



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



APR 28 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 : SUBMISSION OF ACCOMPLISHMENT REPORT IN SUPPORT TO
INVESTIGATION , FILING AND PROSECUTION OF CRIMINAL
COMPLAINT WITHIN THE JURISDICTION OF CENRO SAN JOSE,

Respectfully forwarded is the memorandum from CENR Officer Efren L. delos Reyes dated April 14, 2023 regarding the criminal complaint filed against Mr. Rudy Lavega for violation of Section 77, PD 705 as amended with docket No. IV-06-INV-23D-00176.

This is in connection with the complaint of Mr. Leonilo Cuden regarding the cutting of Tamarind tree inside his titled property located in Barangay Bayotbot, San Jose, Occidental Mindoro by the respondent.

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

APR 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
DENR-Mamburao, Occidental Mindoro

FROM : The CENR Officer

SUBJECT : SUBMISSION OF ACCOMPLISHMENT REPORT IN SUPPORT
TO INVESTIGATION, FILING AND PROSECUTION OF
CRIMINAL COMPLAINT WITHIN THE JURISDICTION
OF CENRO SAN JOSE, OCCIDENTAL MINDORO

Respectfully submitting herewith is the Memorandum dated April 13, 2023 of the Chief, Enforcement and Monitoring Section together with pertinent documents of criminal complaint filed against Mr. Rudy Lavega for violation of Section 77, PD 705 as amended with NPS Docket No. IV-06-INV-23D-00176.

For your information and record.


EFREN L. DELOS REYES





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

April 13, 2023

MEMORANDUM

FOR : The CENR Officer
THRU : The Planning Officer
FROM : The Chief Enforcement and Monitoring Section
SUBJECT : SUBMISSION OF ACCOMPLISHMENT REPORT ON THE
SUPPORT INVESTIGATION FILING AND PROSECUTION OF
CRIMINAL WITH THE CENRO SAN JOSE, OCCIDENTAL
MINDORO

In line with the activity under Menu 7. Provision of Institutional support in investigation, filing of information and/or criminal complaints and prosecution of forestry cases within the jurisdiction of CENRO San Jose, Occidental Mindoro.

Please be informed that the Enforcement and Monitoring Section had conducted investigation on the complaint of Mr. Leonilo Cuden regarding illegal cutting of trees within the Titled Property of his parents Mr. Leon Cuden covered by Transfer Certificate of Title (TCT) No. 328 located at Brgy. Bayotbot, San Jose, Occidental Mindoro.

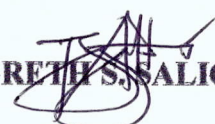
That based on the investigation and map projection the one (1) Tamarind (Sampalok) tree that was cut falls within the said titled property, and it believed that is was cut by Mr. Leon Lavega a residence of Brgy. Bayotbot San Jose, Occ. Mindoro

Please be further informed that on April 12, 2023, a Criminal case with Docket No. IV-06-230-00176 was filed at the Provincial Prosecutors Office against the perpetrator Mr. Rudy Lavega for Violation of Section 77 of the Presidential Decree No. 705, as amended.

Attached here to are the following documents to wait:

1. Investigation Data Form (IDF)
2. Endorsement to the Prosecutors
3. Affidavit of Complain
4. Affidavit of Forester Jomar
5. Joint Affidavit of FT Loren Kaye Garcia & FPO Ednor Legaspi, Jr.
6. Affidavit of Mr. Leonilo Cuden
7. Apprehension Receipt
8. Seizure Order
9. Recapitulation and Assessed Value
10. Investigation Report
11. Geotagged Photos
12. Minutes of Meeting conducted
13. GIS
14. Copy of Transfer Certificate of Title (TCT)

For information , record and references


AUGRETH S. SALIGUMBA

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

INVESTIGATION DATA FORM

To be accomplished by the Office

DATA RECEIVED:

(Stamped and initialed):

Time received:

Receiving Staff:

NPS DOCKET NO.:

Assigned to:

Date Assigned:

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

COMPLAINANT/S: Name, Sex, Age & Address

AUGRETH S. SALIGUMBA, Female, 29 y/o,
Brgy. San Roque, San Jose, Occ. Mdo

RESPONDENT/S: Name, Sex, Age & Address

MR. RUDY LAVEGA, Male,
Brgy. Bayotbot, San Jose, Occ. Mdo.

