberipika ang naturang reklamo sa 8888. Kaugnay nito, napag alaman namin na ang proyekto na "road concreting project" sa lugar ay proyekto ng Department of Public Works and Highways na naka-kontrata sa JEDIDIAH Construction Company na pagmamay – ari ni Ginoong Rommel Dy taga Mogpog, Marinduque.

Na, noong araw din iyon ay nangalap kame ng mga kaukulang impormasyon tungkol sa proyekto. Nagpunta kame sa bahay pahingahan/"barracks" ng Jedidiah Construction upang personal na makapanayam ang mga empleyado ng nasabing kontraktor. Kinausap naming yung mga empleyado ng kontraktor ngunit mga helper na hindi nagpakilala lang ang nandoon at walang mga opisyal na pwedeng kapanayamin. Wala din silang maipakitang kaukulang papeles sa amin kagaya na ECC o CNC at permiso ng pagpuputol.

Na, dahil din sa pagsasagawa ng proyekto ay nagkaroon ng *clearing* ang kontraktor sa lugar na nagresulta pagpapatumba sa anim (6) na puno na kinilalang dalawang (2) puno ng Taluto (*Pterocymbium tinctorium*), dalawang (2) puno ng Antipolo (*Artocarpus blancoi*), isang (1) puno ng Cujaojao (*Alstonia macrophylla*) at isang (1) puno ng Palsahingin (*Canarium asperum*) na may humigit kumulang na 2,264.16 bd.ft. na volume.

Na, sa aming pagsasaliksik ay napag alaman namin na ang mga punong ito ay itinumba sa pamamagitan ng isang backhoe na ino-operate ni **Ginoong Rein Ola**, 32 taong gulang at nakatira sa Barangay Sumangga, Mogpog, Marinduque kasama ang kanyang spotter na si **Ginoong Sannie Marcial**, 36 taong gulang na nakatira sa Barangay Mangyan-Mababad, Mogpog, Marinduque.

Na, base sa aming talaan sa opisina ay wala pang naigagawad na kaukulang permiso ng pagpuputol sa mga puno sa proyektong iyon kundi ulat ng inbentaryo lamang ng mga punong maaapektuhan ng proyekto na malinaw na paglabag sa provision ng Seksyon 77 ng PD 705 na inamyendahan.

BILANG PATUNAY NITO, inilagda naming ang aming pangalan ngayon ika- 20 ng Oktubre, 2022, Boac, Marinduque.


RANDY ESTRELLA


MICHAEL JOSEPH A. MARANAN

Republic of the Philippines)
Province of Marinduque)
Municipality of Boac)

Before me, a Notary Public for and in the Province of Marinduque personally appeared and exhibited their respective Community Tax Certificates to wit;

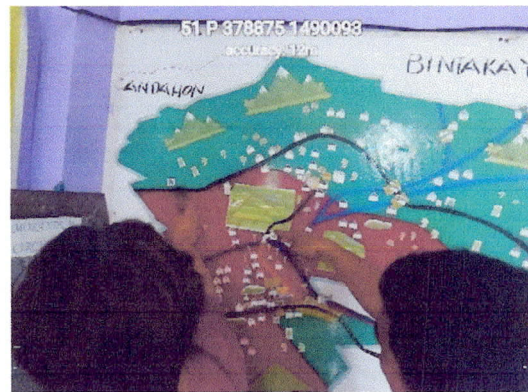
Name	CTC No.	Issued on	Issued at
1. RANDY ESTRELLA	<u>01808193</u>	<u>1/17/22</u>	<u>MERCAAO, BOAC</u>
2. MICHAEL JOSEPH MARANAN	<u>02266748</u>	<u>1/12/22</u>	<u>GASAN, MARINDUQUE</u>

Known to me the same persons who executed the foregoing instrument consisting two (2) pages including this page, and they acknowledged before me that the same is their own free act and voluntary deed.

SUBSCRIBED AND SWORN TO BEFORE ME, this _____ day of _____, _____ at _____, Marinduque.

WITNESS MY HAND AND SEAL

Doc. No. _____
Page No. _____
Book No. _____
Series of _____



Certification

This is to certify that the photo shown above is the coordination of PENRO Marinduque technical staff with the Barangay officials of Barangay Mangyan-Mababad, Mogpog, Marinduque.

[Signature]
RANDY N. ESTRELLA
 Forest Ranger

[Signature]
MICHAEL JOSEPH A. MARANAN
 Forest Ranger



Certification

This is to certify that the photo shown above is the felled down trees along the course of the road project in Sumangga-Mangyan Mababad Road.


RANDY N. ESTRELLA
Forest Ranger

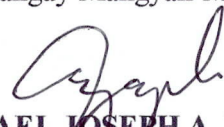

MICHAEL JOSEPH A. MARANAN
Forest Ranger



Certification

This is to certify that the photo shown above is the road project of DPWH contracted to Jedidiah Construction in Barangay Sumangga to Barangay Mangyan-Mababad, Mogpog, Marinduque.


RANDY N. ESTRELLA
Forest Ranger

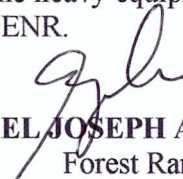

MICHAEL JOSEPH A. MARANAN
Forest Ranger



Certification

This is to certify that the photo shown above is the heavy equipment allegedly used in felling down the trees without any permits from the DENR.


RANDY N. ESTRELLA
Forest Ranger


MICHAEL JOSEPH A. MARANAN
Forest Ranger



Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Boac, Marinduque

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that based on records and upon verification of this Office, the name **ROMMEL DY (Owner of JEDIDIAH CONSTRUCTION)** has no record of application for a tree cutting permit for the six (6) pieces of undocumented Taluto, Antipolo, Cujaojao, and Palsahingin trees located at Mangyan-Mababad, Mogpog, Marinduque.

This certification is signed and issued this 20th day of October 2022 at DENR-PENRO Boac, Marinduque.

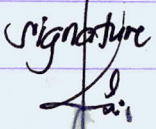
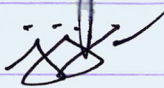
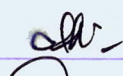

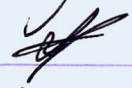

Certified by:

MANOEL CHRISTIAN S. MUNAR
Records Officer I

Administrative Confiscation Proceedings

Attendance

January 12, 2023

Name	Address	contact No.	signature
JOSEPH M. MINAR	BOCBOC MOGPOG, MARINQUE	09557481789	
JOYBERT M. MINARES	PENRO, Marinduque		
ANTONIO L. MITI	BRGY. CAPTAN DIANAGAN - MABABSA	09752089614	
GERMAN RIOYEROS	BRGY. KACAYAD		
CRISTIAN R IGLESIA	BARANGAY " " KACAYAD	09100745196	
REDENTOR LIMPIADA	MOGPOG	09637955060	



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

Ika-09 Enero, 2023

ANTONIO MUHI

Barangay Kapitan

Brgy. Mangyan Mababad, Mogpog, Marinduque

Kapitan Muhi,

Isang Makakalikasang Araw!

Ang liham pong ito ay hinggil sa mga nakatumbang mga puno: dalawang (2) puno ng Taluto, dalawang (2) Antipolo, isang (1) pirasong Cujaojao at isang (1) Palasahingin na may kabuoang sukat na 2,264.16 board feet na nabisita ng aming tauhan noong ika-27 ng Setyembre 2022 sa Barangay Mangyan Mababad, Mogpog, Marinduque.

Para po sa inyong kaalaman, ang pagpuputol, pamumosisyon at pagbibiyahe ng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland* o *Zona Forestal*, o maging sa mga *Alienable and Disposable land/ Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa “Seksiyon 77 ng PD 705 o *Revised Forestry Code of the Philippines*” inameyendahan ng PD 1559 at Executive Order No. 277 at may katumbas na kaparusahan.

Base po sa ulat, kayo po di umano ay nakiusap na itabi ang mga puno na nakatumba, kung kaya’t kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika- **12** ng **Enero 2023** araw ng **Huwebes** sa ganap na ika- **9:00** ng **umaga** dito sa tanggapan ng DENR PENRO Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng isang opisyal ng Barangay (Kapitan o Kagawad) o testigo na maari ninyong isama sa nasabing pagdinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/license).


Aasahan po namin ang inyong pagdalo para sa ikakalinaw ng usaping ito. At bago naming i-file ang kaso laban sa mga sangkot sa illegal na pagpuputol ng mga puno.

Gumagalang,

IMELDA M. DIAZ
OIC-PENRO Officer


B

Received by:


ANTONIO MUHI
P.B.
1/11/23



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

Ika-09 Enero, 2023

REDEN LIMPIADA
JEDEDIAH Construction
Brgy. Mangyan Mababad, Mogpog, Marinduque

G. Limpiada,

Isang Makakalikasang Araw!

Ang liham pong ito ay hinggil sa mga nakatumbang mga puno: dalawang (2) puno ng Taluto, dalawang (2) Antipolo, isang (1) pirasong Cujaojao at isang (1) Palasahingin na may kabuuang sukat na 2,264.16 board feet na nabisita ng aming tauhan noong ika-27 ng Setyembre 2022 sa Barangay Mangyan Mababad, Mogpog, Marinduque.

