



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

DENR MIMAROPA
RECORDS SECTION
RECEIVED

MAY 24 2023

☐ INCOMING ☐ OUTGOING

BY: _____ DATE NO. _____

TIME: _____

MAY 10 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
Mamburao, Occidental Mindoro

SUBJECT : RESOLUTION NO. 2023-010

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated May 04, 2023 pertaining to the result of administrative adjudication on the apprehended thirteen (13) pieces of assorted lumber (8 pieces of Akleng Parang and 5 pieces of Bogo) having an aggregate volume of 169.66 board feet at So. Naitan,, Barangay Batasan, San Jose,, Occidental Mindoro .

For your information and record.

For the OIC, PENR Officer:

ROMUALDO S. TRIAS

Land Management Officer III/ Chief, MES



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

MAY 04 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. 2023-010

Respectfully submitted herewith is the Resolution No. 2023-010 as a result of administrative adjudication on the apprehended thirteen (13) pieces assorted lumber (8 *pieces Akleng Parang*, and 5 *pieces Bogo*) with total aggregate volume of 169.66 board feet at So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro by personnel of DENR-CENRO San Jose on April 6, 2023.

For your information and record.

EFREN L. DELOS REYES

RECORDS	
RECEIVED BY	<i>[Signature]</i>
DATE	4/5
TIME	
RELEASED BY	
DATE	
TIME	

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



RE: APPREHENSION OF THIRTEEN (13) PCS. OF ASSORTED LUMBER (8 AKLENG PARANG, 5 BOGO) WITH A TOTAL AGGREGATE VOLUME OF 169.66 BDFT. AT SO. NAITAN, BRGY. BATASAN, SAN JOSE, OCCIDENTAL MINDORO ON APRIL 6, 2023.

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RESOLUTION No. 2023-010

This pertains to the apprehension of thirteen (13) pieces of assorted lumber (8 pcs. Akleng Parang and 5pcs. Bogo) lumber with a total aggregate volume of 169.66 board feet at So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro by the Personnel of Enforcement and Monitoring Section (EMS) DENR- CENRO, San Jose, Occidental Mindoro.

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

1. That, on April 6, 2023 the staff/personnel of Enforcement and Monitoring Section (EMS) of this Office as a Quick Response Team (QRT) during the holy week season conducted monitoring and surveillance accordingly in response to a report through a cellphone call from a confidential asset that there were a stockpiled lumber believed to be illegally cut at the vicinity of So. Naitan, Brgy. Batasan, San Jose, Occidental Mindoro;
2. That, indeed the report was confirmed, and as a result the team apprehended the above-subject forest products and hauled to DENR Ranger Monitoring Station at Brgy. Murtha San Jose, Occidental Mindoro for safekeeping;
3. That, the corresponding Apprehension Receipt with CENRO Control No.2023-F81 was issued by the apprehending officers Forester I Jomar B. Serquina, Forest Technician II Loren Kaye A. Garcia and Forest Protection Officer Ednor C. Legaspi Jr.;
4. That, the Seizure Order with CENRO Control Number 2023-F481 was issued by the Seizure Officer, Land Management Officer III Rhodora A. Garcia;
5. That, a PABATID SA PUBLIKO (Notice to the Public) was posted on April 7, April 14 and April 21, 2023 at the conspicuous places such as at Public Market of San Jose and at the Brgy. Hall of Barangay Batasan, San Jose, Occidental Mindoro;
6. That, no Administrative hearing was made because there were no claimant of the said abandoned forest products even though a Pabatid sa Publiko has been posted on three (3) separate dates and at the conspicuous places of the area of concern.

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

1. Whether or not the thirteen (13) pieces of assorted lumber (8 pcs Akleng Parang and 5pcs. Bogo) lumber with a total aggregate volume of 169.66 board feet will be confiscated in favor of the government.

The grounds for apprehension and seizure of the forest products is valid, as the abandoned forest product is not supported with any cutting permit issued by the office of the DENR CENRO San Jose, Occidental Mindoro.

