



Republic of the Philippines
Department of Environment and Natural Resources
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
MIMAROPA Region

MAR 06 2023

MEMORANDUM

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

THRU : The Assistant Regional Director
For Technical Services

FROM : The OIC, PENR Officer

SUBJECT : RESOLUTION NO. 2022-068

DENR MIMAROPA RECORDS SECTION RECEIVED	
MAR 13 2023	
☐ INCOMING	☐ OUTGOING
BY: _____	DATE NO. _____
TIME: _____	

Respectfully forwarded is the memorandum of CENR Officer Efren L. delos Reyes dated February 14, 2023 relative to the above-cited subject.

This is in relation to the result of administrative adjudication regarding the apprehension of one (1) unit of RUSI 150 (Tora-Tora) loaded with two pieces of Bulabog lumber having a total volume of 128 bd. Ft by the operatives of Magsaysay Municipal Police Station at Barangay Lourdes, Magsaysay, Occidental Mindoro.

For your information and record.


ERNESTO E. TAÑADA



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

FEB 14 2023

MEMORANDUM

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

THRU : The OIC-PENR Officer
Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : RESOLUTION NO. 2022-068

Submitted herewith is the Resolution No. 2022-068 as a result of administrative adjudication on the apprehended one (1) unit conveyance RUSI 150 (Tora-tora), color red, with Engine Number RW162FMJ89701159 and Chassis Number RWCLXPGA-199731159 at Brgy. Lourdes, Magsaysay, Occidental Mindoro by personnel of Magsaysay Municipal Police on May 25, 2022.

For your information and record.


ENGR. NILO P. SALVADOR
DMO IV/ Deputy CENRO
In-Charge, Office of the CENRO



Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457-0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph



RE: APPREHENSION OF TWO (2) PIECES OF BULABOG LUMBERS WITH A DIMENSION OF 5"x16"x12', ONE (1) PIECE AND 3"x16"x12', ONE (1) PIECE, WITH A TOTAL VOLUME OF 128.00 BDFT. AND ONE (1) CONVEYANCE – RUSI 150 MOTORCYCLE WITH (TORA-TORA), COLOR RED, ENGINE NUMBER RW-162FMJ-89701159 AND CHASSIS NUMBER RWCLXPGA-199731159 AT BRGY. LOURDES, MAGSAYSAY, OCCIDENTAL MINDORO ON MAY 25, 2022 AT AROUND 1:20 IN THE MORNING.

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RESOLUTION No. 2022-068

This pertains to the apprehension of Two (2) pieces of Bulabog Lumbers with a total volume of 128 bdft, and One (1) Conveyance – RUSI 150 motor cycle with side car(tora-tora) color red, engine number RW-162FMJ-89701159 and chassis number RWCLXPGA-199731159 at Brgy. Lourdes, Magsaysay, Occidental Mindoro on May 25, 2022 at around 1:20 in the morning by the Personnel from Magsaysay Municipal Police Station.

The facts of the subject case are as follows, to wit:

1. That on May 25, 2022, around 1:20 in the morning, the Intel Operatives from Magsaysay Municipal Police Station led by PSMS Froilan S. Baniega under the direct supervision of PCPT Aldrin G. Tividad, ACOP, were conducting monitoring of illegal logging activity when they spotted the suspects transporting illegally sawn lumber on board of RUSI 150 motor cycle with side car (tora-tora) color red, engine number RW-162FMJ-89701159 and chassis number RWCLXPGA-199731159. When asked if they have documents for the transport of the lumbers, they admitted that these lumbers have no documents coming from the office of the DENR CENRO, San Jose, Occidental Mindoro. Upon interception and interrogation the suspect's identity are known as Pepito Manobo Nala, Cleofer Batoanum Bueno and Anthony Paroco Elias all are residing at Sitio Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro.(Please see attached spot report)
2. That the team apprehended Two (2) pieces of Bulabog Lumbers with a total volume of 128 bdft, and One (1) Conveyance – RUSI 150 motorcycle with side car(tora-tora) color red, engine number RW-162FMJ-89701159 and chassis number RWCLXPGA-199731159. These was temporarily impounded at the DENR-CENRO Brgy. Labangan, San Jose Occidental Mindoro, for safekeeping. (Please see attached spot report and apprehension receipt.)
3. That the corresponding Apprehension Receipt with CENRO Control No. 2022-F449 was issued by the apprehending officer headed by PCPI Luis Jovenal (please see attached apprehension receipt)
4. That the Seizure Order with CENRO Control Number 2022-F449 was issued by The Seizure Officer, EMS Chief, Forester III, Hector S. Aragoness Jr. (please see attached seizure order)

5. That the Recapitulation and Assessed value was prepared by EMS Deputy Chief, Forester 1, Jomar B. Serquina.
6. That a notice of Administrative Hearing was received by Mr. Anthony P. Elias, Pepito Nala and Cleofer Bueno and it was scheduled on May 31, 2022 at 10:00 in the morning. *(please see attached Notice of Administrative Hearing)*
7. That, an Administrative Hearing was held as scheduled on May 31, 2022 at 10:00 in the morning. *(Please see transcript of stenographic notes of the administrative hearing)*

The issues to be resolved in this case are as follow;

1. Whether or not the apprehended Two (2) pieces of Bulabog Lumbers with a total volume of 128.00 bdft will be confiscated in favor of the government.
2. **Whether or not the** apprehended One (1) Conveyance – RUSI 150 motor cycle with side car(tora-tora) color red, engine number RW-162FMJ-89701159 and chassis number RWCLXPGA-199731159 be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products is valid as well as the apprehension and seizure of the conveyance used in transporting the illegal forest products, as the apprehended forest products is not supported with any cutting permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro and the conveyance is used in transporting the illegal forest products.

Under the following Provision's to wit.

Presidential Decree No. 705, May 19, 1975, revising Presidential Decree No. 705 otherwise Known as the Forestry Reform Code of the Philippines, as amended by Executive Order No. 277 and republic Act No. 7161, states that;

SECTION 77. Cutting, Gathering and/or collecting Timber, or Other Forest Products Without License. – Any person who shall cut, gather, collect, removed timber or other forest products from any forest land, or timber from alienable or disposable public land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code

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SECTION 77-A. Administrative Authority of the Department Head or His Duly Authorized Representative to Order Confiscation. – In all cases of violations of this Code or other forest laws, rules and regulations, the Department Head or his duly authorized representative, may order the confiscation of any forest products illegally cut, gathered, removed, or possessed or abandoned, and all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter.

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Sec. 2. Items subject to apprehension, seizure, confiscation and forfeiture.

- a. **ILLEGAL FOREST PRODUCTS** - Any forest products(s) defined in Section 1(e) above that are removed, cut, collected, processed and/or transported: (a) without the requisite authorization or permit; or (b) with incomplete required supporting documents 1; (c) with genuine authorizations or permits and/or supporting documentation that have an expired validity, have been cancelled or that contain forged entries; or (d) with spurious (fake) authorizations, permits and/or supporting documentation. In implementing these Rules, original documents shall be required at all times to actually accompany any forest products being moved or transported to any place and for any purpose. Whenever the requisite authorization and/or supporting documentation are required to but do not actually accompany the forest products, such absence constitutes a violation covered by these Rules.
- b. **CONVEYANCE** – any mode or type or class of vehicle or craft or any other means used for transportation either on land, water, air, or any combination thereof, whether motorized or not, **used for in the taking and/or maintaining temporary or permanent possession or control, gathering, collecting, processing, disposing of, or otherwise transporting, moving or transferring illegal forest products.**

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3. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended Two (2) pieces of Bulabog Lumbers with a total volume of 128 bdft, and One (1) Conveyance – RUSI 150 motor cycle with side car(tora-tora) color red, engine number RW-162FMJ-89701159 and chassis number RWCLXPGA-199731159 shall be confiscated in favour of the government since those lumbers are product of an illegal act.

Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation. Moreover, DENR Administrative Order 97-32, Sec 2, Par C. Provides that conveyance used in transporting an illegal forest products is/are subject to confiscation and seizure.

Wherefore, pursuant to Section 77 and 77-a of PD 705 as amended, section 2 and 7 of DENR Administrative Order No. 97-32, series of 1990 and based on DAO 98-24 (Manual of Approvals) and DENR Administrative Order 97-32, Sec 2, Par C. the following are hereby recommended:

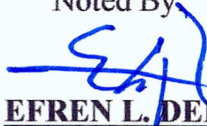
1. The Apprehended Two (2) pieces of Bulabog Lumbers with a total volume of 128 bdft, and One (1) Conveyance – RUSI 150 motor cycle with side car (tora-tora) color red, engine number RW-162FMJ-89701159 and chassis number RWCLXPGA-199731159 shall be confiscated in favour of the government since those lumbers are products of an illegal act.

Issued this _____ day of _____, _____ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:


HECTOR S. ARAGONES
Forester III
Hearing Officer

Noted By:


EFREN L. DELOS REYES
CENR Officer

KATITIKAN NG ADMINISTRATIBONG PAGDINIG TUNGKOL SA PAGKAHULI NG ISANG UNIT NG MOTORSIKLO TORA-TORA (RUSI 150), KULAY PULA, WALANG PLATE NUMBER, MAY ENGINE NUMBER RW162FMJ89701159 AT CHASSIS NUMBER RWCLXPGA1997731159 NA MAY SAKAY/ KARGANG DALAWANG (2) PIRASONG BULABOG NA KAHUY NA MAY IBA'T-IBANG SUKAT AT MAY DAMI NA 128.00 BDFT. NA GINANAP SA DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-31 NG MAYO, 2022, ALAS 10:00 NG UMAGA SA PAGLABAG SA SEKSYON 68, PD 705.

Mga Dumalo:

- | | | |
|---------------------------|---|--------------------|
| 1. Anthony P. Elias | - | Respondent |
| 2. Pepito Nala | - | Respondent |
| 3. Cleofer Bueno | - | Respondent |
| 4. Hector S. Aragoness Jr | - | Hearing Officer |
| 5. Sancho Niedo III | - | Legal Researcher I |
| 6. Maryjean M. Barolo | - | Stenographer |

Hearing Officer: Itong administratibong pagdinig ay tungkol sa pagkahuli ng isang unit ng motorsiklo TORA-TORA (RUSI 150), kulay pula, walang Plate Number, may Engine Number RW162FMJ89701159 at Chassis Number RWCLXPGA1997731159 na may sakay/ kargang dalawang (2) pirasong Bulabog na kahoy na may iba't-ibang sukat at may dami na 128.00 bdft. sa National Highway, Brgy. Lourdes, Magsaysay, Occidental Mindoro noong ika-25 ng Mayo, 2022 ganap na 1:20 ng madaling araw ng mga tauhan ng PNP Magsaysay.