Para po sa inyong kaalaman, ang pagpuputol, pamumosisyon at pagbibiyahe ng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland* o *Zona Forestal*, o maging sa mga *Alienable and Disposable land/ Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa “Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines” inameyendahan ng PD 1559 at Executive Order No. 277 at may katumbas na kaparusahan.

Base po sa ulat, kayo po diumano ang foreman na nag utos na ipaputol ang nasabing puno, kung kaya’t kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika- 12 ng **Enero 2023** araw ng **Huwebes** sa ganap na ika- **9:00** ng **umaga** dito sa tanggapan ng DENR PENRO Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng isang opisyal ng Barangay (Kapitan o Kagawad) o testigo na maari ninyong isama sa nasabing pagdinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/license).

Aasahan po namin ang inyong pagdalo para sa ikakalinaw ng usaping ito. At bago namin i-file ang kaso laban sa mga sangkot sa illegal na pagpuputol ng mga puno.

Maraming Salamat po.

Gumagalang,


IMELDA M. DIAZ
OIC-PENRO Officer
Ⓜ

Received by:


REDEN LIMPIADA



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

Ika-09 Enero, 2023

JOSEPH MAUZAR

Brgy. Bocboc, Mogpog, Marinduque

G. Mauzar,

Isang Makakalikasang Araw!

Ang liham pong ito ay hinggil sa mga nakatumbang mga puno: dalawang (2) puno ng Taluto, dalawang (2) Antipolo, isang (1) pirasong Cujaojao at isang (1) Palasahingin na may kabuuang sukat na 2,264.16 board feet na nabisita ng aming tauhan noong ika-27 ng Setyembre 2022 sa Barangay Mangyan Mababad, Mogpog, Marinduque.

Para po sa inyong kaalaman, ang pagpuputol, pamumosisyon at pagbibiyahe ng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland* o *Zona Forestal*, o maging sa mga *Alienable and Disposable land/ Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa "Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines" inameyendahan ng PD 1559 at Executive Order No. 277 at may katumbas na kaparusahan.

Base po sa ulat, kayo po di umano ay nakiusap na itabi ang mga puno na nakatumba, kung kaya't kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika- 12 ng **Enero 2023** araw ng **Huwebes** sa ganap na ika- **9:00** ng **umaga** dito sa tanggapan ng DENR PENRO Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng isang opisyal ng Barangay (Kapitan o Kagawad) o testigo na maari ninyong isama sa nasabing pagdinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/license).


Aasahan po namin ang inyong pagdalo para sa ikakalinaw ng usaping ito. At bago namin i-file ang kaso laban sa mga sangkot sa illegal na pagpuputol ng mga puno.

Maraming Salamat po.

Gumagalang, .

IMELDA M. DIAZ
OIC-PENRO Officer


b

Received by: 
JRS M. MAUZAR
1/11/23



**KATITIKAN SA PAGDINIG SA ILLEGAL NA PAG PUTOL NG ANIM (6) NA PIRASONG
PUNONG KAHUY NA 2-TALUTO, 2-ANTIPOLO, 1-CUJAOJAO, 1-PALSAHINGIN NA MAY
KABUOANG SUKAT NA TWO THOUSAND TWO HUNDRED SIXTY FOUR/POINT SIXTEEN
BOARD FEET (2,264.16 BD FT) NOONG SEPTEMBER 27, 2022 SA BARANGAY MANGYAN,
MOGPOG, MARINDUQUE**

TRANSCRIPT

of the minutes on the hearing taken down by the undersigned on the above-mentioned case

SFMS JOYBERT F. MIJARES
(Acting Hearing Officer)

Date of Hearing - Ika- 12 ng Enero 2023
Time of Hearing - Ika- 9:00 ng umaga
Place of Hearing - PENRO Office, Boac, Marinduque

APPEARANCES:

Forester I Bernadine I. Jasul	Member/Recorder
Forester I Don Gibson Mercado	Member
SFMS Joybert F. Mijares	Hearing Officer
Redentor M. Limpiada Jr.	Alleged perpetrator

Hearing Officer : Magandang umaga po sa ating lahat. Ako po si SFMS Joybert F. Mijares ang tumatayong hearing officer kasama ko po si Forester I Bernadine I. Jasul at For. I Don Gibson Mercado. Kayo po ay amin pinatawag hinggil sa alegasyon sa inyo sa paglabag sa PD 705. Sang-ayon po sa DAO No. 97-32 ang ganito pong Administrative Hearing o pagdinig ay isinasagawa upang malaman ang kabuuang katotohanan dito.

J
Sa ilalim po ng ating Saligang Batas, kayo po ay may kalayaang pumili ng inyong tagapagtanggol o testigo upang magpahayag ng inyong panig o kaya naman ay may kalayaan na sagutin o hindi ang mga tanong kung inaakala ninyo na ito ay maaaring gamitin laban sa inyo. Alam nyo po ba ang karapatan ninyong ito at nais nyo po bang ipagpatuloy ang pagdinig namin sa inyo?

Sagot : Opo.

Hearing Officer : Maluwag po ba sa inyong kalooban para mapasailalim sa aming pagdinig ngayon bilang pagtugon sa pinairal na patakaran ng aming ahensiya?

Sagot : Opo.

Hearing Officer : Maaari po bang sabihin sa harap ng Administrative Hearing na ito ang mga bagay-bagay na mapagkakakilanlan ukol sa inyong pagkatao?

Sagot : Ako po si Rendentor M. Limpiada Jr., 49 taong gulang , may asawa at 4 na anak nakatira sa Brgy. Janagdong, Mogpog, Marinduque. Ako po ay kasalukuyang foreman sa contractor na JEDIDIAH.



Hearing Officer : Bilang foreman po, kayo po ba ang nag bibigay ng instruction o guidance sa inyong tauhan.

Sagot : Sa mga karpintero po pag minsan po ay sa mga heavy equipment operator din po ako ngbibigay ng instruction.

Hearing Officer : Sino po ang nagbibigay sayo ng instruction o utos?

Sagot : Kay project manager po.

Hearing Officer : Ang project manager po ba ang nag utos sayo para itumba ang dalawang (2) Taluto? O ikaw lamang mismo nagbigay ng utos?

Sagot : Ako lamang po.

Hearing Officer : Yung puno po ban g taluto ay mismong matatamaan ng project?

Sagot : Opo nasa gitna po ng kalsada na dadaanan.

Hearing Officer : Makakasagabal po ba yung puno sa mga heavy equipment na dadaan

Sagot : Opo makakasagabal po sa dadaanan.

Hearing Officer : Alam nyo po ba na wala pang cutting permit sa DENR ang DPWH para ipaputol yung kahoy.

Sagot : Opo alam ko po na wala pa. Pero na inspection na po yung kahoy ng taga DENR.

Hearing Officer : Alam po ba ninyo na bawal po ang magputol ng puno ng walang kaulang permit mula sa DENR.

Sagot : Hindi ko alam na bawal.

Hearing Officer : Kayo po ba ang nag utos sa operator na itumba ang puno?

Sagot : Opo at makakaapekto sa gagawing kalsada.

Hearing Officer : Si Sir Rommel Dy may ari ng construction ng JEDIDIAH, may alam ba siya tungkol sa pagpapatumba ng kahoy?

Sagot : Wala po siyang alam sa pagpapatumba.

Hearing Officer : May nais ka pa po ba idagdag o banggitin?

Sagot : Isang puno taluto lang po at hindi dalawa kaya lamang po naging dalawa ay naputol sa dalawa yung puno ng maputol. Nahingi po ako ng pasensya sa nangyari ang intension ko lang po ay walang madisgrasya dahil hazard na po yung area.

Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Redentor M. Limpiada Jr. at tinatapos ngayong ika-12:04 ng hapon.


Pinanumpaan at nilagdaan ngayong ika-12 ng Enero 2023, dito sa PENR Office, Boac, Marinduque.




REDENTOR M. LIMPIADA JR.
Siniyasat

Sinumpaan at nilagdaan sa harap namin ngayong ika-12 ng Enero 2023, dito sa PENR Office, Boac, Marinduque.


JOYBERT F. MIJARES
Acting Hearing Officer/SFMS



FOR BERNADINE I. JASUL
Forester I/Member


FOR DON GIBSON MERCADO
Forester I/Member



Mga Saksi: Wala

/hearing doc.
/hearing doc.