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

xxx

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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Department Administrative Order No. 97-32

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.

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2. The enumerated statements of facts, pieces of evidence and circumstances surrounding the above stated case, shows that the apprehended thirteen (13) pieces of assorted lumber (8 pcs Akleng Parang and 5 pcs Bogo) lumber with a total aggregate volume of 169.66 board feet shall be confiscated in favour of the government since those lumbers are product of an illegal act.

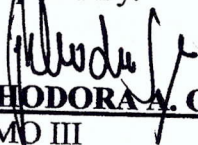
Based in the case at bar, the cutting of forest products without legal documents if proven is a violation of Section 77 of PD 705 as amended by Executive Order No. 277 and Republic Act 7161 thus subject to confiscation.

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 DENR Administrative Order 2022-10 (Revised DENR Manual of Authorities for Technical Matters) the following are hereby recommended:

1. The thirteen (13) pieces of assorted lumber (8 pcs Akleng Parang and 5pcs. Bogo) lumber with a total aggregate volume of 169.66 board feet shall be confiscated in favour of the government since those lumber are products of an illegal act.

Issued this _____ day of **APR 26 2023**, _____ at DENR-CENRO San Jose, Occidental Mindoro.

Prepared By:


RHODORA A. GARCIA

LMO III

Hearing Officer/ Seizure Officer

Noted By:


EFREN L. DELOS REYES
CENR Officer

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



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

EMAIL FOR TRANSMISSION
APRIL 11, 2023

FOR: THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA REGION

THRU: THE OIC, PENR OFFICER
MAMBURAO, OCCIDENTAL MINDORO

FROM: THE CENR OFFICER

PLEASE BE INFORMED THAT PERSONNEL OF ENFORCEMENT AND MONITORING SECTION OF DENR-CENRO SAN JOSE APPREHENDED EIGHT (8) PIECES OF ABANDONED AND UNDOCUMENTED ANAPLA LUMBERS AND FIVE (5) PIECES BOGO LUMBERS WITH A TOTAL VOLUME OF 169.66 BOARDFEET AT SITIO NAITAN CMA BARANGAY BATASAN CMA SAN JOSE CMA OCCIDENTAL MINDORO ON APRIL 06, 2023 AT EXACTLY 11:45 IN THE MORNING PD

SAID UNDOCUMENTED FOREST PRODUCTS WERE BROUGHT TO THE DENR CENRO SAN JOSE RANGER MONITORING STATION AT BARANGAY MURTHA CMA SAN JOSE CMA OCCIDENTAL MINDORO FOR SAFEKEEPING PURPOSES PD

FOR INFORMATION CMA RECORD AND FURTHER INSTRUCTION PD

DMO IV SALVADOR

SENDER:


NILO F. SALVADOR

DMO IV/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



he Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

April 11, 2023

MEMORANDUM

FOR : The CENR Officer
THRU : The Chief, EMS
FROM : The Deputy Chief EMS
Team Leader
SUBJECT : REPORT REGARDING THE APPREHENSION OF UNDOCUMENTED
ABANDONED LUMBERS AT SO. NAITAN, BRGY. BATASAN, SAN
JOSE, OCCIDENTAL MINDORO ON APRIL 06, 2023

Please be informed that the undersigned together with EMS Chief Forester I (FI) Augreth Saligumba, Forest Technician II (FTII) Loren Kaye Garcia, Forest Technician I (FTI) Niño Aloysius Colegado, Forest Ranger (FR) Ronald Fresnillo and Forest Protection Officer (FPO) Ednor Legaspi, Jr. apprehended thirteen (13) pieces of abandoned and undocumented lumbers (Bogo lumbers x 5, Anapla lumbers x 8) with a total volume of 169.66 board feet at So. Natian, Brgy. Batasan, San Jose, Occidental Mindoro on April 06, 2023 during the team's monitoring as Quick Response Team (QRT) for the Holy Week of 2023 as per memorandum of CENR Officer Efren L. Delos Reyes dated March 29, 2023.