Sa katugon, ipinapaalam po namin sa inyo na kayo po ay nasa ilalim ng administratibong pagdinig ayon sa DAO No. 97-32. Pumunta at humarap kayo sa pagdinig na ito na walang kasamang abogado o tagapagsalita para sa inyo. May karapatan kayo na kumuha ng abogado at meron kayong makukuhang abogado na nagbibigay ng libreng serbisyo. May karapatan din kayo na magsawalang kibo at ang bawat salita na inyong sasabihin ay pwedeng gagamitin laban sa inyo.

Hearing Officer: G. Cleofer Bueno, handa ka bang sumagot sa aking mga tanong o magbigay ng iyong malayang salaysay kahit wala kang kasamang abogado na magsasalita para sa iyo.

Cleofer Bueno: Opo.

Hearing Officer: G. Cleofer Bueno, pwede po ba kayong tumayo?

Hearing Officer: G. Cleofer Bueno, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?

Cleofer Bueno: Opo.

Hearing Officer: Pwede po ba ninyong sabihin ang iyong pangalan, edad, tirahan, trabaho at iba pang pagkakakilanlan?

Cleofer Bueno: Ako po si Cleofer Bueno, may asawa, 39 taong gulang, nakatira sa So. Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro at isang construction worker.

Hearing Officer: Noong ika-25 ng Mayo, 2022 sa ganap na 1:20 ng madaling araw sa National Highway, Brgy. Lourdes, Magsaysay, Occidental Mindoro maari mo bang isalaysay ang mga pangyayari kung paano kayo nahuli ng mga kawani ng PNP Magsaysay?

Cleofer Bueno: Kumarga po kami ng kahoy dahil sa kawalan ng pagkakakitaan napag-usapan po naming tatlo na ibyahe ang kahoy para may pandagdag pambili ng bigas. Hindi

ako sanay mag drive ng TORA-TORA kaya kumuha ako ng aking kasama dahil bago pa lamang ito sa akin.

Hearing Officer: May permit po ba ang kahoy galing sa opisina ng DENR?
Cleofer Bueno: Wala po.

Hearing Officer: Anong kahoy ang nahuli sa iyo?
Cleofer Bueno: Bulabog po.

Hearing Officer: Ilang piraso po ito?
Cleofer Bueno: 2 piraso po.

Hearing Officer: Sino po ang may-ari ng kahoy?
Cleofer Bueno: Hindi ko po kilala, may nagpakarga lang sa amin.

Hearing Officer: Kasama nyo ba ang may-ari ng kahoy noong nahuli kayo ng mga pulis?
Cleofer Bueno: Hindi po.

Hearing Officer: Magkano ang bayad nang pagkarga ng kahoy sa iyo?
Cleofer Bueno: 15 pesos per board feet po.

Hearing Officer: Saan po sana dadalhin ang kahoy?
Cleofer Bueno: Sa Brgy. Caminawit po, at doon na kami babayaran ng nagpakarga.

Hearing Officer: Sino po ang driver ng sasakyan noong nahuli ito?
Cleofer Bueno: Si Pepito Nala po.

Hearing Officer: Ikaw po ba ang may-ari ng sasakyan?
Cleofer Bueno: Ako po.

Hearing Officer: May mga dokumento po ba kayo ang nagmamay-ari ng sasakyan?
Cleofer Bueno: Opo, meron po pero second hand ko lamang po ito nabili.

Hearing Officer: G. Cleofer Bueno, meron ka pa bang gusto sasabihin o baguhin sa iyong salaysay?
Cleofer Bueno: Wala na po.

Hearing Officer: Maraming salamat po Mr. Cleofer Bueno

Salaysay ni Pepito Nala (driver)

Hearing Officer: G. Pepito Nala, handa ka bang sumagot sa aking mga tanong o magbigay ng iyong malayang salaysay kahit wala kang kasamang abogado na magsasalita para sa iyo.

Pepito Nala: Opo.

Hearing Officer: G. Pepito Nala, pwede po ba kayong tumayo?

Hearing Officer: G. Pepito Nala, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?

Pepito Nala : Opo.

Hearing Officer: Pwede po ba ninyong sabihin ang iyong pangalan, edad, tirahan, trabaho at iba pang pagkakakilanlan?

Pepito Nala: Ako po si Pepito Nala, may asawa, 31 taong gulang, nakatira sa So. Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro at isang construction worker.

Hearing Officer: Ano naman po ang inyong partisipasyon sa pagsisiyasat na ito?

Pepito Nala: Ako po ang driver sa nasabing sasakyan.

Hearing Officer: Maari nyo bang maisalaysay ang mga pangyayari?

Pepito Nala: Noong araw po na iyon, napag usapan namin na maghakot o mgbyahe ng kahoy para may pambili ng bigas.

Hearing Officer: Alam mo ba na walang permit ang kahoy?

Pepito Nala: Hindi po.

Hearing Officer: Saan po sana dadalhin ang kahoy?

Pepito Nala: Hindi ko po alam.

Hearing Officer: Ano ang inyong ginawa noong nahuli kayo ng mga pulis?

Pepito Nala: Wala po.

Hearing Officer: Alam mo ba na bawal magbyahe ng kahoy ng walang permit

Pepito Nala: Opo.

Hearing Officer: G. Pepito Nala, meron ka pa bang gusto sasabihin o baguhin sa iyong salaysay?

Pepito Nala: Wala na po.

Hearing Officer: Maraming salamat po Mr. Pepito Nala

Salaysay ni Anthony Elias (pahinante)

Hearing Officer: G. Anthony Elias, handa ka bang sumagot sa aking mga tanong o magbigay ng iyong malayang salaysay kahit wala kang kasamang abogado na magsasalita para sa iyo.

Anthony Elias: Opo.

Hearing Officer: G. Anthony Elias, pwede po ba kayong tumayo?

Hearing Officer: G. Anthony Elias, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?

Pepito Nala : Opo.

Hearing Officer: Pwede po ba ninyong sabihin ang iyong pangalan, edad, tirahan, trabaho at iba pang pagkakakilanlan?

Anthony Elias: Ako po si Anthony Elias, may asawa, 31 taong gulang, nakatira sa So. Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro at isang magsasaka.

Hearing Officer: Ano naman po ang inyong partisipasyon sa pagsisiyasat na ito?

Anthony Elias: Ako po ang pahinante.

Hearing Officer: Maari nyo bang maisalaysay ang mga pangyayari?

Anthony Elias: Noong gabi po na iyon napagkasunduan naming na magbyahe ng kahoy upang may pambili ng bigas kaya po ako sumama.

Hearing Officer: Alam mo ba na walang permit ang kahoy?

Anthony Elias: Hindi po.

Hearing Officer: Saan dadalhin ang kahoy?
Anthony Elias: Hindi ko po alam.

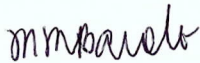
Hearing Officer: Alam mo ba na bawal magbyahe ng kahoy ng walang permit?
Anthony Elias: Opo.

Hearing Officer: G. Anthony Elias, meron ka pa bang gusto sasabihin o baguhin sa iyong salaysay?
Anthony Elias: Wala na po.

Hearing Officer: Maraming salamat po Mr. Anthony Elias.

Hearing Officer: Maraming salamat. Dahil wala na pong katanungan dito na po nagtatapos ang ating administratibong pagdinig sa ganap ng 10:20 ng umaga ng ika-31 ng Mayo, 2022.

Prepared by:



MARYJEAN M. BAROLO
Stenographer

Noted by:



HECTOR S. ARAGONES JR.
Forester III
Seizure Officer/ Hearing Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

ATTENDANCE
May 31, 2022

ADMINISTRATIVE HEARING FOR THE APPREHENSION OF ONE (1) UNIT OF MOTORCYCLE RUSI 150, COLOR RED, WITH ENGINE NUMBER RW-162FMJ-89701159 AND CHASSIS NUMBER RWCLXPGA-1999731159 AT NATIONAL HIGHWAY BRGY. LOURDES, MAGSAYSAY, OCCIDENTAL MINDORO LAST MAY 25, 2022 AT AROUND 1:20 PM.

NAME	ADDRESS	GEN DER	A G E	PARTICIPATION	SIGNATURE
ANTHONY P. EVIAS	MAGSAYSAY	M	31	respondent	<i>[Signature]</i>
DEPITO NALA	MAGSAYSAY	M	31	respondent	N.C.
CLEOFER PONENTE	MAGSAYSAY	M	39	respondent	C.B.
HECTOR S. ARAGON JR	DENR	M	50	HEARING OFFICER	<i>[Signature]</i>
SANCHO NIEDO III	DENR	M		LEGAL RESEARCHER	
MARY JEAN M. BARLO	DENR	F	43	STENOGRAPHER	<i>[Signature]</i>



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

ATTENDANCE
May 31, 2022

ADMINISTRATIVE HEARING FOR THE APPREHENSION OF ONE (1) UNIT OF MOTORCYCLE RUSI 150, COLOR RED, WITH ENGINE NUMBER RW-162FMJ-89701159 AND CHASSIS NUMBER RWCLXPGA-1999731159 AT NATIONAL HIGHWAY BRGY. LOURDES, MAGSAYSAY, OCCIDENTAL MINDORO LAST MAY 25, 2022 AT AROUND 1:20 PM.

NAME	ADDRESS	GEN DER	A G E	PARTICIPATION	SIGNATURE
ANTHONY P. EVAS	MAGSAYSAY	M	31	respondent	<i>[Signature]</i>
DEPITO NALA	MAGSAYSAY	M	31	respondent	<i>N.E</i>
CLEOFER PABENO	MAGSAYSAY	M	39	respondent	<i>C.B.</i>
HECTOR S. ARAGONER JR	DENR	M	50	HEARING OFFICER	<i>[Signature]</i>
SANCHO NIEDE III	DENR	M		LEGAL RESEARCHER	
MARY JEAN M. BARLO	DENR	F	43	STENOGRAPHER	<i>mmpandlo</i>

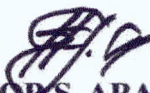
Republika ng Pilipinas)
Lalawigan Ng Kanlurang Mindoro) S.S.
Bayan Ng San Jose)
X-----X

AFFIDAVIT OF COMPLAINANT

Ako si **Forester III HECTOR S. ARAGONES, JR.**, 50 taong gulang may-asawa at kawani ng Kagawaran ng Kapaligiran at Likas Yaman, itinalagang bilang hepe ng Enforcement and Monitoring Section (EMS) ng DENR- CENRO San Jose, Occidental Mindoro.