Republic of the Philippines
COMMISSION ON ELECTIONS
MOGPOG, MARINDUQUE
VIN: 4004-0075B-A1773RML10000

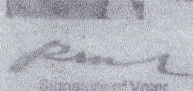


**LIMPIADA
REDENTOR JR.
MINGI**




Date of Birth: January 17, 1973
Civil Status: Married
Citizenship: Filipino
Address:
PAYS MOGPOG, MARINDUQUE, PAYS

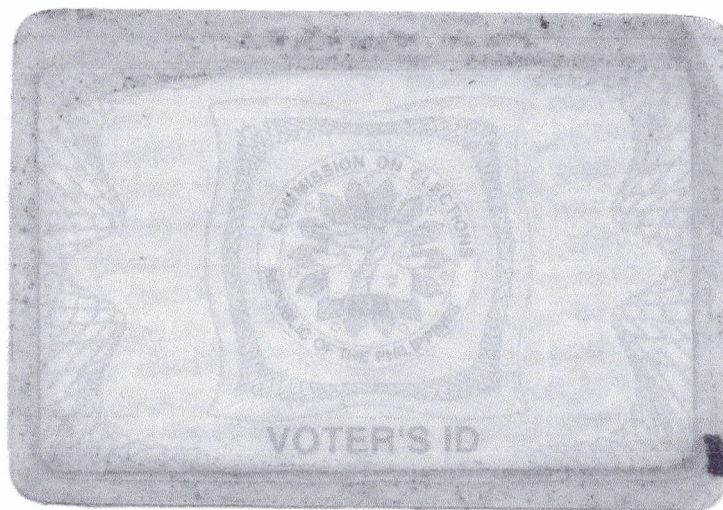
Precinct No. 0075B


Signature of Voter

SIXTO S. BRILLANTES, JR.
Chairman



1



2



**KATITIKAN SA PAGDINIG SA ILLEGAL NA PAG PUTOL NG ANIM (6) NA PIRASONG
PUNONG KAHUY NA 2-TALUTO, 2-ANTIPOLO, 1-CUJAOJAO, 1-PALSAHINGIN NA MAY
KABUOANG SUKAT NA TWO THOUSAND TWO HUNDRED SIXTY FOUR/POINT SIXTEEN
BOARD FEET (2,264.16 BD FT) NOONG SEPTEMBER 27, 2022 SA BARANGAY MANGYAN,
MOGPOG, MARINDUQUE**

TRANSCRIPT

of the minutes on the hearing taken down by the undersigned on the above-mentioned case

SFMS JOYBERT F. MIJARES
(Acting Hearing Officer)

Date of Hearing - Ika- 12 ng Enero 2023
Time of Hearing - Ika- 9:00 ng umaga
Place of Hearing - PENRO Office, Boac, Marinduque

APPEARANCES:

Forester I Bernadine I. Jasul	Member/Recorder
Forester I Don Gibson Mercado	Member
SFMS Joybert F. Mijares	Hearing Officer
Kap. Antonio L. Muhi	Alleged perpetrator
German Mingi Rioveros	Witness/ Brgy. Councilor
Christian R. Inglesia	Witness/Brgy. Councilor

Hearing Officer : Magandang umaga po sa ating lahat. Ako po si SFMS Joybert F. Mijares ang tumatayong hearing officer kasama ko po si Forester I Bernadine I. Jasul at For. I Don Gibson Mercado. Kayo po ay amin pinatawag hinggil sa alegasyon sa inyo sa paglabag sa PD 705. Sang-ayon po sa DAO No. 97-32 ang ganito pong Administrative Hearing o pagdinig ay isinasagawa upang malaman ang kabuuang katotohanan dito.

Sa ilalim po ng ating Saligang Batas, kayo po ay may kalayaang pumili ng inyong tagapagtanggol o testigo upang magpahayag ng inyong panig o kaya naman ay may kalayaan na sagutin o hindi ang mga tanong kung inaakala ninyo na ito ay maaaring gamitin laban sa inyo. Alam nyo po ba ang karapatan ninyong ito at nais nyo po bang ipagpatuloy ang pagdinig namin sa inyo?

Sagot : Opo.

Hearing Officer : Maluwag po ba sa inyong kalooban para mapasailalim sa aming pagdinig ngayon bilang pagtugon sa pinairal na patakaran ng aming ahensiya?

Sagot : Opo.

Hearing Officer : Maaari po bang sabihin sa harap ng Administrative Hearing na ito ang mga bagay-bagay na mapagkakakilanlan ukol sa inyong pagkatao?

Sagot : Ako po si Antonio L. Muhi, 76 years old may asawa at may 6 na anak. Kasalukuyang Kapitan ng Brgy. Mangyan Mababad,



Mogpog, Marinduque. Sa ngayon po ay 4 na taon na ako ng natutungkulan bilang Kapitan. Ako din po ay nagsasaka sa bukid.

Hearing Officer : Kayo po ba ay nagrequest sa contractor ng JEDIDEAH para ma clearing ang kalsada para madaanan?

Sagot : Nag request po ako kay Mayor Agosto Levello na kung pwede na ma clearing ang daan na nakaharang na lupa. Nanghingi din po ako ng tulong kay Rommel Dy na contractor ng JEDIDIAH na kung pwede din maclearing yung daan gamit ang back hoe ng contractor.

Hearing Officer : Noong nagrequest po ba kayo kay Mayor ay nakatumba na po ba yung mga puno na isang Cujaojao at isang (1) Palsahingin ?

Sagot : Opo

 Hearing Officer : Totoo po ba na tumba na yung mga kahoy na (1) Palsahingin at (1) Cujaojao bago dumating yung contractor?

Sagot : Opo

 Hearing Officer : Totoo po ba na nag request ka po kay Mayor? May request letter po ba kayo o verbal lamang?

Sagot : Opo verbal lamang po ang request ko na ipaclearing na yung daan kasi po di na madaanan dahil sa landslide at kung pwede na idamay na na din po yung (2) Antipolo kasi bumagsak na sa daan at yung isa ay nakasandal na lamang.

 Hearing Officer : Ano po ang sagot ni Mayor?

Sagot : Opo papupuntahan daw po niya sa tao niya.

Hearing Officer : Nakipag coordinate po sa inyo ang back hoe operator bago gawin ang pag clearing?

Sagot : Opo at itinuro po naming kung saan yung lugar.

Hearing Officer : Pagkatapos po ba iclearing yung yung daan ay nakipag coordinate pa siya sa inyo?

Sagot : Opo at nagpasalamat pa po kami sa kanya.

Hearing Officer : Alam po ba ninyo na bawal po ang magputol ng puno ng walang kaulang permit mula sa DENR.

Sagot : Hindi po kami aware.

Hearing Officer : May nais ka pa po ba idagdag o banggitin?

Sagot : Maraming salamat po at nalinawan po kami at madami din po kami nalaman at hindi na po kami uulit sa maling gawain.

Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Antonio L. Muhi at ay tinatapos ngayong ika-11:00 ng umaga.



Pinanumpaan at nilagdaan ngayong ika-12 ng Enero 2023, dito sa PENR Office, Boac, Marinduque.


ANTONIO L. MUHI
Siniyasat


GERMAN M. RIOVEROS
Saksi/ Brgy. Kagawad


CHRISTIAN R. INGLESIA
Saksi/ Brgy. Kagawad

Sinumpaan at nilagdaan sa harap namin ngayong ika-12 ng Enero 2023, dito sa PENR Office, Boac, Marinduque.


JOYBERT F. MIJARES
Acting Hearing Officer/SFMS


FOR. BERNADINE I. JASUL
Forester I/Member


FOR. DON GIBSON MERCADO
Forest I/Member

Mga Saksi: Wala

/hearing doc.
/hearing doc.



CL

 Republic of the Philippines
Province of Marinduque
MUNICIPALITY OF MOGPOG
BARANGAY MANGYAN-MABABAD




CRISTIAN R. IGLESIA
BARANGAY KAGAWAD
ID NO.: 174004024-05

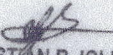

AUGUSTO LEO M. LIVEO
Municipal Mayor


ARIEL R. REGINIO
MLGOO


BALDOMERO L. LIMPIADA
Liga President



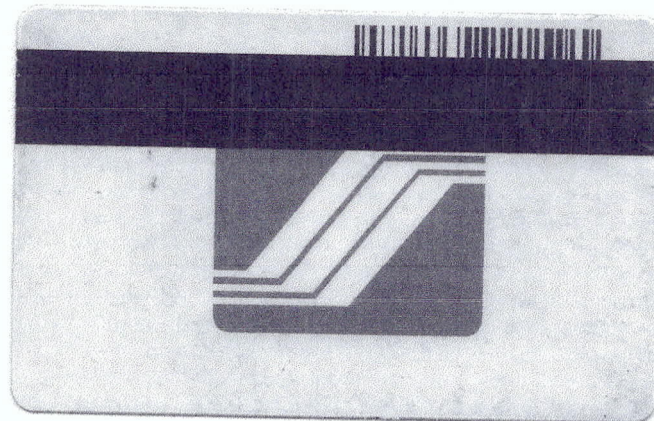
Date of Birth:	OCTOBER 7, 1991
Sex:	MALE
Civil Status:	SINGLE
Blood Type:	"O"
Height:	5'6"
Weight:	


CRISTIAN R. IGLESIA
CARDHOLDER SIGNATURE

In case of Emergency please notify:
CRISANTO IGLESIA
Mangyan-Mababad, Mogpog, Marinduque
Contact Number: 09301315929