OFFENSE/S COMMITTED/LAW/S VIOLATED:

Section 77, PD 705 as amended

WITNESS: Name & Address

Jomar B. Serquina
Loren Kaye A. Garcia
DENR-CENRO San Jose, Occidental Mindoro

DATE & TIME of COMMISSION:

March 21, 2023 (9:15 am)

PLACE of COMMISSION:

Brgy. Bayotbot, San Jose,
Occ. 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.

AUGRETH S. SALIGUMBA
(Signature over printed name)

JOMAR B. SERQUINA
(Signature over printed name)

LOREN KAYE A. GARCIA
(Signature over printed name)

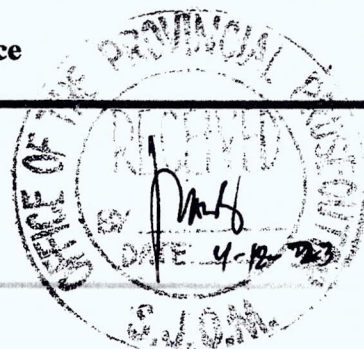
SUBSCRIBED AND SWORN TO before me this 12 APR 2023 day of _____, 2020 in _____

WARREN WESLEY M. MALALAD
Prosecutor/Administering Oath



1ST INDORSEMENT

April 12, 2023



Respectfully referred for regular filing to the Honorable Prosecutor herein case for the proper disposition.

Offense Committed : Section 77 of PD 705 as amended

Respondent Address : **RUDY LAVEGA**
Brgy. Bayotbot, San Jose,
Occidental Mindoro

Date and Place : March 21, 2023
Brgy. Bayotbot, San Jose,
Occidental Mindoro

Facts:

That on March 21, 2023 the Enforcement and Monitoring Section of DENR-CENRO San Jose conducted inspection/ verification on the reported illegal cutting of trees within the titled property of Leon Cuden covered by Transfer Certificate of Title (TCT) No. 328 located at Brgy. Bayotbot, San Jose, Occidental Mindoro by a certain Rudy Lavega within the jurisdiction of this Honorable Court the above named, accused, did then and there willfully, unlawfully and intentionally One (1) piece of Tamarind tree that was cut into two (2) pieces of logs and One (1) piece of lumber with a total volume of 0.13 cubic meter / 55.48 bdft. without legal documents as required by existing forestry laws, rules and regulations to the damage and prejudice of the government.

Please be informed also that the subject apprehended lumber is under the custody of DENR-CENRO San Jose for safekeeping and disposition under existing laws, rules and regulation.

Witnesses:

1. Forester I Jomar B. Serquiña
2. Forest Technician II Loren Kaye A. Garcia

Evidences:

1. Affidavit of complainant
2. Affidavit of witnesses
3. Apprehension Receipt
4. Seizure Receipt
5. Recapitulation and Assessed Value
6. Initial report dated February 06, 2023
7. Follow-up investigation report dated March 22, 2023
8. Minutes of meeting dated March 2, 2023
9. Authenticated copy of Titled property of Mr. Leon Cuden

Advise of the action taken will be appreciated.

Thank You.


EFREN L. DELOS REYES
CENR Officer

X-----X

AFFIDAVIT OF COMPLAINANT

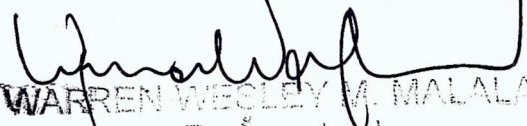
Ako si **AUGRETH S. SALIGUMBA**, 29 taong gulang may-asawa at kawani ng Kagawaran ng Kapaligiran at Likas Yaman bilang itinalagang HEPE ng ENFORCEMENT AND MONITORING SECTION (EMS) ng DENR- CENRO San Jose, Occidental Mindoro.