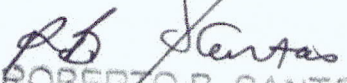
1. Na, noong ika-25 ng Mayo, 2022 humigit kumulang ika-7:00 ng umaga, ako ay sinabihan ni Forester I Jomar Serquiña na nakahuli ang PNP Magsaysay, Occidental Mindoro sa pamumuno ni PSMS Froilan S Bañaga ng isang (1) Motorsiklo na kargang kahoy na hi-way ng Brgy. Lourdes, Magsaysay, Occidental Mindoro papuntang Brgy. Mapaya, Magsaysay, Occidental Mindoro dakong 1:20 ng umaga ng kaparehong petsa.
2. Na, ang motorsiklo na may kargang kahoy ay aming kinunan ng pagkakilanlan at mga sumusunod:
 - a. Motorsiklo: RUZI 150, kulay pula na may side car na tora-tora
 - b. Engine No.: RW-162FML-89701159
 - c. Chassis No.: RWCLXPGA-199731159
3. Na, amin din kinunan ng sukat ang mga tabla at ito ay may pagkakilanlan na Bulbog na kahoy na may bilang na isang (1) piraso 5X16X12 at isang (1) piraso 3X16X12, ito ay dami na humigit kumulang Isang Daan Dalwampo't Walo (128) board feet at may halagang humigit kumulang sa Pitong Libo at Apatnapong piso (P7,040.00).
4. Na, ang mga nahuling tabla na Bulabog na kahoy ay minarkahan ng LSJ 1 sa isang (1) piraso 5X16X12 at at LSJ 2 sa isang (1) piraso para sa pagkakilanlan.
5. Na, aking kinausap sina Pepito Manobo Nala (driver), Cleofer Batoanun Bueno (backride) at Anthony Paroco Elias tungkol sa kanilang paglabag sa PD 705 (Revised Forestry Code of the Philippines).
6. Na, aming sinuri ang RUZI 150, kulay pula na may side car na tora-tora at ang kargang kahoy at ayun sa aming record sa opisina, walang binigay na permit to transport sa mga nasabing mga tao at kahoy.
7. Na, ginawa ko ang salaysay kong ito na walang tumakot, pumilit o nangakong kapalit bagkus ay sarili kong kaisipan at kapasyahan.

Bilang patunay sa lahat ng ito ay ilalagda ko sa ibaba ang aking buong pangalan ngayong ika-25 ng Mayo, 2022 sa San Jose, Occidental Mindoro.


HECTOR S. ARAGONES JR.
Nagsalaysay

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN to before me this MAY 25 2022 at San Jose, Occidental Mindoro. I further certify that I have personally examined the affiant and I am fully satisfied that he voluntarily executed and understood his statement.


ROBERTO B. SANTOS
Prosecutor II

NPS Investigation Form 01, s. 2008

Republic of the Philippines
Department of Justice
National Prosecution Service
Office of the Provincial Prosecutor
San Jose, Occidental Mindoro

INVESTIGATION DATA FORM

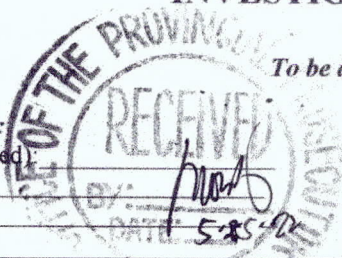
To be accomplish by the Office

DATA RECEIVED:

(Stamped and initialed)

Time received:

Receiving Staff:



NPS DOCKET NO.:

Assigned to:

Date Assigned:

10-06-100-22E-00304

To be accomplished by compliance/counsel/law enforcer
(Use back portion if space is not sufficient)

COMPLAINANT/S: Name, Sex, Age & Address

HECTOR S. ARAGONES JR., male, 50 y/o,
Brgy. Mapaya San Jose, Occ. Mdo

RESPONDENT/S: Name, Sex, Age & Address

PEPITO M. NALA, Male, 30 y/o,
CLEOFER B. BUENO, Male, 39y/o
ANTHONY P. ELIAS, Male
So. Emok, Brgy. Paclolo, Magsaysay,
Occ. Mdo.

OFFENSE/S COMMITTED/LAW/S VIOLATED:
Section 77, PD 705 as amended

WITNESS: Name & Address

PCpl Luis Jovenal
PSMS Froilan S Baniega
MPS Magsaysay, Occidental Mindoro

DATE & TIME of COMMISSION:
May 25, 2022 (1:20 a.m.)

PLACE of COMMISSION:
National Highway, Brgy. Lourdes, Magsaysay,
Occidental Mindoro

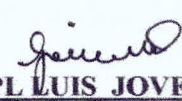
1. Has a similar complaint been filed before any other office? * YES ___ NO ___
2. Is this complaint in the nature of a counter-charge? * YES ___ NO ___
If yes, indicate details below
3. Is this complaint related to another case before this office? * YES ___ NO ___
If yes, indicate details below

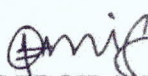
I.S. No.: _____
Handling Prosecutor: _____

CERTIFICATION

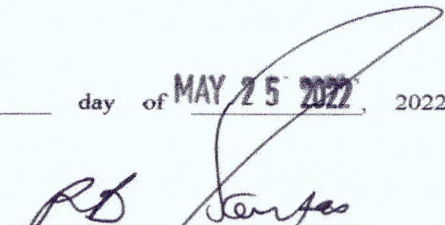
I CERTIFY, under oath, that all the information on this sheet are true and correct to the best of my knowledge and belief, that I have not commenced any action or filed any claim involving the same issues in any court, tribunal, or quasi-judicial agency, and that I should thereafter learn that a similar action has been filed and/or is pending, I shall report that fact to this Honorable Office within five (5) days from knowledge thereof.


HECTOR S. ARAGONES JR.
(Signature over printed name)


PCPL LUIS JOVENAL
(Signature over printed name)


PSMS FROILAN S BANIEGA
(Signature over printed name)

SUBSCRIBED AND SWORN TO before me this _____ day of MAY 25 2022, 2022 in _____


ROBERTO B. SANTOS
Prosecutor II



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

ACKNOWLEDGEMENT RECEIPT

THIS IS TO ACKNOWLEDGE receipt of the:

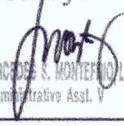
A. Major Forest products:

Type	:	lumber
Quantity	:	2 pcs.
Species	:	Bulabog
Volume	:	128.00 bdft.

That the said major forest products was apprehended by personnel of PNP Magsaysay on May 25, 2022 at National Highway Brgy. Lourdes, Magsaysay, Occidental Mindoro and were subjected to Administrative Proceedings.

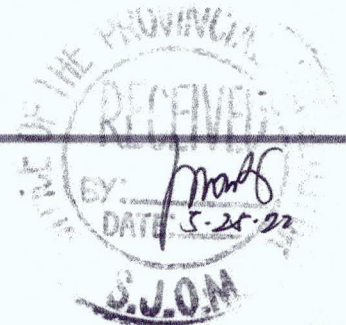
Received this 25th day of May, 2022 at San Jose, San Jose, Occidental Mindoro.

Received By:


MA. MERCEDES S. MONTEFINO LPT
Administrative Asst. V



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph



1ST INDORSEMENT

May 25, 2022

Respectfully referred for inquest to the Honorable Prosecutor is herein case for the proper disposition.

Offense Committed : Section 77, PD 705 as amended

Respondent Address : **PEPITO M. NALA**

CLEOFER B. BUENO

ANTHONY P. ELIAS

So. Emok, Brgy. Paclolo, Magsaysay,
Occidental Mindoro

Date and Place : May 25, 2022

National Highway, Brgy. Lourdes,
Magsaysay, Occidental Mindoro

Facts:

That on or about 1:20 in the morning of May 25, 2022 that a certain **PEPITO M. NALA, CLEOFER B. BUENO** and **ANTHONY P. ELIAS** is in possession of undocumented forest products within the jurisdiction of this Honorable Court the above named accused, did then and there, willfully, unlawfully and feloniously possessed two (2) pcs. of Bulabog lumber with different dimensions having an aggregate volume of 128.00 bdft. with an estimated value of Php 7,040.00 loaded in one (1) unit motorcycle with side car (TORA-TORA) RUSI 150 color red, without Plate Number, with Engine Number RW-162FMJ-89701159 and Chassis Number RWCLXPGA-1999731159 without legal documents as required



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

by existing forestry laws, rules and regulation to the damage and prejudice of the government.

Please be informed also that the subject apprehended major forest products and conveyance was also subjected to the administrative proceeding of this Office pursuant to DENR Administrative Order No. 97-32.

Witnesses:

1. PCpl Luis Jovenal
2. PSMS Froilan S Baniega

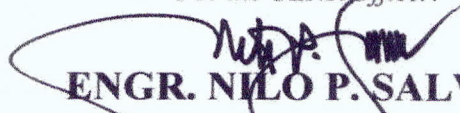
Evidences:

1. Affidavit of complainant
2. Affidavit of Apprehending Officer
3. Apprehension receipt of apprehended item
4. Seizure receipt of Apprehended item
5. Recapitulation and assessed value
6. Email for transmission
7. Certification of no records
8. Notice of Administrative Hearing
9. PNP spot report
10. Turn-over of properties seized
11. Receipt/ inventory of properties seized
13. Booking mugshot
14. Pictures of evidence

Advice of the action taken will be appreciated.

Thank You.

For the CENR Officer:


ENGR. NILO P. SALVADOR
DMO IV/ Deputy, CENRO
In-Charge, Office of the CENRO

Republika ng Pilipinas
Lalawigan ng Kanlurang Mindoro S.S.
Bayan ng Magsaysay)

JUDICIAL AFFIDAVIT

Ako si **PCpl Luis Santiago Jovenal**, nasa hustong gulang, may asawa, kawani ng Pambansang Pulisya nakatalaga sa Magsaysay Municipal Police Station at kasalukuyang naninirahan sa Brgy Poblacion, Magsaysay Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa loob ng Police Station matapos malaman at makapanumpa ng ayon sa batas ay nagsasaad ng mga sumusunod:

Pangunang Salita

Ang nagtatanong sa akin sa Affidavit kong ito ay si **PSSg Mario DS Ladanga Jr**, isang Imbestigador sa Magsaysay Municipal Police Station, Magsaysay, Occ. Mindoro. Ginanap ang pagtatanong niya sa akin sa estasyon tulad ng mga sumusunod:

Sinagot ko ang mga tanong sa akin sa ilalim na aking sinumpaan na magsabi ng katotohanan lamang at batid ko na maaari akong managot kung sakaling ako ay magsinungaling.