German





**KATITIKAN SA PAGDINIG SA ILLEGAL NA PAG PUTOL NG ANIM (6) NA PIRASONG
PUNONG KAHUY NA 2-TALUTO, 2-ANTIPOLO, 1-CUJAOJAO, 1-PALSAHINGIN NA MAY
KABUOANG SUKAT NA TWO THOUSAND TWO HUNDRED SIXTY FOUR/POINT SIXTEEN
BOARD FEET (2,264.16 BD FT) NOONG SEPTEMBER 27, 2022 SA BARANGAY MANGYAN,
MOGPOG, MARINDUQUE**

TRANSCRIPT


of the minutes on the hearing taken down by the undersigned on the above-mentioned case

SFMS JOYBERT F. MIJARES
(Acting Hearing Officer)

Date of Hearing - Ika- 12 ng Enero 2023
Time of Hearing - Ika- 9:00 ng umaga
Place of Hearing - PENRO Office, Boac, Marinduque

APPEARANCES:

Forester I Bernadine I. Jasul	Member/Recorder
Forester I Don Gibson Mercado	Member
SFMS Joybert F. Mijares	Hearing Officer
G. Joseph Mauzar	Alleged perpetrator

 Hearing Officer : Magandang umaga po sa ating lahat. Ako po si SFMS Joybert F. Mijares ang tumatayong hearing officer kasama ko po si Forester I Bernadine I. Jasul at For. I Don Gibson Mercado. Kayo po ay amin pinatawag hinggil sa alegasyon sa inyo sa paglabag sa PD 705. Sang-ayon po sa DAO No. 97-32 ang ganito pong Administrative Hearing o pagdinig ay isinasagawa upang malaman ang kabuuang katotohanan dito.

Sa ilalim po ng ating Saligang Batas, kayo po ay may kalayaang pumili ng inyong tagapagtanggol o testigo upang magpahayag ng inyong panig o kaya naman ay may kalayaan na sagutin o hindi ang mga tanong kung inaakala ninyo na ito ay maaaring gamitin laban sa inyo. Alam nyo po ba ang karapatan ninyong ito at nais nyo po bang ipagpatuloy ang pagdinig namin sa inyo?

Sagot : Opo.

Hearing Officer : Maluwag po ba sa inyong kalooban para mapasailalim sa aming pagdinig ngayon bilang pagtugon sa pinaiiral na patakaran ng aming ahensiya?

Sagot : Opo.

Hearing Officer : Maaari po bang sabihin sa harap ng Administrative Hearing na ito ang mga bagay-bagay na mapagkakakilanlan ukol sa inyong pagkatao?

Sagot : Ako po si Joseph M. Mauzar, 37 anyos, taga Brgy. Bocboc Mogpog, Marinduque, may asawa at isang anak. Ako po ay heavy equipment operator ng Provincial Engineering ng Marinduque. Ako po ay permanent employee ng Provincial. Ako din po ay service driver din.



Hearing Officer : May nalalaman po ba kayong tinumbang dalawang puno ng Antipolo sa Brgy. Mangyan Mababad, Mogpog, Marinduque

Sagot : Meron po.

Hearing Officer : Kayo po ba mismo ang nagtumba ng dalawang puno ng Antipolo?

Sagot : Opo

Hearing Officer : Paano ninyo po siya tinumba?

Sagot : Tinulak lamang po ng back hoe.

Hearing Officer : Ilang puno ang tinumba mo?

Sagot : Dalawang Antipolo.

Hearing Officer : Sino po ang nag utos sa inyong itumba ang puno?

Sagot : Ni request po ni Kapitan Antonio Muhi kay Mayor Agosto Levelo na kung pwedeng mapuntahan ng back hoe yung puno kasi po hazardous na po sa daan at may mga kabahayan din po. Na aprobahan naman ni Mayor ang request kaya agad ko po pinuntahan.

Hearing Officer : Ang request ba ni Kapitan Muhi kay Mayor ay verbal o may request letter?

Sagot : Hindi ko po alam.

Hearing Officer : Paano mo nakausap si Mayor at paano mo nalaman na may request si Kapitan Muhi para itumba ang puno?

Sagot : Umaga po ako pumunta kay Mayor para humingi ng fuel kasi po yung fuel ng back hoe ay sagot ni Mayor at binanggit ko po na sa kanya kong alam niya yong pinakikiusap ni Kapitan Muhi tungkol sa ipapatumbang kahoy.

Hearing Officer : Anong sagot ni Mayor?

Sagot : Puntahan ko daw muna tapos bumalik na ako sa aking ginagawa sa ilog para sa dreging.

Hearing Officer : Hindi po ba kayo nagtanong kay Kapitan kung may cutting permit ang kahoy?

Sagot : Hindi na po at ang nag usap na po ay c Mayor at si Kapitan.

Hearing Officer : Alam po ba ninyo na bawal po ang magputol ng puno ng walang kaulang permit mula sa DENR.

Sagot : Hindi ko po alam.

Hearing Officer : Kilala ninyo po ang may-ari ng lupa?

Sagot : Opo, yung po anak nung may ari ay aking bayaw.



Hearing Officer : Alam ba ng may-ari na itutumba yung puno?

Sagot : Opo.

Hearing Officer : Yung naging aksyon ninyo ba na itumba yung puno ay pagsunod sa katusan ni Mayor base sa request ni Kapitan Muhi?

Hearing Officer : Kung wala bang request si Kapitan at utos si Mayor ay hindi ka pupunta don?

Sagot : Opo.

Hearing Officer : May nais ka pa po ba idagdag o banggitin?

Sagot : Sumunod lamang po ako sa utos sa akin na itumba yung dalawang puno ng Antipolo dahil kailangan po at hazardous na sa daan at sa tao dahil may mga kabahayan. Ako po ay nahingi ng paunmanhin dahil hindi ko po akalain na mangyayari ito.

Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Joseph M. Mauzar at ay tinatapos ngayong ika-9:50 ng umaga.

Pinanumpa at nilagdaan ngayong ika-12 ng Enero 2023, dito sa PENR Office, Boac, Marinduque.


JOSEPH M. MAUZAR
Siniyasat

Sinumpa at nilagdaan sa harap namin ngayong ika-12 ng Enero 2023, dito sa PENR Office, Boac, Marinduque.



JOYBERT F. MIJARES
Acting Hearing Officer/SFMS


FOR. BERNADINE I. JASUL
Forester I/Member



FOR. DON GIBSON MERCADO
Forest I/Member


Mga Saksi: Wala

/hearing doc.
/hearing doc.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
LAND TRANSPORTATION OFFICE
DRIVER'S LICENSE





Last Name, First Name, Middle Name
MAUZAR, JOSEPH MANOY

Nationality	Sex	Date of Birth	Weight (kg)	Height (m)
PHL	M	1986/02/05	68	1.67

Address
BOCBOC, MOGROG, MARINDUQUE


License No.	Expiration Date	Agency Code
D03-07-000077	2032/02/05	D03

Blood Type	Eyes Color
B+	OTHER

DL Codes	Conditions
A, A1, B, B1, B2, C, D	NONE

Signature of Licensee

Edgar C. Galvante
EDGAR C. GALVANTE
Assistant Secretary



III. ORGAN DONATION:
I WILL NOT DONATE ANY ORGAN

IV. IN CASE OF EMERGENCY NOTIFY:
NAME: JOYCE MAUZAR
ADDRESS: BOCBOC, MOGROG, MARINDUQUE
TEL. NO.: 09759106645

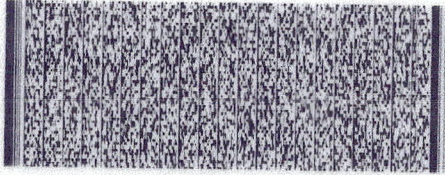
I. DL CODES:

A MOTORCYCLE	L1, L2, L3, PL, MT
A1 TRI-CYCLE	L4, L5, L6, L7, PL, MT
B UP TO 5000 KGS GVW/8 SEATS	M1, PL, MT
B1 UP TO 5000 KGS GVW/9 OR MORE SEATS	M2, PL, MT
B2 GOODS 3500 KGS GVW	N1, PL, MT
C GOODS > 3500 KGS GVW	N2, N3, PL, MT
D BUS > 8000 KGS GVW/9 OR MORE SEATS	M3, PL, MT
BE TRAILERS 3500 KGS	
CE ARTICULATED C > 3500 KGS COMBINED GVW	

II. CONDITIONS:

1. WEAR CORRECTIVE LENSES
2. DRIVE ONLY W/ SPECIAL EQPT FOR UPPER/LOWER LIMBS
3. DRIVE CUSTOMIZED MOTOR VEHICLE ONLY
4. DAYLIGHT DRIVING ONLY
5. HEARING AID REQUIRED

Serial Number
170496400

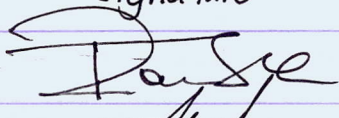
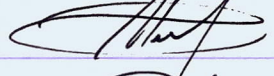
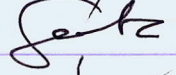
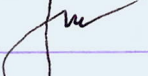
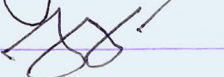


for

Attendance

November 08, 2022

Administrative Confiscation Proceedings

Name	Address	Contact No.	Signature
ROMEL Dy	SUNGGAL MOGPOG	0920967894	
SANNIE BOY MARCIAL	SUNANGGA MOGPOG	09705510944	
JOHN MARK OLA	SUNANGGA MOGPOG	09384131658	
BERNADINE JASUL	DENR- PENRO Marinduque		
JOYBERT F. MIWADEL	DENR- PEURO MARINDUQUE		



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

Ika-26 Octubre, 2022

G. ROMMEL DY
JEDEDIAH Construction
Brgy. Sumangga, Mogpog, Marinduque

G. DY,

Isang Makakalikasang Araw!