01. Na, noong ika- 20 ng Pebrero, 2023, nagtunggo sa aming tanggapan si Ginoong Leonilo Cuden upang idolog ang kanyang reklamo ng pagpuputol ng punong kahoy sa loob ng titutalong lupa ng kanyang mga magulang;
02. Na, noong araw ding iyon ay aking ipinarecieve ang kanyang hawak na sulat reklamo kasama ang indorso ng BLGU ng Brgy. Baybot, San Jose, Occidental Mindoro, Litrato ng pinutol na kahoy at Copya ng Titulo (Transfer Certificate of Title No. T-328);
03. Na, aking kinausap si Ginoong Leonilo Cuden, na magsasagawa ng imbistegasyon sa nangyaring pagpuputol at maaring makasuhan ng paglabag ng PD 705 illegal cutting si Ginoong Rudy Lavega;
04. Na, noong February 28, 2023 pinapunta ko sina Forest Technician II Loren Kaye A. Garcia kasama si Forest Protection Officer Ednor C. Legaspi, Jr. upang magsagawa ng imbistigasyon;
05. Na noong March 21, 2023 muli kung pinapunta sina Forester Jomar B. Serquina upang muling tignan, sukatin ang iba pang mga parteng pinutol upang gamiting ibidensya;
06. 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-12 ng Abril, 2023 dito sa San Jose, Occidental Mindoro.


AUGRETH S. SALIGUMBA
Nagsalaysay

OATH AND CERTIFICATION

SUBSCRIBED AND SWORN to before me this 12 APR 2023,
2023 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.


WARREN WESLEY M. MALALAD
Prosecutor I

Republic of the Philippines)
Province of Occ. Mindoro) S.S
Municipality of San Jose)
X-----X

SINUMPAANG SALAYSAY

Ako, **JOMAR B. SERQUINA (Forester I)** Deputy Chief ng EMS kawani ng DENR-CENRO San Jose, Occidental Mindoro na nakatalaga sa Enforcement Monitoring Section (EMS) matapos makapanumpa alinsunod sa batas ay nagsalaysay ng mga sumusunod:

1. Na, noong ika-21 ng Marso, 2023 ganap na humigit- kumulang alas 9:00 ng umaga Kami ay Nagtungo Sa area ni Mr. Leonilo M. Cuden .Na matatagpuan sa Brgy. Bayotbot San Jose Occidental Mindoro.
2. Na, aking sinukat ang natitirang Logs at tabla ng Sampalok na (3) tatlong piraso na may Kabuoang sukat na 55.48 Boardfeet
3. Na, ang sinukat kung Natitirang Logs at Tabla ng sampalok ay natagpuan Sa Brgy. Bayotbot San Jose Occidental Mindoro.
4. Na, ang Nasabing logs ay dinala namin sa Murtha Monitoring station Para sa Pansamantalang Pangangalaga.
5. Na, sa pamamagitan ng salaysay na ito ay mapapatunayan na lahat ng nakasaad sa itaas ay para sa kaalaman ng lahat ng kinauukulan.

Bilang patotoo sa lahat ng nakasaad sa itaas ako ay lalagda ngayong
12 APR 2023 dito sa San Jose, Occidental Mindoro.

JOMAR B. SERQUINA
Forester I

OATH AND CERTIFICATION

SUBSCRIBED and sworn to before me this 12 APR 2023 in San Jose, Occidental Mindoro. I hereby certify that I have examined the affiance under oath and that I am satisfied that he voluntarily executed and understood his statements.