MGA TANONG AT SAGOT

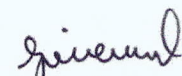
01. T - **PCpl Luis S Jovenal**, ikaw ba ay magsasabi ng buong katotohanan at pawang katotohanan lamang sa pagsisiyasat na ito?
S - Oo.
02. T - Ikaw ba ay handang magbigay ng iyong malaya at kusang- loob na salaysay?
S - Oo
03. T - Maari mo bang sabihin sa pagsisiyasat na ito ang iyong tunay na pangalan at iba pang mapagkikilanlan sa iyong tunay na pagkatao?
S - Oo. Ako si **PCpl Luis S Jovenal**, nasa hustong taong gulang, may asawa, kawani ng Pambansang Pulisya nakatalaga sa Magsaysay Municipal Police Station at kasalukuyang naninirahan sa Barangay Poblacion, Magsaysay, Occidental Mindoro.
04. T - Ano naman ang dahilan at ikaw ay naririto sa aming tanggapan sa Investigation Section at nagbibigay ng iyong malaya at kusang loob na salaysay?
S - Nais kong magbigay ng salaysay kaugnay sa isinagawa naming operasyon laban sa ipinagbabawal na pagpuputol ng mga punong kahoy at pagbyabyahe nito ng walang kaukulang dokumento mula sa tanggapan ng DENR-CENRO, San Jose, Occidental Mindoro na nag-resulta sa aming pagkahuli at aking pagka-aresto kila Pepito Manobo Nala, Cleofer Batoanun Bueno; Anthony Paroco Elias
05. T - Sa ikaliliwanag ng pagsisiyasat na ito, maari mo bang isalaysay ang buong pangyayari?
S - Humigit kumulang sa 12:20 ng umaga May25, 2022 habang kami ay nagsasagawa ng operasyon laban sa paglabag sa Batas na PD 705 (Illegal logging) sa pangunguna ng aming Hepe na si PCPT ALDRIN G TIVIDAD, kasama si PSMS Froilan S Baniega sa National Highway, Brgy. Lourdes, Magsaysay, Occidental Mindoro, ay aming nakita ang isang tricycle (torator) na may tatlong sakay na tao at ang kanilang sidecar ay may taklob ng itim na luna at ito ay kaduda na may laman kahoy ng ito ay aming sitahin ito ay nagpabilis pa ng takbo kayat hinabol namin ang nasabing tricycle (torator) at ito ay aming naubutan sa parti na ng Mapaya, San Jose, Occidental Mindoro. y

**KARUGTONG NG JUDICIAL AFFIDAVIT NI PCPL LUIS S JOVENAL
(PANGALAWANG (2) PAHINA) May 25, 2022.**

Pagkahinto ng tricycle (tora-tora) kami ay bumaba sa aming sasakyan at nagpakilalang Pulis Magsaysay, nakita namin may nakalabas na kahoy sa tora-tora at ng tinanung ko kong may kaukulang papeples o persmiso galing sa DENR-CENRO San Jose, Occidental Mindoro ngunit wala silang kaukulang papeles para sa pag byahe ng mga ito, sila ay aming pinaliwanagan na may nalabag silang batas na **PD 705** (Illegal Logging) at sila ay aming inaresto. Dinala namin ang nasabing motorsiklo at ang mga kahoy. At habang inaaresto ko ang ang suspek ay ipinaalam ni PSMS Froilan S Baniega sa kanila na sila ay may karapatang manahimik, ipagtanggol ang sarili sa pamamagitan ng pagpili niya ng manananggol at kung hindi niya kayang magbayad ay bibigyan siya ng libreng abogado ng gobyerno, at gayundin ang kanyang karapatan upang makipagtalastasan sa mga kaanak at kaibigan.

06. T - Ano pa ang mga sumunod na pangyayari?
S - Matapos namin siyang huliin ay dinala namin sila sa Magsaysay Rural Health Unit para ipamedical at pagkatapos ay dinala sa Magsaysay sa Police Station kasama ang mga nasabing motorsiklo at mga kahoy para sa pagdudukumento. At doon ay isinagawa ko ag pagmamarka sa kahoy na may sukat na ~~5~~⁶x~~16~~¹² na may markang LSJ-1 at kahoy na may sukat na 3x~~16~~¹² na may markang LSJ-2 na may kabuang sukat na humigit kumulang isang daan at benti otso (128) board feet a nagkakahalaga ng humigit-kumulang Limang Libong Isang Daan at Bente Pesos (Php.5120.00) at isang tricycel (tora-tora) kulay pula na Engine No RW-162FMJ -89701159 at Chassis No RWCLXPGA-199731159.
07. T - Babasahin kong muli ang iyong salaysay na binubuo ng dalawang (2) pahina, sabihin mo kung tama lahat ang nakasaad dito.
S - Oo.
08. T - Handa mo bang lagdaan ang salaysay mong ito na binubuo ng tatlong (3) pahina?
S - Oo.

WAKAS NG SALASAY:

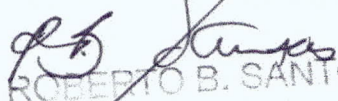

PCPL Luis S Jovenal
Nagsalaysay

OATH

MAY 25 2022

SUBSCRIBED AND SWORN TO before me this ___ of May 2021 at San Jose, Occidental Mindoro.

ATTESTATION

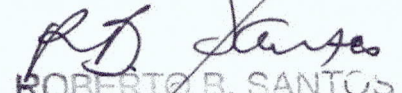

ROBERTO B. SANTOS
Prosecutor II

I attest to the fact that I personally did the taking of testimony of **PCPI Luis S Jovenal** the result was reduced in the Judicial Affidavit. And, I further attest that the questions asked of the complainant and his answer to the same were faithfully recorded and that no one assisted or coached the complainant when he answered the question asked to him.


Mario DS Ladanga Jr
Police Staff Sergeant
Investigator

MAY 25 2022

SUBSCRIBED AND SWORN TO before me this ____ of April 2022 at San Jose, Occidental Mindoro and I hereby certify that I have personally examined the affiant under oath and that I am fully satisfied and he voluntarily executed and understood his statement.


ROBERTO B. SANTOS
Prosecutor II

finished

Republika ng Pilipinas
Lalawigan ng Kanlurang Mindoro S.S.
Bayan ng Magsaysay)

JUDICIAL AFFIDAVIT

Ako si **PSMS Froilan S Baniega**, nasa hustong gulang, may asawa, kawani ng Pambansang Pulisya nakatalaga sa Magsaysay Municipal Police Station at kasalukuyang naninirahan sa Brgy San Roque, San Jose, Occidental Mindoro. Ginanap ang pagtatanong niya sa akin sa loob ng Police Station matapos malaman at makapanumpa ng ayon sa batas ay nagsasaad ng mga sumusunod:

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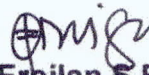
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**KARUGTON NG JUDICIAL AFFIDAVIT NI PSMS FROILAN S BANIEGA
(PANGALAWANG (2) PAHINA) May 25, 2022.**

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08. T - Handa mo bang lagdaan ang salaysay mong ito na binubuo ng tatlong (3) pahina?
S - Oo.

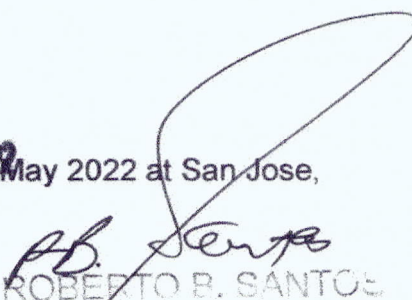
WAKAS NG SALASAY:


PSMS Froilan S Baniega
Nagsalaysay

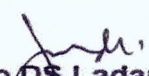
OATH

SUBSCRIBED AND SWORN TO before me this MAY 25 2022 of May 2022 at San Jose, Occidental Mindoro.

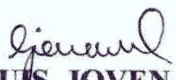
ATTESTATION


ROBERTO B. SANTOS
Prosecutor II

I attest to the fact that I personally did the taking of testimony of **PSMS Froilan S Baniega** the result was reduced in the Judicial Affidavit. And, I further attest that the questions asked of the complainant and his answer to the same were faithfully recorded and that no one assisted or coached the complainant when he answered the question asked to him.


Mario DS Ladanga Jr
Police Staff Sergeant
Investigator

APPREHENDING OFFICER
(Signature over Printed Name)


1. **LUIS JOVENAL**
Position: PCPI
Address: MPS Magsaysay

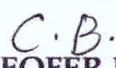

2. **FROILAN S BANIEGA**
Position: PSMS
Address: MPS Magsaysay

3. _____
Position: _____
Address: _____

WITNESSES:

OWNER/CLAIMNANT/REPRESENTATIVE/DRIVER
(Signature over Printed Name)

1. **PEPITO M. NALA**
Position: Pepito Nala
Address: So. Emok, Brgy. Paclolo
Magsaysay, Occ. Mindoro


2. **CLEOFER B. BUENO**
Position: _____
Address: So. Emok, Brgy. Paclolo
Magsaysay, Occ. Mindoro


3. **ANTHONY P. ELIAS**
Position: _____
Address: So. Emok, Brgy. Paclolo
Magsaysay, Occ. Mindoro

4. _____
Position: _____
Address: _____

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

Conveyance involved								
Type	Make/Model/Year	Plate No.	Color/Markings	CR No.	OR No.	Engine No.	Chassis No.	Accessories
Motorcycle with sidecar (Tora-tora)	RUSI 150		Red			RW-162FMJ-89701159	RWCLXPGA-199731159	
			Estimated Value: 10,000.00					

If Animal			
Kind	Quantity	Gender	Color
N/A	N/A	N/A	N/A

Equipment Involved					
Type	Quantity	Details	Impounding Area	Custodian	Estimated Value
N/A	N/A	N/A	N/A	N/A	N/A

Implements Involved	
Type	Quantity
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	Factual Legal Basis for Apprehension
	Province	City/Municipality	Barangay	Sitio		
May 25, 2022 1:20 Am	OCC. MINDORO	MAGSAYSAY	LOURDES	N/A	PNP MAGSAYSAY	SEC. 77, PD 705 as amended

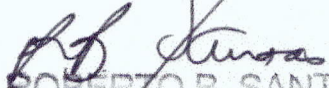
Is/are hereby declare under apprehension on the following FACTUAL reasons:

- _____
- _____

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 the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

Done this 25th day of May, year 2022 at Magsaysay, Occ. Mindoro.