Please be further informed that the said abandoned lumbers were brought to the CENRO San Jose Ranger Monitoring Station at Brgy. Murtha, San Jose, Occidental Mindoro for safekeeping.

Attached are the geotagged pictures and tally sheet.

For your information and record.


JOMAR B. SERQUINA

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

GEOTAGGED PHOTOGRAPHS
April 05, 2023



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

APPREHENSION RECEIPT

CENRO Control No.: 2023 - 481
E-FMS No: 2023 -175116 -F481

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	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	Volume/Unit of Measurement	Estimated Value	Impounding Area	Custodian
NUMBER				AKLENT PARANG	2	6x4x10 = 60.00	4,200		
				AKLENT	1	2x5x12 = 10.00	700		
				AKLENT PARANG	5	2x5x10 = 41.66	2,916.20		
				BODOD	3	2x4x10 = 32.00	1,440.00		
				BODOD	1	2x3x12 = 14.00	630.00		
				BODOD	1	2x9x8 = 14.00	540.00		
					13	169.66	10,426.2		

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.	Engine No.	Chassis No.	Accessories
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
			Estimated Value:					

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		
APRIL 06, 2023 11:45 AM	Occ. Mind.	SAN JOSE	PAATBAN	NAITAN	DENR PERSONNEL JOHNNY B. SERQUINA LOREN KATE CRACIA EDNOR LEUACPI JR.	VIOLATION OF SECTION 72, PP 705, AS AMENDED

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

- FOUND ABANDONED NEAR THE CUTTING AREA / TREE STAMP
- NO ISSUED CUTTING PERMIT WITHIN THE AREA
-

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 06 day of APRIL, year 2023 at ^{Occ. Mindoro} PAATBAN, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. JOMAR D. SERAQUINA
Position: FORESTER I
Address: _____
2. LOREN KATE STARUA
Position: FTI
Address: _____
3. EDNOR LEUASPI JR.
Position: FPD
Address: _____

WITNESSES:

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

- | | |
|---|---|
| 1. _____ N/A
Position: _____
Address: _____ | 3. _____ N/A
Position: _____
Address: _____ |
| 2. _____ N/A
Position: _____
Address: _____ | 4. _____ N/A
Position: _____
Address: _____ |

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

- APPREHENDED ITEMS WERE HANDLED AND PLACED AT MONITORING
STATION AT PULUT. MARTHA FOR SAFE KEEPING.
- POSTING OF NOTICE OF APPREHENSION IS RECOMMENDED.

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

SEIZURE ORDER

CENRO Control No.: 2023-F481
E-FMS No: 2023-175110-F481

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	1			Akleng parang	2	6x6x10=60.00	4,200.00	Murtha Monitoring Station	
	2			Akleng parang	1	2x5x12=10.00	700.00		
	3			Akleng parang	5	2x5x10=41.66	2,916.20		
	4			Bogo	3	2x4x16=30.00	1,440.00		
	5			Bogo	1	2x3x12=14.00	630.00		
	6			Bogo	1	2x9x8=12.00	540.00		
TOTAL					13	169.66	10,426.20		

Minor forest products				
Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	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	Estimated Value	Custodian
Chainsaw (Oregon)	One (1)	Serial No. 51243745	Php 15,000.00	CENRO San Jose

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
N/A	N/A	N/A	N/A	N/A	N/A

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
	Provi nce	City/Munici pality	Barangay	Sitio		
April 6, 2023 11:30 Am	Occ. Mdo.	San Jose	Labangan	N/A	LMO III Rhodora A. Garcia	Section 7, Paragraph 1 RA 9175

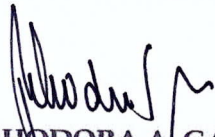
Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated April 6, 2023 and all relevant documents submitted, and after examining personally the apprehending officers and witnesses of the apprehension about the violation committed, it was determined that there is prima facie evidence that existing laws and DENR regulations have been violated 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 16th day of August, 2021 at Brgy. Labangan, San Jose, Occidental Mindoro.