WARREN WESLEY A. MALALAD
Prosecutor I

Republic of the Philippines)
Province of Occidental Mindoro) S.S
Municipality of San Jose)
X-----X

PINAGSAMANG SINUMPAANG SALAYSAY

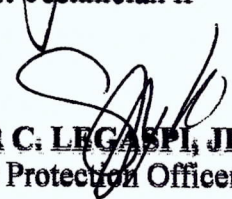
Kami, **LOREN KAYE A. GARCIA** (Forest Technician II) at **EDNOR C. LEGASPI, JR.** (Forest Protection Officer), kapwa mga kawani ng DENR CENRO San Jose, Occidental Mindoro na nakatalaga sa Enforcement and Monitoring Section (EMS), matapos makapanumpa alinsunod sa batas ay nagsalaysay ng mga sumusunod:

1. Na, noong ika-20 ng Pebrero, taong 2023, ay nakatanggap ang aming tanggapan na DENR-CENRO San Jose ng isang liham reklamo mula kay G. Leonilo Cuden ng Brgy. Bayotbot, San Jose, Occidental Mindoro laban kay G. Rudy Lavega ng parehong barangay sa kadahilanang illegal na pagputol ni G. Lavega ng punongkahoy sa lupain ni G. Cuden.
2. Na, noong ika-28 ng Pebrero, taong 2023, kami ay nagtungo sa Brgy. Hall ng Brgy. Bayotbot, San Jose, Occidental Mindoro upang imbestigahan ang nasabing reklamo. Aming kinausap si Punong Barangay Rolando L. Latoza, Sr. upang ipaalam aming sadya at inilathala ni PB Latoza, Sr. na may ilang beses na nagharap sa nasabing barangay sina G. Cuden at G. Latoza sa parehong reklamo ukol sa ilegal na pagputol ng punongkahoy ni G. Lavega sa lupain ni G. Cuden.
3. Na, pagkatapos magtungo sa barangay, kami ay nakipagkita kay G. Cuden upang kami ay samahan sa nasabing lupain upang makita at maidokumento ang nasabing pagputol ng punong kahoy. At sa ganap na 10:00 ng umaga ay nakarating kami sa nasabing lupain ni G. Cuden kung saan ay aming nasilayan ang isang putol na puno ng Sampalok na may natitirang logs at table sa gilid. Aming kinuhanan ng litrato ang nasabing puno ng Sampalok upang maging dokumento. At pagkatapos ng aming pag-iimbestiga ay kami ay bumalik sa Brgy. Hall upang magtalaga ng isang patawag kay G. Leonilo Cuden at G. Rudy Lavega para mapag-usapan ang nasabing reklamo.
4. Na, noong ika-02 ng Marso, taong 2023, sa ganap na 10:00 ng umaga, kami, kasama ang mga Forest Rangers ng DENR CENRO San Jose na sina Tristan Rendorio at Ronald Fresnillo ay nagtungo sa Brgy. Hall ng Brgy. Bayotbot, San Jose, Occidental Mindoro upang kapanayamin at pagharapin sina G. Leonio Cuden at G. Rudy Lavega ukol sa pamumutol ng puno ni G. Lavega sa lupain ni G. Cuden.
5. Na, agarang inamin ni G. Rudy Lavega ang pamumutol ng puno sa lupain ni G. Leonilo Cuden sa kadahilanang ito ay gagamiting lamang sa pampagawa ng kanyang bahay na nakapaloob sa lupain ni G. Cuden. Amin ding napag-alaman na si G. Lavega ay isa sa tinatawag nating "tenant" sa nasabing lupain at ito ay nasa kaalaman din ng may-ari na si G. Leonilo Cuden.
6. Na, pagkatapos ng nasabing paghaharap ay napagpasyahan ni G. Leonilo Cuden na iakyat ang reklamo at sampahan ng kasong Sec. 77 ng PD 705 si G. Rudy Lavega sa kadahilanang paulit-ulit na nangyari ang nasabing pagputol ng kahoy sa lupain ni G. Cuden, kung saan ay magpapatulong si G. Cuden sa tanggapan ng DENR CENRO San Jose sa pagsasampa ng kaso laban kay G. Lavega.

7. Na, noong ika-21 ng Marso, taong 2023, kasama ang aming EMS Deputy Chief Forester Jomar B. Serquiña, ay aming binalikan ang nasabing pinutol na kahoy ng Sampalok upang ang ito's opisyal na sukatin ng isang forester.
8. Na, pagkatapos sukatin ni Forester Serquiña ang nasabong (3) tatlong piraso ng logs at tabla, aming napag-alaman na ito ay may kabuoang sukat na 55.48 boardfeet. At ang nasabing logs at table ay aming dinala sa DENR CENRO San Jose Ranger Monitoring Station, Brgy. Murtha, San Jose, Occidental Mindoro bilang ebidensiya at para sa pansamantalang pag-iingat.
9. Na, sa pamamagitan ng salaysay na ito ay mapapatunayan ng lahat ng nakasaad sa itaas ay para sa kaalaman ng lahat ng kinauukulan.