SUBSCRIBED AND SWORN TO before me this MAY 25 2022 of April 2022 at San Jose, Occidental Mindoro and I hereby certify that I have personally examined the affiant under oath and that I am fully satisfied and he voluntary executed and understood his statement.


ROBERTO B. SANTOS
Prosecutor II

Pinz

Republic of the Philippines
Department of Environment and Natural Resources
CENRO SAN JOSE
Address : Labangan San Jose, Occidental Mindoro

SEIZURE ORDER

CENRO Control No.: 2022-F449
E-FMS No: 2022-175110-F449

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

FACTS

1. Forest Products:

MAJOR FOREST PRODUCTS									
Kind	Item:	Source/ Origin of Forest Products	Species Grouping	Species	Pieces	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
Lumber				Bulabog	1	5x16x12=80.00	4,400.00	DENR- CENRO San Jose Office Compound	Forester III Hector S. Aragones Jr.
					1	3x16x12=48.00	2,640.00		
					2	128.00/ Php 55.00 per bdft.	7,040.00		

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.
Motorcycle with sidecar (Tora-tora)	RUSI 150	N/A	Red	N/A	N/A

*Lumber were marked as LSJ 1 to LSJ 2

Conveyance Involved (Additional Details)				
Engine No.	Chassis No.	Accessories	Estimated Market Value	Custodian*
RW-162FMJ-89701159	RWCLXPGA-199731159	N/A	10,000.00	N/A

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

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

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

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

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

Name	Address	Civil Status	Age	Participation	Status of the Person
Pepito M. Nala	So. Emok, Brgy. Paclolo, Magsaysay Occ. Mdo.	single	30	driver	
Cleofer B. Bueno		single	39	backride	
Anthony P. Elias		married		laborer	

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

SEIZURE						
Date and Time of Seizure	Place of Seizure				Seizing Officer	Legal Basis for Seizure
	Province	City/Municipality	Barangay	Sitio		
May 25, 2022 11:16 am	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Forester III Hector S. Aragones Jr.	SECTION 77, PD 705 as amended

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated May 25, 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 25th day of May, 2022 at Brgy. Labangan, San Jose, Occidental Mindoro.



HECTOR S. ARAGONES JR.
Hearing Officer
Seizure Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

RECAPITULATION AND ASSESSED VALUE

RECAPITULATION AND ASSESSED VALUE

A. Major Forest Products:

PCS.	SPECIES	DIMENSION	VOLUME(bdft)	ESTIMATED VALUE
1	Bulabog	5x16x12	80.00	4,400.00
1	Bulabog	3x16x12	48.00	2,640.00
2			128.00	7,040.00

B. Conveyance:

Motorcycle with sidecar(TORA-TORA) 10,000.00
Color red, Without Plate Number
With Engine Number RW-162FMJ-89701159
With Chassis Number RWCLXPGA-1999731159

TOTAL: **Php 17,040.00**

Prepared by: JOMAR B. SERQUINA
Forester I



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Email: cenrosanjose@denr.gov.ph

EMAIL FOR TRANSMISSION
MAY 25, 2022

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION
ERMITA, MANILA

THRU: PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF MAGSAYSAY PHILIPPINE NATIONAL POLICE HAD APPREHENDED AND TURNED OVER TO THIS OFFICE THE TWO (2) PCS. OF BULABOG LUMBER WITH DIFFERENT DIMENSIONS HAVING AN AGGREGATE VOLUME OF 128.00 BDFT LOADED IN ONE (1) UNIT MOTORCYCLE WITH SIDECAR (TORA-TORA) RUSI 150 CMA COLOR RED CMA WITHOUT PLATE NUMBER CMA WITH ENGINE NUMBER RW-162FMJ-89701159 CMA CHASSIS NUMBER RWCLXPGA-1999731159 AT NATIONAL HIGHWAY CMA BRGY. LOURDES MAGSAYSAY CMA OCCIDENTAL MINDORO ON MAY 25, 2022 AROUND 1:20 IN THE MORNING PD

BE FURTHER INFORMED THAT THE SAID MAJOR FOREST PRODUCTS WERE IN POSSESSION OF A CERTAIN PEPITO M. NALA CMA CLEOFER B. BUENO AND ANTHONY P. ELIAS BOTH RESIDENT OF SO. EMOK CMA BRGY PACLOLO CMA MAGSAYSAY CMA OCCIDENTAL CMA MINDORO PD

SAID UNDOCUMENTED MAJOR FOREST PRODUCTS AND CONVEYANCE WERE BROUGHT TO DENR-CENRO SAN JOSE OFFICE COMPOUND AT BRGY. LABANGAN CMA SAN JOSE OCCIDENTAL MINDORO FOR TEMPORARY SAFEKEPPING PD



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Email: cenrosanjose@denr.gov.ph

BE INFORMED FURTHER THAT CRIMINAL CHARGES IS BEING PREPARED
TO BE FILED AT THE PROVINCIAL PROSECUTORS OFFICE SAN JOSE PD
FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

ENGR. SALVADOR

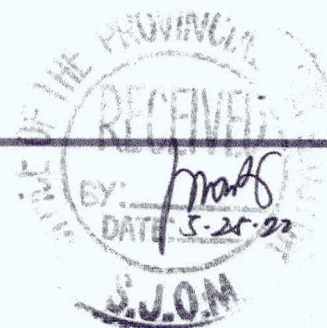
SENDER:


ENGR. NILO P. SALVADOR
DMO IV/ Deputy, CENRO
In-Charge, Office of the CENRO





Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
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1ST INDORSEMENT

May 25, 2022

Respectfully referred for inquest to the Honorable Prosecutor is herein case for the proper disposition.

Offense Committed : Section 77, PD 705 as amended

Respondent Address : **PEPITO M. NALA**

CLEOFER B. BUENO

ANTHONY P. ELIAS

So. Emok, Brgy. Paclolo, Magsaysay,
Occidental Mindoro

Date and Place : May 25, 2022

National Highway, Brgy. Lourdes,
Magsaysay, Occidental Mindoro

Facts:

That on or about 1:20 in the morning of May 25, 2022 that a certain **PEPITO M. NALA, CLEOFER B. BUENO** and **ANTHONY P. ELIAS** is in possession of undocumented forest products within the jurisdiction of this Honorable Court the above named accused, did then and there, willfully, unlawfully and feloniously possessed two (2) pcs. of Bulabog lumber with different dimensions having an aggregate volume of 128.00 bdft. with an estimated value of Php 7,040.00 loaded in one (1) unit motorcycle with side car (TORA-TORA) RUSI 150 color red, without Plate Number, with Engine Number RW-162FMJ-89701159 and Chassis Number RWCLXPGA-1999731159 without legal documents as required



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by existing forestry laws, rules and regulation to the damage and prejudice of the government.

Please be informed also that the subject apprehended major forest products and conveyance was also subjected to the administrative proceeding of this Office pursuant to DENR Administrative Order No. 97-32.

Witnesses:

1. PCpl Luis Jovenal
2. PSMS Froilan S Baniega

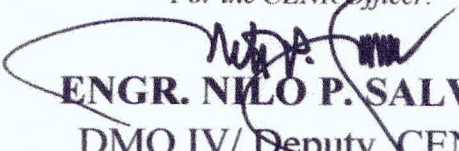
Evidences:

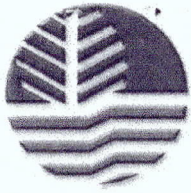
1. Affidavit of complainant
2. Affidavit of Apprehending Officer
3. Apprehension receipt of apprehended item
4. Seizure receipt of Apprehended item
5. Recapitulation and assessed value
6. Email for transmission
7. Certification of no records
8. Notice of Administrative Hearing
9. PNP spot report
10. Turn-over of properties seized
11. Receipt/ inventory of properties seized
13. Booking mugshot
14. Pictures of evidence

Advice of the action taken will be appreciated.

Thank You.

For the CENRO Officer:


ENGR. NILO P. SALVADOR
DMO IV/ Deputy, CENRO
In-Charge, Office of the CENRO



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office
Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: denrcenro_sanjose@yahoo.com

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

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that as per verification on records file there was no document found regarding the Issuance of Transport Permit of Bulabog Lumber as of May 25, 2022 issued to Mr. Pepito M. Nala, 30 years old, who is a resident of So. Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro.

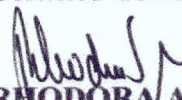
This Certification is issued upon request of Forester III Hector S. Aragon, Jr. Chief Environment and Monitoring Section, for attachment on the filing of Criminal Complaint at the Provincial Prosecutors Office purposes.

Done this 25th of May, 2022 at DENR-CENRO Labangan, San Jose, Occidental Mindoro.

Prepared and Verified by:

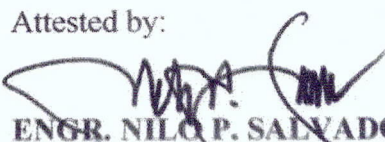

MARIA Z. C. CAPITAN
Records Officer

Certified Correct:


RHODORA A. GARCIA
LMO III /Chief, RPS



Attested by:


ENGR. NILO P. SALVADOR
DMO IV/Deputy CENRO
In-Charge, Office of the CENRO



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

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

Brgy. Labangan, San Jose, Occidental Mindoro
Tel. Number (043) 457- 0236 / (043) 742-6627
Email: cenrosanjose@denr.gov.ph

May 25, 2022

NOTICE OF ADMINISTRATIVE HEARING

MR. PEPITO M. NALA

MR. CLEOFER B. BUENO

MR. ANTHONY P. ELIAS

So. Emok, Brgy. Paclolo, Magsaysay,
Occidental Mindoro

Ginoong Nala,
Ginoong Bueno,
Ginoong Elias,

Isang maka-KALIKASANG pagbati!

Ito po ay may kaugnayan sa pagkahuli ng dalawang (2) pirasong Bulabog na kahoy na may iba't-ibang sukat at may kabuang dami na 128.00 bdft. na sakay ng isang (1) unit ng motorsiklo na may sidecar (TORA-TORA) RUSI 150, kulay pula, walang Plate Number, may Engine Number RW-162FMJ-89701159 at Chassis Number RWCLXPGA-1999731159 na walang kaukulang dokumento na nahuli ng mga tauhan ng PNP Magsaysay, Occidental Mindoro noong ika-25 ng Mayo, 2022 humigit - kumulang alas 1:20 ng medaling araw.