Ang liham pong ito ay hinggil sa mga nakatumbang dalawang (2) puno ng Taluto, dalawang (2) Antipolo, isang (1) pirasong Cujaojao (1) Palasahingin na may kabuoang sukat na 2,264.16 board feet na nakumpiska n gaming mga tauhan noong ika-27 ng Setyembre, 2022 sa Barangay Mangyan, Mababad Mogpog, Marinduque.

Para po sa inyong kaalaman, ang pag-puputol, pamumosisyon at pagbibiyahe ng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland o Zona Forestal*, o maging sa mga *Alienable and Disposable land/Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa "*Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines*" *Inameyendahanng PD 1559 at Executive Order No. 277* at may katumbas na kaparusahan.

Base po sa ulat, kayo po ang may-ari ng nasabing Construction company, kung kaya't kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika-08 ng Nobyembre 2022 araw ng **Martes** sa ganap na ika- **9:00** ng **umaga** ditto sa tanggapan ng DENR PENRO-Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng abogado o isang opisyal ng barangay (Kagawad) bilang testigo na maaari ninyong isama sa nasabing pagdinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/lisensya).

Aasahan po naming ang inyong pagdalo para sa ikakalinaw ng usapin ito.

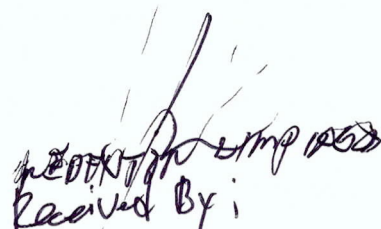
Maraming Salamat po.

Gumagalang,

"For and in the absence of the PENRO"

SIMEON R. DIAZ
LMO III/Chief, RPS
In-Charge, Office of the PENRO




Received By:
11-14-22



Sagot : Contractor.

Hearing Officer : Ano po ang pangalan ng Construction Ninyo?

Sagot : JEDEDIAH Construction

Hearing Officer : Bilang Contractor ano po ba ang kinalaman Ninyo sa sinasabing pinutol na mga kahoy.

Sagot : Bilang contractor, pinaliwanag ko sa mga operator na dito ang daan nggagawing kalsada pero wag munang puputulin ang mga kahoy.

Hearing Officer : Kailan po Ninyo nalaman na tinumba na nila yong mga punong kahoy?

Sagot : Hindi ko na po matandaan. Naka tatlong (3) araw na ang nakalipas bago ko malaman na nakatumba na ang puno ng taluto.

Hearing Officer : Ano po ang mga kahoy ang inyong naalala na Nakita Ninyo sa lugar?

Sagot : Yong taluto lang tinatandaan ko at di ko po pina puputol.

Hearing Officer : Ano po ang naging reaction Ninyo ng makita Ninyo na tumba na ang kahoy? Mga tauhan po ba Ninyo sila ?

Sagot : Pinag sabihan ko sila kong bakit nila tinumba at sinabi ko rin sa mga tao ko na mag babayad kayo diyan? Opo mga tao ko sila.

Hearing Officer : Anu pong pangalan nung nagpaputol ng kahoy sa inyo?

Sagot : Sina Rein Ola at Sannie Marcial.

Hearing Officer : Pero alam po Ninyo na wala pa pong cutting permit yong mga kahoy?

Sagot : Ang alam ko po doon ay inaantay pa namin ang cutting permit at ang instruction ko ay linisin lang muna at wag puputulin.

Hearing Officer : Alam ba ninyo na kayo po ang mananagot sa mga illegal na pag papatumba ng mga puno?

Sagot : Hindi po kaya nga po ang instruction ko ay wag munang puputulin ang mga kahoy habang wala pa ang cutting permit na mangagaling sa DENR.

Hearing Officer : Noon pong makita Ninyo na pinutol na yong mga kahoy ano po ang sinabi Ninyo sa mga tao ninyo?

Sagot : Bakit Ninyo tinumba yan? Ang sagot daw ng mga tao ko ay baka daw maka aksidente pa. At yong ibang puno po kasi ay di ko alam. At ang alam ko lang ay yong puno ng Taluto. Pero yong ibang kahoy ay diko siya Nakita.

Hearing Officer : Inaamin po ba ninyong walang permit ang pag putol ng puno?



Sagot : Hinde ko po alam, pero ang alam ko po ay may nag inspection na po ang taga DENR at kasama ang taga DPWH

Hearing Officer : Bilang may ari po ng construction company alam po ba Ninyo ang inyong responsibilidad sa mga ganitong Gawain? Gaya po sa pag putol ng kahoy

Sagot : Hindi po.

Hearing Officer : Meron po ba kayo tao na nangangasiwa sa operation ng inyong construction company?

Sagot : Meron po

Hearing Officer : Ano po ang pangalan ng inyong operation manager

Sagot : Direk Lope.

Hearing Officer : May gusto pa po ba kayong sabihin dito sa hearing na ito?

Sagot : Kong mag kakaroon kami ng liability gaya ng seedling replacement. Yun na lamang po sana ang aming gagawin bilang kabayaran sa aming nagawang kasalanan. Humihingi po kami ng pang unawa at konsiderasyon sa aming nagawa. Ngayon ay alam na po namin na ang bawal at hindi na namin ulit uulitin.

Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Rommel Dy at ay tinatapos ngayong ika-10:30 ng umaga.

Pinanumpaan at nilagdaan ngayong ika-08 ng Nobyembre 2022, dito sa PENR Office, Boac, Marinduque.

ROMMEL L. DY
Siniyasat

Sinumpaan at nilagdaan sa harap namin ngayong ika-08 ng Nobyembre 2022, dito sa PENR Office, Boac, Marinduque.

JOYBERT F. MIJARES
Acting Hearing Officer/SFMS

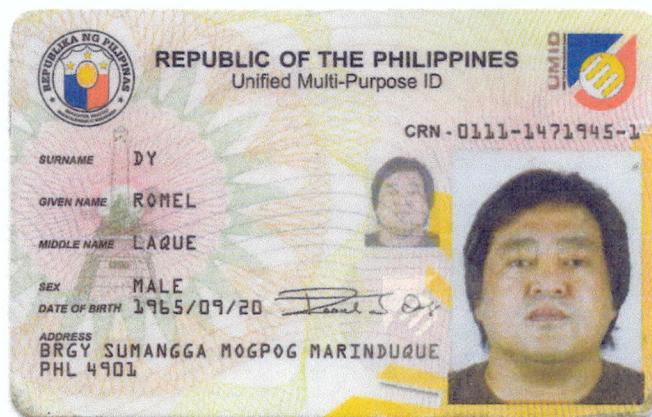
FOR. BERNADINE I. JASUL
Forester I/Member

MICHAEL JOSEPH A. MARANAN
Forest Ranger/Member

RANDY N. ESTRELLA
Forest Ranger/Member

Mga Saksi: Wala

/hearing doc.
/hearing doc.



Romel Laque



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

Ika-26 Octubre, 2022

G. REIN OLA

JEDEDIAH Construction

Brgy. Sumangga, Mogpog, Marinduque

G. OLA,

Isang Makakalikasang Araw!

Ang liham pong ito ay hinggil sa mga nakatumbang dalawang (2) puno ng Taluto, dalawang (2) Antipolo, isang (1) pirasong Cujaojao (1) Palasahingin na may kabuoang sukat na 2,264.16 board feet na nakumpiska n gaming mga tauhan noong ika-27 ng Setyembre, 2022 sa Barangay Mangyan, Mababad Mogpog, Marinduque.

Para po sa inyong kaalaman, ang pag-puputol, pamumosisyon at pagbibiyahe ng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland* o *Zona Forestal*, o maging sa mga *Alienable and Disposable land/Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa "*Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines*" *Inameyendahanng PD 1559 at Executive Order No. 277* at may katumbas na kaparusahan.

Base po sa ulat, kayo po ang may-ari ng nasabing Construction company, kung kaya't kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika-08 ng Nobyembre 2022 araw ng **Martes** sa ganap na ika- **9:00** ng **umaga** ditto sa tanggapan ng DENR PENRO-Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng abogado o isang opisyal ng barangay (Kagawad) bilang testigo na maaari ninyong isama sa nasabing pagdinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/lisensya).

Aasahan po naming ang inyong pagdalo para sa ikakalinaw ng usapin ito.

Maraming Salamat po.