RHODORA A. GARCIA
Seizure Officer/
Hearing Officer

Copy furnished:

TALLY SHEET
April 05, 2023

SPECIES	PIECES	MEASUREMENT	VOLUME
ANAPLA	2	6x6x10	60
ANAPLA	1	2x5x12	10
ANAPLA	5	2x5x10	41.66
BOGO	3	2x4x16	32
BOGO	1	2x7x12	14
BOGO	1	2x9x8	12
Total Pieces	13 PIECES	Total Volume	169.66 BOARDFEET

Prepared by:


JOMAR B. SERQUINA
Forester I/Deputy Chief, EMS

8



APR 07 2023

UNANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG MGA TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY WALONG (8) PIRASO NG ANAPLA AT LIMANG PIRASO (5) NG BOGO NA KAHoy NA MAY KABUUANG DAMI NA 169.66 BDFT. NA NAIWAN SA SO. NAITAN, BRGY. BATASAN, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-06 NG ABRIL, 2023 SA GANAP NA ALAS 11:45 NG UMAGA.

ANG MGA NASABING KAHoy AY DINALA SA OPISINA NG DENR MONITORING STATION SA BRGY. MURTHA, SAN JOSE, OCCIDENTAL MINDORO PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHoy AY MAAARING MAGTUGON SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG

RHODORA A. GARCIA
LMO III/ Chief, RPS
Hearing Officer/Seizure Officer

Noted By:

ENGR. NILO P. SALVADOR
DMO IV/ Deputy, CENRO



APR 14 2023

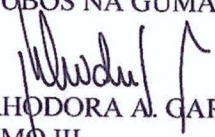
IKALAWANG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY WALONG (8) PIRASO NG ANAPLA AT LIMANG PIRASO (5) NG BOGO NA KAHoy NA MAY KABUANG DAMI NA 169.66 BDFT. NA NAIWAN SA SO. NAITAN, BRGY. BATASAN, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-06 NG ABRIL, 2023 SA GANAP NA ALAS 11:45 NG UMAGA.

ANG NASABING KAHoy AY DINALA SA OPISINA NG DENR MONITORING STATION SA BRGY. MURTHA, SAN JOE, OCCIDENTAL PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHoy AY MAAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III

Seizure Officer/Hearing Officer

NOTED BY:


ENGR. NILO P. SALVADOR
DMO IV



APR 21 2023

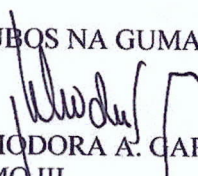
IKATLONG PABATID SA PUBLIKO

IPINABABATID SA PUBLIKO NA ANG TAUHAN NG DENR-CENRO SAN JOSE, OCCIDENTAL MINDORO AY MAY WALONG (8) PIRASO NG ANAPLA AT LIMANG PIRASO (5) NG BOGO NA KAHOY NA MAY KABUUANG DAMI NA 169.66 BDFT. NA NAIWAN SA SO. NAITAN, BRGY. BATASAN, SAN JOSE, OCCIDENTAL MINDORO NOONG IKA-06 NG ABRIL, 2023 SA GANAP NA ALAS 11:45 NG UMAGA.

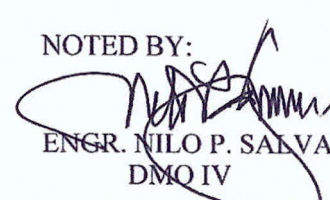
ANG NASABING KAHOY AY DINALA SA OPISINA NG DENR MONITORING STATION SA BRGY. MURTHA, SAN JOE, OCCIDENTAL PARA SA PANSAMANTALANG PANGANGALAGA.

KUNG SINUMAN ANG NAGMAMAY-ARI NG NASABING KAHOY AY MAAARING MAGTUNGO SA AMING TANGGAPAN.

LUBOS NA GUMAGALANG,


RHODORA A. GARCIA
LMO III
Seizure Officer/Hearing Officer

NOTED BY:


ENGR. NILO P. SALVADOR
DMO IV