Ang nasabing kahoy at sasakyan ay pansamantalang nasa pangangalaga ng DENR CENRO San Jose sa Brgy. Labangan, San Jose, Occ. Mindoro.

Dahil dito, kayo po ay aming inaanyayahan sa aming tanggapan sa ika- 31 ng Mayo, 2022, araw ng Martes sa ganap na ika 10:00 ng umaga para sa administratibong pagdinig at maipaliwanag ang iyong panig.

Maraming salamat po at inaasahan namin ang iyong pagdalo.

C. B.
Cleofer Bueno

[Signature]
Anthony ELIAS

Lubos na gumagalang,

[Signature]
HECTOR S. ARAGONES JR.
Forester III/ Chief, EMS
Hearing Officer/ Seizure Officer

P.N.

Pepito Nala

Noted By:

For the CENR Officer

[Signature]
ENGR. NILO P. SALVADOR
DMO IV/ Deputy, CENRO
In-Charge, Office of the CENRO



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAGSAYSAY MUNICIPAL POLICE STATION
Magsaysay, Occidental Mindoro



MEMORANDUM

FOR : Provincial Director, Occidental Mindoro PPO
(Attn: C, PIDMU/POBU/PIB/PCAD)

FROM : Acting Chief of Police

SUBJECT : **Spot Report on Violation of PD 705 (Illegal Logging)**

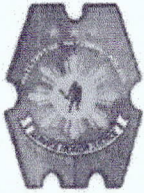
DATE : May 25, 2022

1. What : Violation of PD 705 (Illegal Logging)
2. Where: Along National Highway, Brgy. Lourdes, Magsaysay, Occidental Mindoro.
3. When : May 25, 2022 about 1:20 A.M.
4. Who : The suspects were identified as Pepito Manobo Nala , male, 30 years old, with live-in partner, laborer together with his back rider Cleofer Batoanun Bueno, 39 years old, with live-in Partner, laborer and Anthony Paroco Elias, male, married, laborer all residents of Sitio Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro.

5. Why/How: Investigation conducted disclosed that on the above mentioned time and date Intel operatives of this station led by PSMS Froilan S Baniega under the direct supervision of **PCPT ALDRIN G TIVIDAD**, ACOP were conducting monitoring of illegal logging activity when they spotted the suspects while transporting illegally sawn lumber boarded on a RUZI 150 motorcycle color red with side car (tora-tora) without plate number, with engine number RW-162FMJ -89701159 and chassis number RWCLXPGA-199731159 start chasing start at Barangay Lourdes, Magsaysay, Occidental Mindoro to portion of Barangay Mapaya, San Jose, Occidental Mindoro. The suspects failed to present valid PERMIT or any documents for transport from the DENR. Confiscated from the suspect's possession are the following pieces of evidence: One (1) pcs of 4x12x12 and one (1) pc 3x12x12 with total of illegally sawn lumbers of Bulabog species of more or less One Hundred Twenty-Eight (128) board feet with an estimated amount of Five Thousand One Hundred Twenty Pesos (P5,120.00). The arrested suspects were apprised of their constitutional rights and brought to Municipal Health Office of this municipality for physical examination and is now under the custody of this station for documentation and subsequent filing of criminal complaint at the Office of the Provincial Prosecutor, San Jose, Occidental Mindoro. OIC- PSSg Mario DS Ladanga Jr with Cp 09260520323.

5. For information and Progress Report to follow.


ALDRIN G TIVIDAD
Police Captain



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAGSAYSAY MUNICIPAL POLICE STATION
Magsaysay, Occidental Mindoro



MGYMPSIDMS

FOR : Officer-in-Charge
DENR-CENRO
San Jose, Occidental Mindoro

DENR - CENRO SAN JOSE
MINAPAPA REGION

RECEIVED BY: # 2022-890
DATE: 05-25-2022

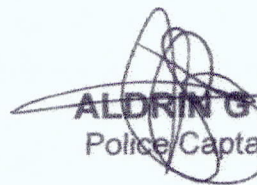
FROM : Acting Chief of Police

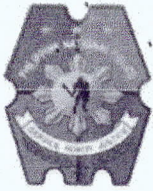
SUBJECT : **Turn – over receipt of Confiscated Items/Properties**

DATE : May 26, 2021

1. Respectfully turned-over to your good office the recovered/confiscated One (1) pc of 4x12 and one (1) pc 3x12 with a total of One Hundred Twenty Eight (128) Board feet of illegally sawn lumbers of Bulabog species with estimated amount of Five Thousand One Hundred Twenty Pesos (P,5,120.00) and One (1) Motorcycle Racal color red without plate number with engine number with RW-162FMJ - 89701159 and chassis number RWCLXPGA-199731159r with an estimated amount of Five Thousand Pesos (Php 5,000.00) and the living body of Pepito Manobo Nala, male, 30 years old, with live-in partner, laborer together with his back rider Cleofer Batoanun Bueno, 39 years old, with live-in Partner, laborer and Anthony Paroco Elias, male, married, laborer all residents of Sitio Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro.

2. For legal action deemed necessary on the premise.


ALDRIN G. TIVIDAD
Police Captain



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE, POLICE REGIONAL OFFICE MIMAROPA
OCCIDENTAL MINDORO POLICE PROVINCIAL OFFICE
MAGSAYSAY MUNICIPAL POLICE STATION
Magsaysay, Occidental Mindoro



RECEIPT/INVENTORY OF PROPERTIES SEIZED

THIS IS TO CERTIFY that an inventory was conducted in connection with the police operation to wit:

PERSON ARRESTED : Cleofer Batoanun Bueno, 39 years old with live partner , laborer together with Pepito Manobo Nala , male, 30 years old,with live-in partner, laborer and Anthony Paroco Elias, male, married, laborer all residents of Sitio Emok, Brgy. Paclolo, Magsaysay, Occidental Mindoro.

DATE/TIME ARRESTED : May 25,2022at about 1:20 A.M.

PLACE OF ARREST : Along National Highway, Brgy.Lourdes, Magsaysay, Occidental Mindoro.

This certifies that the following items/properties were seized during said police operation to wit:

ITEM NO.	QUANTITY	WHERE SEIZE	DESCRIPTION
Two (2) pcs of 4x12x12 lumbers (bulabog) more or less one hundred twenty eight (128) Board feet		National Highway, Brgy. Mapaya, San Jose Occidental Mindoro	Estimated amount of Two Thousand Five thousand one hundred twenty (Php ,5120.00) with markings LSJ-1 and LSJ-2
One (1) unit of Racal 150color red with Engine No RW-162FMJ -89701159 and Chassis No RWCLXPGA-199731159		National Highway, Brgy. Mapaya, San Jose Occidental Mindoro	with an estimated amount of Five thousand Pesos (Php 5,000.00)