Gumagalang,

"For and in the absence of the PENRO"

SIMEON R. DIAZ

LMO III/Chief, RPS

In-Charge, Office of the PENRO

Received By:
11-4-22



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

Ika-26 Octubre, 2022

G. SANNIE MARCIAL
JEDEDIAH Construction
Brgy. Sumangga, Mogpog, Marinduque

G. MARCIAL,

Isang Makakalikasang Araw!

Ang liham pong ito ay hinggil sa mga nakatumbang dalawang (2) puno ng Taluto, dalawang (2) Antipolo, isang (1) pirasong Cujaojao (1) Palasahingin na may kabuoang sukat na 2,264.16 board feet na nakumpiska n gaming mga tauhan noong ika-27 ng Setyembre, 2022 sa Barangay Mangyan, Mababad Mogpog, Marinduque.

Para po sa inyong kaalaman, ang pag-puputol, pamumosisyon at pagbibiyahe ng anumang produktong-gubat (Forest Products) tulad ng mga kahoy buhat sa looban ng *Timberland o Zona Forestal*, o maging sa mga *Alienable and Disposable land/Pribadong lupa* kung walang permiso buhat sa DENR ay mahigpit na ipinagbabawal ng batas ayon sa "*Seksiyon 77 ng PD 705 o Revised Forestry Code of the Philippines*" *Inameyendahanng PD 1559 at Executive Order No. 277* at may katumbas na kaparusahan.

Base po sa ulat, kayo po ang may-ari ng nasabing Construction company, kung kaya't kayo po ay aming inaanyayahan sa isang Administrative Confiscation Hearing na gaganapin sa ika-08 ng Nobyembre 2022 araw ng **Martes** sa ganap na ika- **9:00** ng **umaga** ditto sa tanggapan ng DENR PENRO-Marinduque upang maipaliwanag ninyo ang pagkakasangkot ng inyong pangalan sa nasabing usapin.

Kayo po ay may karapatang kumuha ng abogado o isang opisyal ng barangay (Kagawad) bilang testigo na maaari ninyong isama sa nasabing pagdinig. Mangyari po lamang na magdala ng anumang pagkakakilanlan (ID/sedula/lisensya).

Aasahan po naming ang inyong pagdalo para sa ikakalinaw ng usapin ito.

Maraming Salamat po.

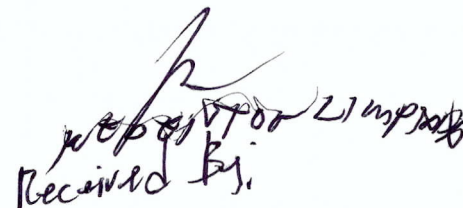
Gumagalang,

"For and in the absence of the PENRO"

SIMEON R. DIAZ
LMO III/Chief, RPS
In-Charge, Office of the PENRO






Received by:
11-4-22



**KATITIKAN SA PAGDINIG SA ILLEGAL NA PAG PUTOL NG ANIM (6) NA PIRASONG
PUNONG KAHUY NA 2-TALUTO, 2-ANTIPOLO, 1-CUJAOJAO, 1-PALSAHINGIN NA MAY
KABUOANG SUKAT NA TWO THOUSAND TWO HUNDRED SIXTY FOUR/POINT SIXTEEN
BOARD FEET (2,264.16 BD FT) NOONG SEPTEMBER 27, 2022 SA BARANGAY MANGYAN,
MOGPOG, MARINDUQUE**

TRANSCRIPT

of the minutes on the hearing taken down by the undersigned on the above-mentioned case

SFMS JOYBERT F. MIJARES
(Acting Hearing Officer)

Date of Hearing - Ika- 08 ng Nobyembre 2022
Time of Hearing - Ika- 9:00 ng umaga
Place of Hearing - PENRO Office, Boac, Marinduque

APPEARANCES:

Forest Ranger Michael Joseph A. Maranan
Forest Ranger Randy Estrella
Forester I Bernadine I. Jasul Member/Recorder
G. Rein Mark A. Ola - Alleged perpetrator
G. Sannie Boy N. Marcial - Alleged perpetrator

Hearing Officer : Magandang umaga po sa ating lahat. Ako po si SFMS Joybert F. Mijares ang tumatayong hearing officer kasama ko po si Forest Ranger Michael Joseph Maranan FR Randy N. Estrella at For. I Bernadine Jasul. Kayo po ay amin pinatawag hinggil sa alegasyon sa inyo sa paglabag sa PD 705. Sang-ayon po sa DAO No. 97-32 ang ganito pong Administrative Hearing o pagdinig ay isinasagawa upang malaman ang kabuuang katotohanan dito.

Sa ilalim po ng ating Saligang Batas, kayo po ay may kalayaang pumili ng inyong tagapagtanggol o testigo upang magpahayag ng inyong panig o kaya naman ay may kalayaan na sagutin o hindi ang mga tanong kung inaakala ninyo na ito ay maaaring gamitin laban sa inyo. Alam nyo po ba ang karapatan ninyong ito at nais nyo po bang ipagpatuloy ang pagdinig namin sa inyo?

Sagot : Opo.

Hearing Officer : Maluwag po ba sa inyong kalooban para mapasailalim sa aming pagdinig ngayon bilang pagtugon sa pinairal na patakaran ng aming ahensiya?

Sagot : Opo.

Hearing Officer : Maaari po bang sabihin sa harap ng Administrative Hearing na ito ang mga bagay-bagay na mapagkakakilanlan ukol sa inyong pagkatao?

G. Ola : Ako po si Rein Mark A.Ola, 32 anyos, taga Brgy. Sumanga Mogpog, Marinduque, may ka live in.



G. Marcial : Ako po si Sannie Boy N. Marcial, 35 anyos, taga Brgy. Mangyan-Mababad, Mogpog, Marinduque, may asawa.

Hearing Officer : Ano po ba ang hanap-buhay ninyo?

G. Ola : Operator ng backhoe.

G. Marcial : Spotter ng backhoe

Hearing Officer : Ano po ang pangalan ng Construction na pinapasukan ninyo?

Sagot : JEDIDEAH Construction

Hearing Officer : Pwede ba malaman ang pangalan ng may-ari ng construction na pinapasukan Ninyo?

Sagot : Si G. Rommel L. Dy.

Hearing Officer : Sino ang nag utos sa inyo na itumba ang mga punong kahoy?

Sagot : Bago po itumba ang mga puno ay binigyan na ako ng instruction ng aming foreman na itulak ko ng backhoe ang mga puno kasi po madadaan po talaga ng kalsada.

Hearing Officer : Ano po ang pangalan ng foreman ninyo?

Sagot : Reden Limpiada, hindi ko po alam kung taga saan siya.

Hearing Officer : Ilang puno at anu anong mga puno ang inyong pinutol?

Sagot : Dalawang puno ng taluto.

Hearing Officer : Base sa imbestigasyon ng aming kasama ay anim na puno ang nakitang nakatumba. 2 Taluto, 2- Antipolo, 1 cujaojao, 1 Palsahingin.

Sagot : 2 -Taluto lamang po ang itumba namin, yung 1 cujaojao, 1 palsahingin ay napasama lamang sa landslide at nakisuyo lamang si kapitan na itabi ko ang puno at lupa para may makadaan.

Hearing Officer : Ano ang pangalan ni Kapitan?

Sagot : Kapitan Antonio Muhi ng Barangay Mangyan Mababad, Mogpog, Marinduque

Hearing Officer : May ideya kayo kung sino ang nagtumba ng (2) Antipolo?

Sagot : Mga tauhan ng Provincial na operator ng backhoe.

Hearing Officer : Kilala po ba Ninyo ang operator ng backhoe?

Sagot : Joseph Mauzar, taga Brgy. Boc-Boc, Mogpog, Marinduque.

Hearing Officer : May direkta ba sa inyong instruction mula kay Mr. Rommel Dy na ipatumba ang puno.

Sagot : Wala at galing po sa foreman naming ang instruction.

Hearing Officer : May gusto pa po ba kayong sabihin dito sa hearing na ito?



Sagot : Inaamin ko po na ako ang nagtumba non 2 Taluto pero yung iba po na puno ay hindi po ako nagtumba. Kaya po nangyari yun ay hindi na po ako makadaan sa lugar kung kaya't nagawa ko itumba yun puno. Yun lamang po ang nais kong sabihin.

Hearing Officer : Ngayon mga kasama, kung wala na po kayong ibang sasabihin tungkol sa bagay na ito ay dito na natin tinatapos ang ating pag-dinig kay G. Rommel Dy at ay tinatapos ngayong ika-10:30 ng umaga.

Pinanumpaan at nilagdaan ngayong ika-08 ng Nobyembre 2022, dito sa PENR Office, Boac, Marinduque.


REIN MARK A. OLA
Siniyasat

SANNIE BOY N. MARCIAL
Siniyasat 

Sinumpaan at nilagdaan sa harap namin ngayong ika-08 ng Nobyembre 2022, dito sa PENR Office, Boac, Marinduque.


JOYBERT F. MIJARES
Acting Hearing Officer/SFMS


FOR. BERNADINE I. JASUL
Forester I/Member



MICHAEL JOSEPH A. MARANAN
Forest Ranger/Member


RANDY N. ESTRELLA
Forest Ranger/Member

Mga Saksi: Wala

/hearing doc.
/hearing doc.