WITNESSES

Signature: _____
Printed Name: _____
Address: _____

Signature: _____
Printed Name: _____
Address: _____

Signature: _____
Printed Name: _____
Address: _____

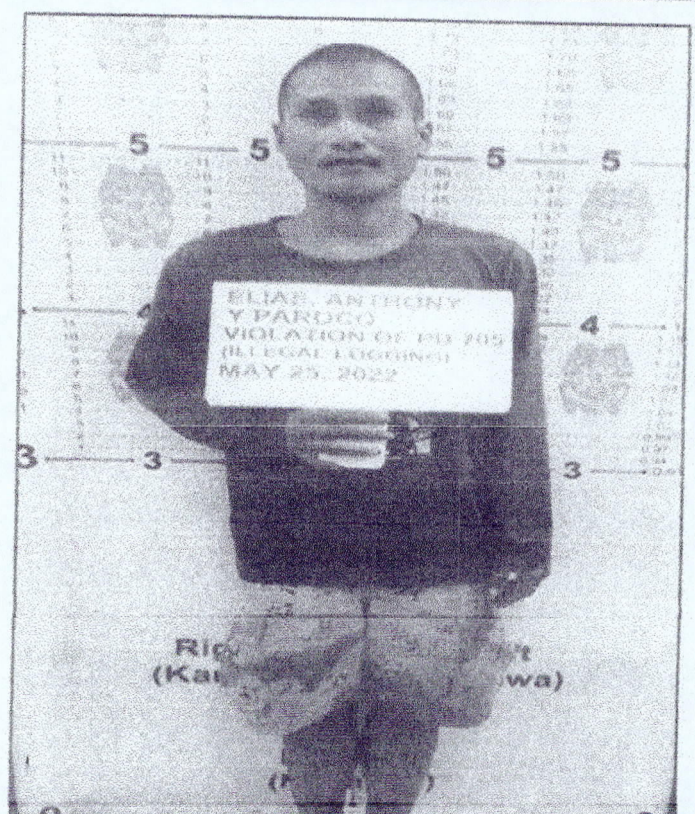
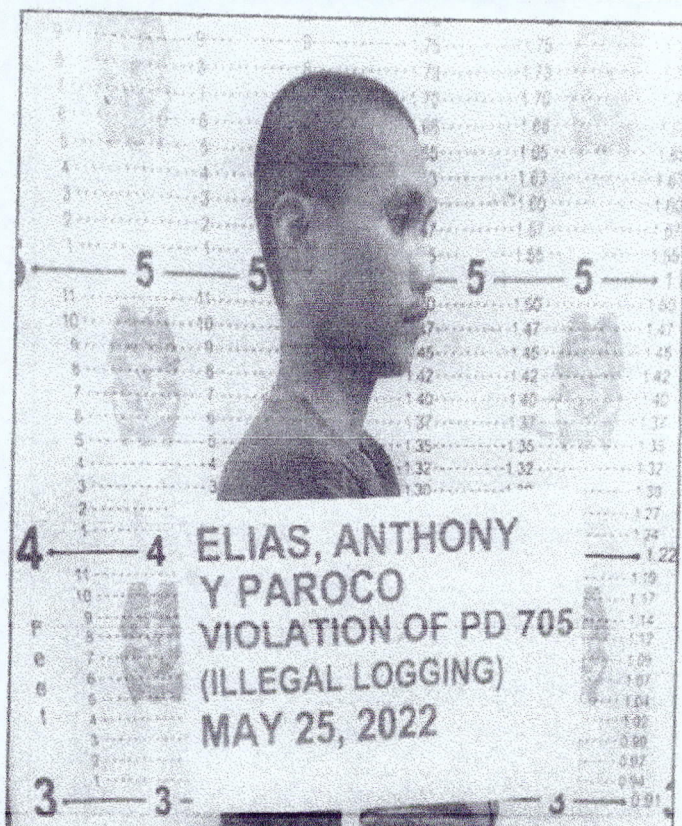
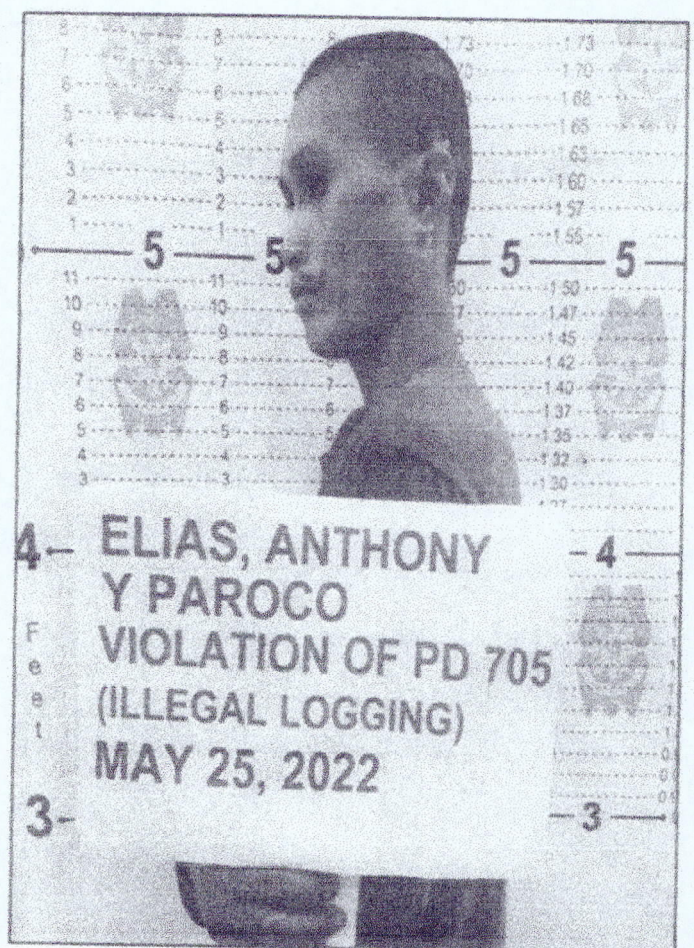
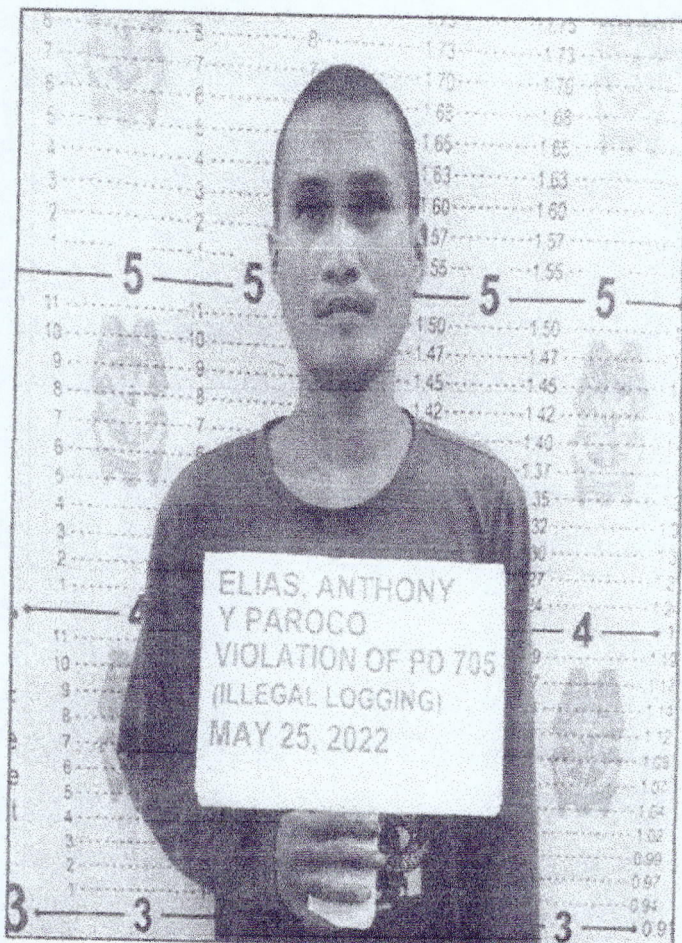
Signature: _____
Printed Name: _____
Address: _____

Prepared by:

PSSg Mario DS Ladanga Jr
Investigator-on Case

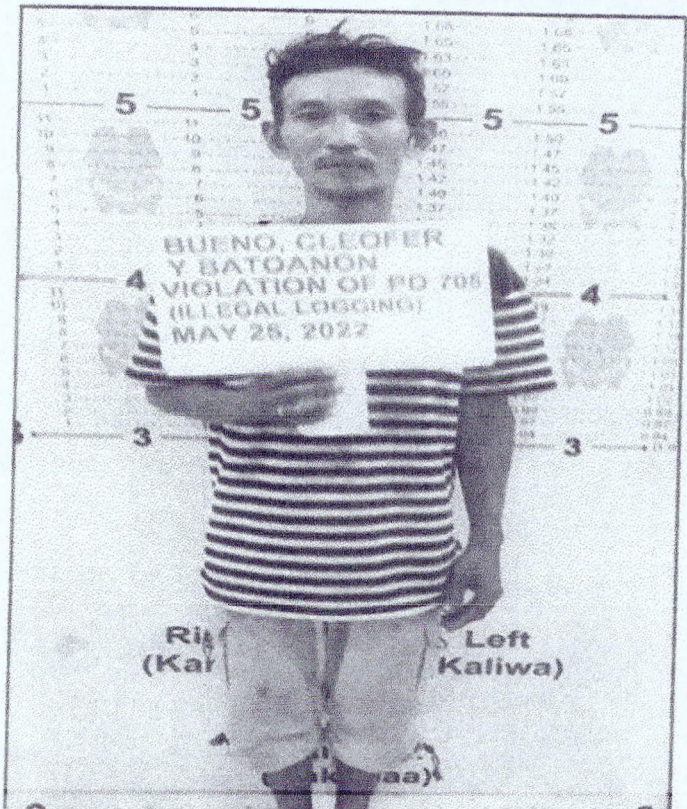
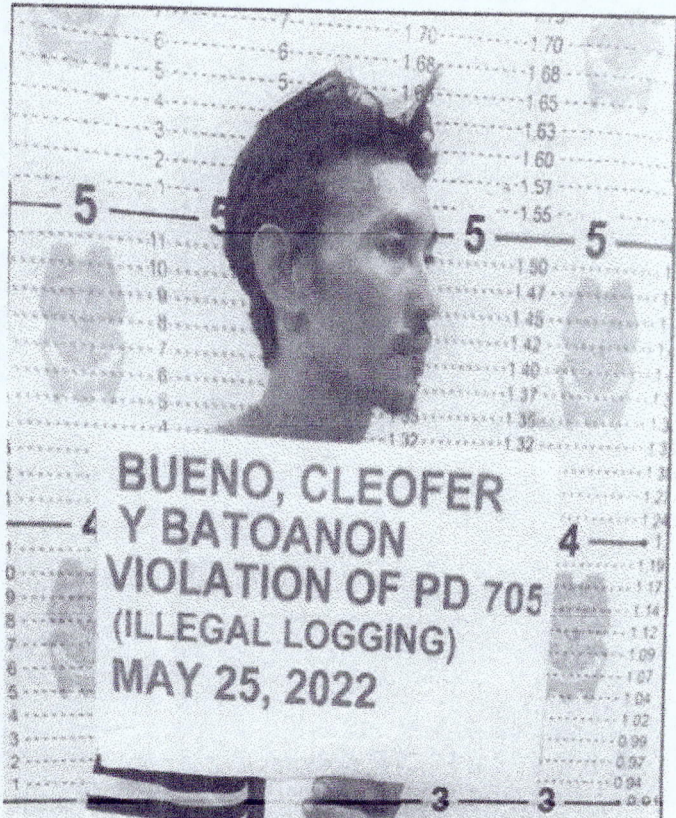
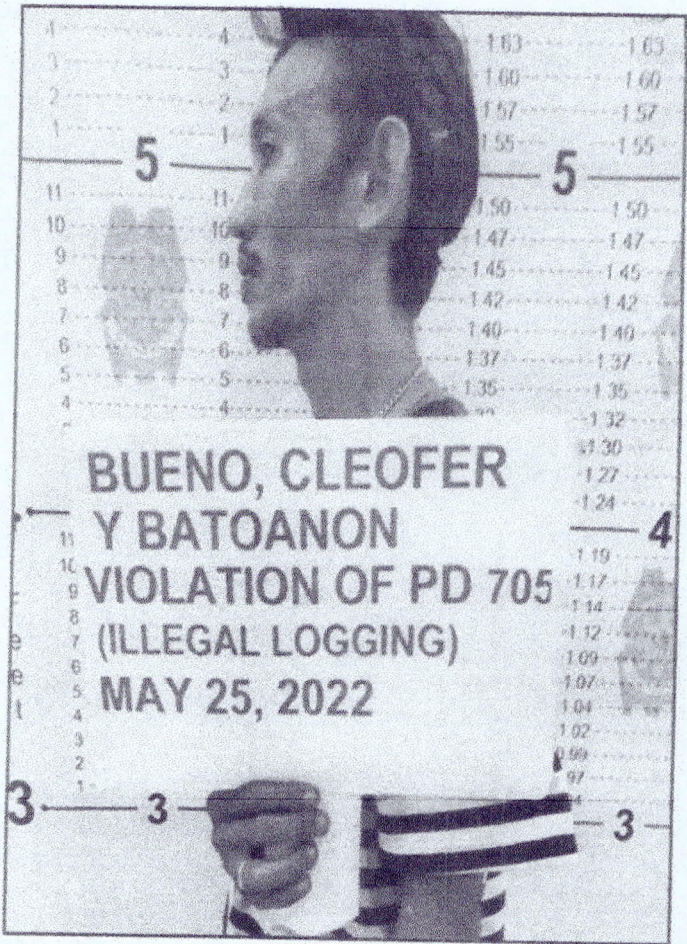
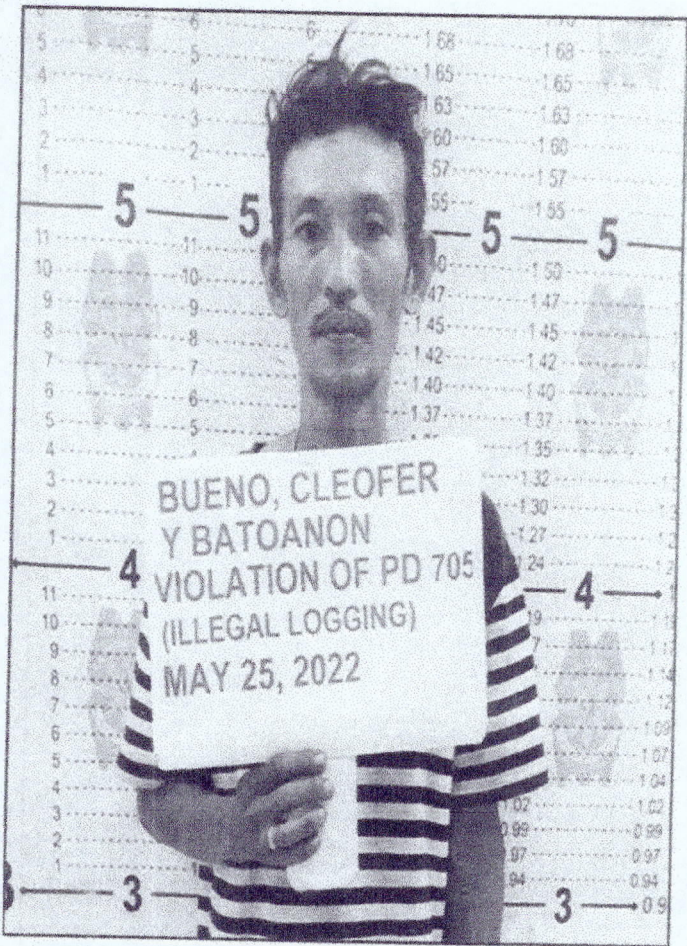
NAME OF SUSPECT: ELIAS ANTHONY PAROCA
(Family) (First) (Middle)