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
LAND TRANSPORTATION OFFICE
DRIVER'S LICENSE



Last Name, First Name, Middle Name
MARCIAL, SANNIE BOY NERIAS

Nationality Sex Date of Birth Weight (kg) Height(m)
PHL M 1986/06/22 62 1.68

Address
MANGYAN MABABAD MOGPOG MARINDUQUE

License No. Expiration Date Agency Code
N02-21-003379 2025/08/22 N02

Blood Type Eyes Color
O BLACK

Dl Codes Conditions
A,A1,B,B1,B2 NONE

Signature of Licensee *[Signature]* *[Signature]*
EDGAR C. GALVANTE
 Assistant Secretary

[Signature]

III. ORGAN DONATION:
 I WILL NOT DONATE ANY ORGAN

IV. IN CASE OF EMERGENCY NOTIFY:
 NAME: SANNIE BOY MARCIAL
 ADDRESS: SUEMO
 TEL. NO. 093344182327


1. DL CODES

A. MOTORVEHICLE	L1-L2,L3,PL,AT,MT
A1. TRI-CYCLE	L4,L5,L6,L7,PL,AT,MT
B. UP TO 6000 KGS GVW/400 SEATS	M1,PL,AT,MT
B1. UP TO 3500 KGS GVW/20 OR MORE SEATS	M2,PL,AT,MT
B2. GOODS > 3500 KGS GVW	M3,PL,AT,MT
C. GOODS > 3500 KGS GVW	M4,PL,AT,MT
D. BUS > 5000 KGS GVW/20 OR MORE SEATS	M5,PL,AT,MT
DE. TRAILERS > 3500 KGS	OT,OT-PL,AT,MT
CE. ARTICULATED C > 5500 KGS COMBINED GVW	OT-PL,AT,MT

II. CONDITIONS:


1. WEAR CORRECTIVE LENSES
2. DRIVE ONLY VEH. SPEC. EQPT FOR UPPER/LOWER LIMBS
3. DRIVE CUSTOMIZED MOTOR VEHICLE ONLY
4. DAYLIGHT DRIVING ONLY
5. HEARING AID REQUIRED

Serial Number
166186362



[Signature]

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
LAND TRANSPORTATION OFFICE
PROFESSIONAL DRIVER'S LICENSE



Last Name, First Name, Middle Name
OLA, REIN MARK ASAHAR


Nationality Sex Date of Birth Weight (kg) Height(m)
PHL M 1990/04/26 53 1.63

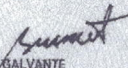
Address
253 PINAGLABANAN ST HALO-HALO SAN JUAN

Licensee No. Expiration Date Agency Code
D03-16-001012 2024/04/26 N01

Blood Type Eyes Color
A+ BROWN

Restrictions Conditions
1,2,3 NONE

Signature of Licensee 

EDGAR C. GALVANTE
Assistant Secretary 



III. ORGAN DONATION:
I WILL NOT DONATE ANY ORGAN


IV. IN CASE OF EMERGENCY NOTIFY:
NAME: SHELLA REANZARES
ADDRESS: YOOK, BUENAVISTA, MARINDUQUE
TEL. NO.: 09382534811

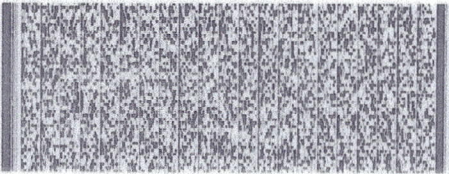
I, **REIN MARK ASAHAR**, DO hereby certify that I am the owner of the vehicle described herein and that I am the driver of the vehicle.

I. RESTRICTIONS:
1. MOTORCYCLES/MOTORIZED TRICYCLES
2. VEHICLE UP TO 4500 KGS G.V.W.
3. VEHICLE ABOVE 4500 KGS G.V.W.
4. AUTOMATIC CLUTCH UP TO 4500 G.V.W.
5. AUTOMATIC CLUTCH ABOVE 4500 G.V.W.
6. ARTICULATED VEHICLE 1600 KGS G.V.W. AND BELOW
7. ARTICULATED VEHICLE 1601 UP TO 4500 G.V.W.
8. ARTICULATED VEHICLE 4501 & ABOVE G.V.W.

II. CONDITIONS:
A. WEAR EYEGLASSES
B. DRIVE ONLY W/SPECIAL EQPT FOR UPPER LIMBS
C. DRIVE ONLY W/SPECIAL EQPT FOR LOWER LIMBS
D. DAYLIGHT DRIVING ONLY
E. ACCOMPANIED BY A PERSON W/NORMAL HEARING

Serial Number
109771097









October 3, 2022

MEMORANDUM

**FOR : The Chief, Environmental Management Services
EMB-Marinduque**

FROM : In-Charge, Monitoring and Enforcement Section

**SUBJECT : 8888 COMPLAINT OF MR. RODRIGO LUSTERIO ON THE
ALLEGED ILLEGAL TREE CUTTING AND EXCAVATION
ACTIVITY OF JEDIDIAH CONSTRUCTION AT BARANGAY
SUMANGGA TO MANGYAN-MABABAD, MOGPOG,
MARINDUQUE**

This is in connection with the complaint of Mr. Rodrigo Lusterio regarding the alleged illegal excavation and establishment of batching plant within a portion of land allegedly owned by the complainant.

Please be informed that the issued Certificate of Non-Coverage No. CNC-OL-R4B-2022-09-01734 only includes the construction of the Lapote-Mangyan Mababad Road but not the excavation of land and the establishment of batching plant.

In view of the foregoing, the undersigned respectfully endorse this matter to your section for verification and appropriate action.

Attached is the report of the Monitoring and Enforcement Section staff for your reference.

DON GIBSON DIMERCADO
Forester I

In-Charge, Monitoring and Enforcement Section

Received B.V.
P. 2. 1511
10/03/2022 9:31 P.M.



September 28, 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division

FROM : Forest Ranger Michael Joseph A. Maranan
Forest Ranger Randy N. Estrella

SUBJECT : **8888 COMPLAINT OF MR. RODRIGO LUSTERIO ON THE ALLEGED ILLEGAL TREE CUTTING AND EXCAVATION ACTIVITY OF JEDIDIAH CONSTRUCTION AT BARANGAY SUMANGGA TO MANGYAN-MABABAD, MOGPOG, MARINDUQUE**

I. BACKGROUND

WHEREAS, on September 20, 2022, an email was forwarded by the DENR MIMAROPA Office 8888 focal the complaint of Mr. Rodrigo Lusterio on the ongoing project in Brgy. Sumangga, Mogpog, Marinduque.

WHEREAS, on September 21, 2022, For. Don Gibson D. Mercado coordinated with the complainant as to the specific complaint he has with regard to the said project.

WHEREAS, accordingly, the DPWH has a project of road concreting within the internal road covering Brgy. Mangyan-Mababad to Brgy. Sumangga, Mogpog, Marinduque. That number of trees has been bulldozed and the contractor entered his private land and excavate the hill within his private land.

II. FACTS and FINDINGS

1. That the undersigned coordinated with Barangay Official Antonio L. Muhi (Chairman) of Barangay Mangyan-Mababad, Mogpog, Marinduque regarding the alleged illegal cutting of trees and excavation in So. Lapote site, Brgy. Mangyan Mababad, Mogpog, Marinduque. Accordingly, the DPWH ^{project} which was contracted to JEDIDIAH Construction has an ongoing road concreting project in the area which resulted in the clearing of the proposed area of the project.
2. The undersigned also proceed ^{ed to} in the project area to coordinate with the project engineers and foreman, unfortunately, they are not present in the area at the time of the investigation.
3. The team observed different species of trees which are already felled down along the course of the project with an approximate volume of 5.34 cu. m. 2217.52 bd. ft., however, based on the record of this Office no issued Tree Cutting Permit for the cutting of trees affected by the project.
4. The undersigned also ~~found~~ ^{visited} the area which was allegedly excavated and flattened by the staff of JEDIDIAH construction. Accordingly, the area was owned by a certain Mr. Muhi



who prohibit the JEDIDIAH construction to enter the area to implement the project. In order to resolve the issue, Mr. Rommel Dy, owner of the construction company, bought a portion of land to construct the batching plant. The area which is hilly in topography was excavated and flattened to level the land for the establishment of the batching plant.

5. Per inspection conducted, the said logs were still in the area and not yet turned over to our Office for proper accounting and disposition.
6. Please find the attached Geo-tagged photos, tally sheet and stand and stock table of the said inspected trees.