Blotter Entry Nr: 2022-05-2237



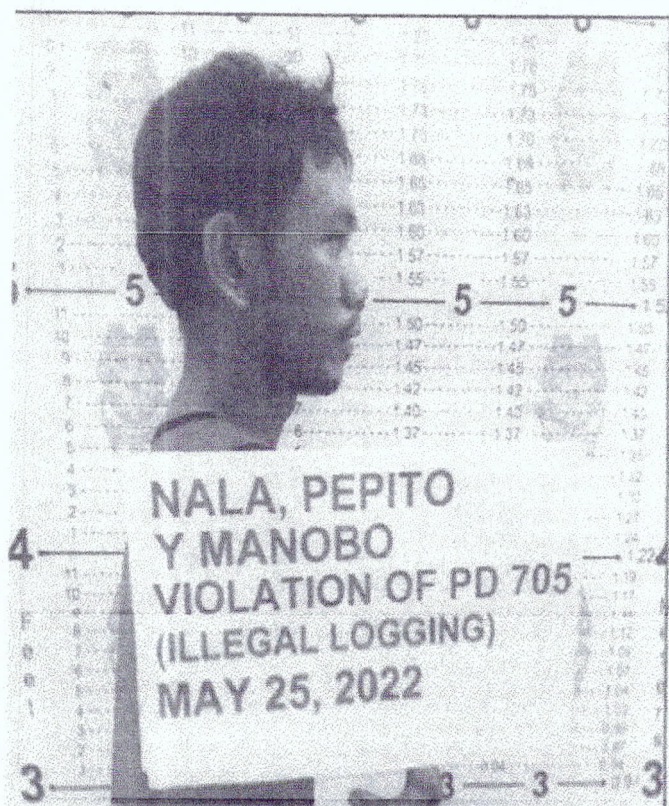
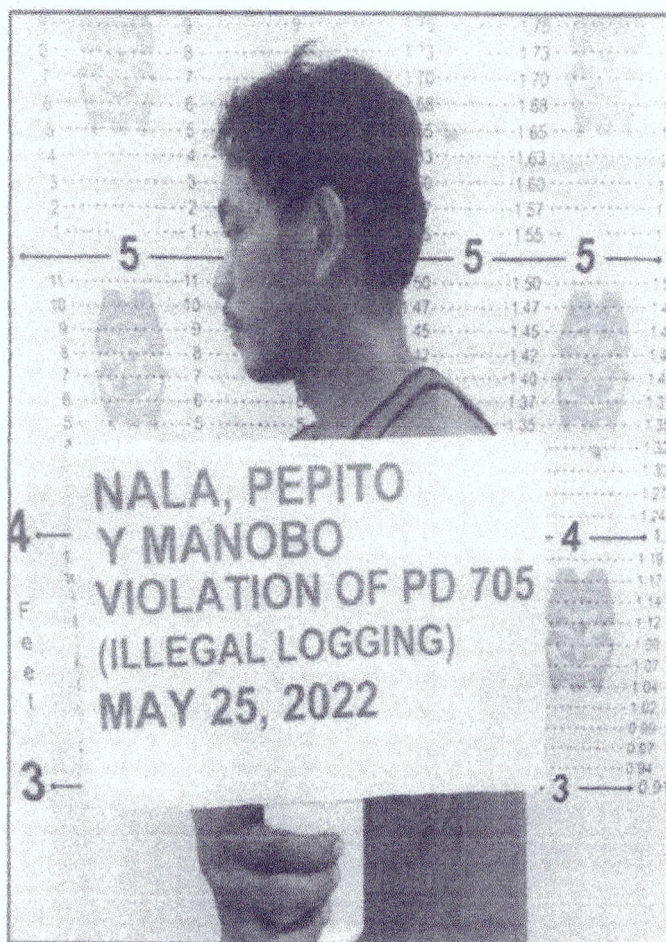
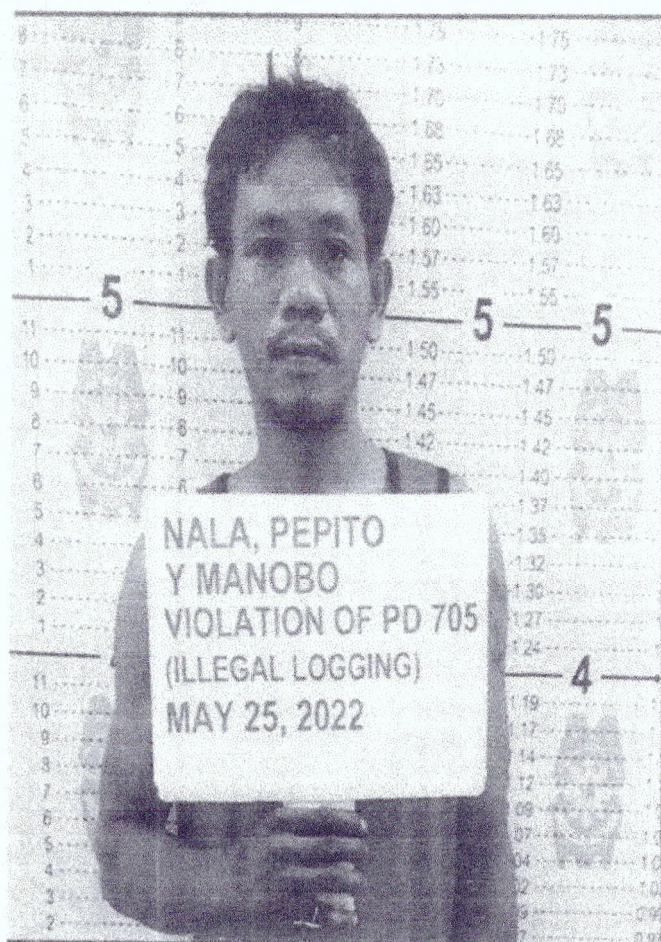
NAME OF SUSPECT: BUENO CLEOFER BATOANON
(Family) (First) (Middle)

Blotter Entry Nr: 2022-05-2237



NAME OF SUSPECT: NALA PEPITO MANOBO
(Family) (First) (Middle)

Blotter Entry Nr: 2022-05-2237



PD 705 –May 25, 2022

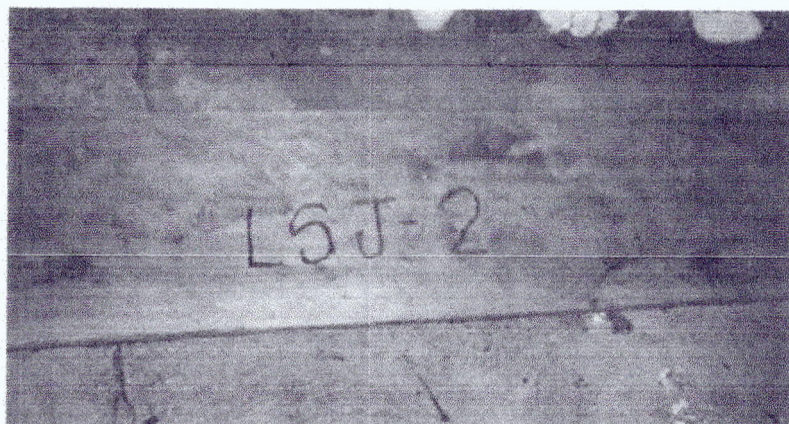
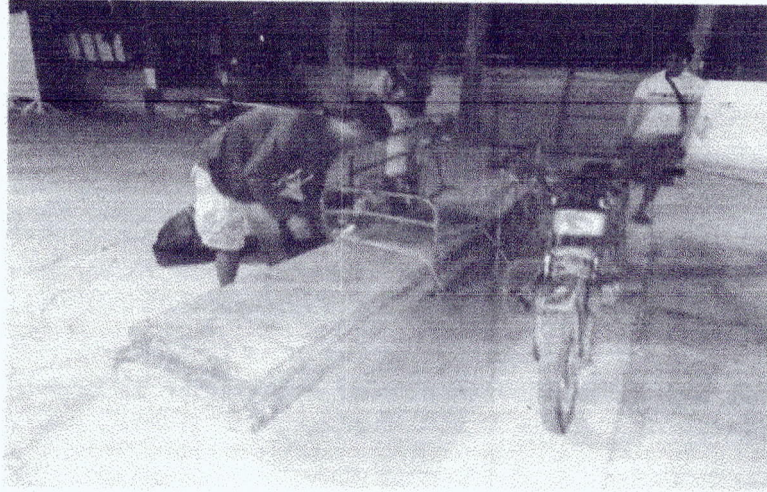


Photo Taken by: PCPL Luis S Jovenal