III. RECOMMENDATION

1. In view of the above findings gathered, that the trees affected in the area was cut without securing necessary permit it is hereby recommended that Mr. Rommel Dy (owner of JEDIDIAH construction) be summoned in this office to explain their side for violation of "section 77 of Presidential Decree 705 as amended by Presidential Decree 1559 which states that "Any person who shall cut, gather, collect, removed timber or other forest products from any forest lands, or timber from A and D, public lands or private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forestry laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code". Further, PD 953 states that "Any person who cuts, destroys, damages or injures, naturally growing or planted trees of any kind, flowering or ornamental plants and shrubs, or plants of scenic, aesthetic and ecological values, along public roads, in plazas, parks other than national parks, school premises or in any other public ground or place, or on banks of rivers or creeks, or along roads in land subdivisions or areas therein for the common use of the owners of lots therein, or any species of vegetation or forest cover found therein shall, be punished with imprisonment for not less than six months and not more than two years, or a fine of not less than five hundred pesos and not more than five thousand pesos, or with both such imprisonment and fine at the discretion of the court",
2. To endorse the said concern to EMB to verify the issuance of ECC or CNC to the project and to conduct further investigation in the area.
3. To furnish Mr. Rodrigo Lusterio with this report for his information and reference.

For information and further instruction.

Prepared by:

MICHAEL JOSEPH A. MARANAN
Forest Ranger

RANDY N. ESTRELLA
Forest Ranger

Noted by:

DON GIBSON D. MERCADO
Forester I



Republic of the Philippines
Department of Environment and Natural Resources
Provincial Environment and Natural Resources Office
Boac, Marinduque

PENRO MARINDUQUE

09/21/2022

11:39 AM

BY: *Jaine*

DATE: *9/21/155*

PENRO DOCUMENT ACTION AND TRACKING SLIP

DOCUMENT INFORMATION

Document Category: Incoming

Document No.: 2022-IN-002395

Sender/s:
• DENR MIMAROPA

Originating Office: DENR MIMAROPA

Classification: Simple

Subject: Fw Compliant Sumangga, Mogpog LAPOTE site for inspection

Encoded By: Manoel Christian Munar

Document Type: Email

Control Code:

Date & Time Received: 09/21/2022 11:39 AM

Address:

Is This Urgent?: Yes

HISTORY LOGS

DOC. FROM	DOC. TO	RECEIVED	RELEASED	RUNTIME	ACTION TO BE TAKEN	REMARKS	ATTACHMENTS
• DENR MIMAROPA	• Imelda Diaz	09/21/2022 11:39 AM	09/21/2022 11:39 AM		For evaluation and comment/s		
• Imelda Diaz	<i>TSO/MES</i>					<i>(Conducted inspection already.)</i>	
	<i>Chief, MES</i>				<i>Pls. also give me feedback on this.</i> <i>Please conduct immediate inspection of the area.</i> <i>Submit report.</i> <i>TY</i> <i>g</i>		



Fw: COMPLAINT_Bgy.Sumangga Mogpog Marinduque _LAPOTE site_ for Inspection

Regional Office <denr8888mimaropa@yahoo.com>

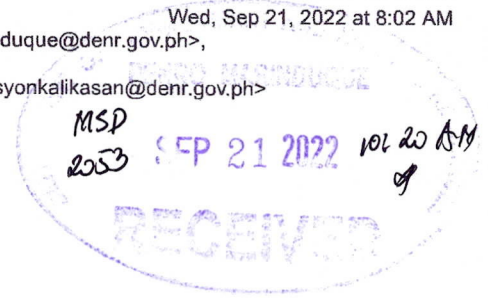
To: PENRO Marinduque™ <denr_marinduque@yahoo.com.ph>, R4B PENRO Marinduque <penromarinduque@denr.gov.ph>,
"openro.marinduque@gmail.com" <openro.marinduque@gmail.com>

Cc: "aksyonkalikasan@denr.com.ph" <aksyonkalikasan@denr.com.ph>, DENR AKSYON CENTER <aksyonkalikasan@denr.gov.ph>

Wed, Sep 21, 2022 at 8:02 AM

For follow-up.

Please acknowledge receipt of this email.



DENR MIMAROPA Regional Office (8888 Focal)

1515 L & S Building, Roxas Boulevard, Ermita, Manila 1000

(02) 405-01-57

Fax (02) 405-03-27; 405-00-46

VOIP#(02) 755-3300 / 755-3330 loc 2700

----- Forwarded Message -----

From: Lusterio, Rodrigo (Makati) <rodrigo.lusterio@sgs.com>

To: osec@denr.gov.ph <osec@denr.gov.ph>; denr8888mimaropa@yahoo.com <denr8888mimaropa@yahoo.com>

Cc: luvimin@gmail.com <luvimin@gmail.com>; lusteriofmargas@gmail.com <lusteriofmargas@gmail.com>

Sent: Wednesday, September 21, 2022 at 07:55:10 AM GMT+8

Subject: Re: COMPLAINT_Bgy.Sumangga Mogpog Marinduque _LAPOTE site_ for Inspection

Dear DENR,

A gentle follow up on our request for INSPECTION.

Below are our complaints from the HERITAGE of our parents.

Destroyed elevated Hill,
Destroyed All Old big Trees,
Destroyed many Coconut Trees, and
Banana Trees, etc.

See attached pictures for additional proof of evidence.

Sincerely,

Rodrigo M. Lusterio

Industries and Environment

OGC - Fuel Marking

Field Laboratory Technician

SGS Philippines, Inc.

Mobile: +63917 805 2902 / 09278651368

E-mail: Rodrigo.Lusterio@sgs.com

Get [Outlook for Android](#)

From: Lusterio, Rodrigo (Makati) <Rodrigo.Lusterio@sgs.com>

Sent: Tuesday, September 20, 2022, 6:43 AM

To: osec@denr.gov.ph <osec@denr.gov.ph>; osec@denr.gov.ph <osec@denr.gov.ph>; denr8888mimaropa@yahoo.com <denr8888mimaropa@yahoo.com>

Cc: luvimin@gmail.com <luvimin@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

3 attachments

Screenshot_20220921-063706_Messenger.jpg
315K



Screenshot_20220921-063654_Messenger.jpg
410K



Screenshot_20220921-063644_Messenger.jpg
403K

6:37



VoLTE 4G LTE1



70%



6:36

Vol 4G
LTE1 70%



6:36



Vol 4G LTE1 70%





October 10, 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division

**FROM : Forest Ranger Michael Joseph A. Maranan
Forest Ranger Randy N. Estrella**

**SUBJECT : FOLLOW-UP INVESTIGATION ON THE ALLEGED ILLEGAL
CUTTING OF TREES IN BARANGAY MANGYAN-MABABAD TO
BARANGAY SUMANGGA, MOGPOG, MARINDUQUE**

I. BACKGROUND

WHEREAS, on September 27, 2022 the undersigned conducted investigation and verification on the veracity of the report of Mr. Rodrigo Lusterio through 8888 regarding the illegal cutting and excavation in So. Lapote site, Barangay Mangyan-Mababad, Mogpog, Marinduque.

WHEREAS, based on verification conducted, the DPWH has a project of road concreting within the internal road covering Brgy. Mangyan-Mababad to Brgy. Sumangga, Mogpog, Marinduque. That number of trees has been bulldozed and the contractor entered his private land and excavate the hill within his private land.

II. FACTS and FINDINGS

1. That the six (6) trees were felled using a backhoe which was operated by a certain Rein Ola, 32 years old, residence of Brgy. Sumangga, Mogpog, Marinduque with the help by a certain Mr. Sannie Marcial (spotter), 36 years old residence of Brgy. Mangyan-Mababad, Mogpog, Marinduque. Based on the interview, they start the said project on August 20, 2022 including the felling of trees using backhoe.
2. That the trees were identified as two (2) species of Taluto (*Pterocymnium tinctorium*) two (2) species of Antipolo (*Artocarpus blancoi*) , one species of Dapdap (*Erythrina variegata*) and one miscellaneous tree species, with an approximate volume of 5.34 cu. m. 2217.52 bd. ft., however, based on the record of this Office no issued Tree Cutting Permit for the cutting of trees affected by the project.
3. Per inspection conducted, the said logs were still in the area and not yet turned over to our Office for proper accounting and disposition.
4. Please find the attached Geo-tagged photos and tally sheet of the said inspected trees.

III. RECOMMENDATION

1. In view of the above findings gathered, that the trees affected in the area was cut without securing necessary permit it is hereby recommended that Mr. Rommel Dy (owner of



JEDIDIAH construction) be summoned in this office to explain their side for violation of "section 77 of Presidential Decree 705 as amended by Presidential Decree 1559 which states that "Any person who shall cut, gather, collect, removed timber or other forest products from any forest lands, or timber from A and D, public lands or private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forestry laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code".

Further, PD 953 states that "Any person who cuts, destroys, damages or injures, naturally growing or planted trees of any kind, flowering or ornamental plants and shrubs, or plants of scenic, aesthetic and ecological values, along public roads, in plazas, parks other than national parks, school premises or in any other public ground or place, or on banks of rivers or creeks, or along roads in land subdivisions or areas therein for the common use of the owners of lots therein, or any species of vegetation or forest cover found therein shall, be punished with imprisonment for not less than six months and not more than two years, or a fine of not less than five hundred pesos and not more than five thousand pesos, or with both such imprisonment and fine at the discretion of the court",

For information and further instruction.

Prepared by:


MICHAEL JOSEPH A. MARANAN
Forest Ranger


RANDY N. ESTRELLA
Forest Ranger

Noted by:


DON GIBSON D. MERCADO
Forester I