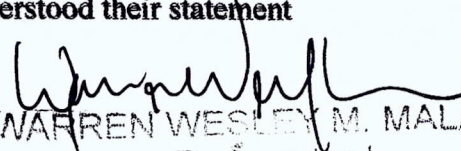
Bilang patotoo sa lahat ng nakasaad sa itaas, kami ay lalagda ngayong
12 APR 2023 dito sa San Jose, Occidental Mindoro.


LOREN KAYE A. GARCIA
Forest Technician II


EDNOR C. LEGASPI, JR.
Forest Protection Officer

OATH AND CERTIFICATION

SUBSCRIBED and sworn to before me this 12 APR 2023
at San Jose, Occidental Mindoro. I hereby certify that I have examined the affiance under oath
and that I am satisfied that they voluntarily executed and understood their statement


WARREN WESLEY M. MALALAD
Prosecutor I

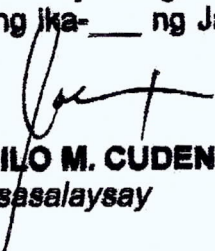
Republika ng Pilipinas)
 Lalawigan ng Occidental Mindoro)
 Bayan ng San Jose)
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SINUMPAANG SALAYSAY

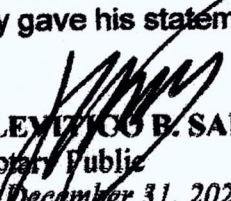
Ako si **LEONILO M. CUDEN**, may sapat na taong gulang, may asawa at kasalukuyang naninirahan sa BURGOZ St., San Jose, Occidental Mindoro, matapos malaman ang lahat ng aking karapatan at makapanumpa ng ayon sa umiiral na batas ay nagsasaad ng mga sumusunod:

1. Akin pong isinusumbong ang mag asawang RUDY AT ROSE LA VEGA, na pumutol ng kahoy na Acacia sa aking lupa sa Bo. Bayotbot, Balading, San Jose, Occidental Mindoro, taong 2019; at akin po itong dinulog sa barangay sa nakakasakop na lugar at ito po ay napagkasunduan na hindi na nila ulitin;
2. Taong 2022 ito po ay naulit muli, ngunit hindi po napuntahan ng barangay sa kadahilanang katatapos lang po ng bagyo nuon. Ngunit ganun pa man kami po ay muling nagkaayos;
3. At nito pong Pebrero 17, 2023 ay muli po silang nagputol ng puno ng Sampalok, pat isa aming katabing lupa ay nagputol din sila ng sampalok, at ito po ay nakita at nalitratuhan ng taga CENRO. At kami po ay muling nagharap sa barangay Bayotbot ng mag asawang RUDY AT ROSE LA VEGA at ng kawani ng CENRO. At doon po sila ay umanin na pinutol nila ang puno ng sampaloc at binenta.
4. At dahil po sa paulit ulit naming paghaharap sa barangay tungkol sa pagpuputol nila ng mga puno, napag desisyonan ko na, na ireklamo sa DENR ang nasabing usapin, upang matigil na ang palagi nilang pagputol ng kahoy sa aming lupain.
5. Ibinigay ko po ang salaysay kong ito ng kusangloob at walang pumilit, nagturo, tumakot o nagbayad sa akin upang ilahad ang mga bagay na nakasaad sa itaas na bahagi nito;

SA KATOTOHANAN NG LAHAT NG ITO ay ilalagda ko po ang aking buong pangalan sa ibabang salaysay kong ito ngayong ika-____ ng January 2022, dito sa San Jose, Occidental Mindoro.


LEONILO M. CUDEN
 Nagsasalaysay

SWORN TO BEFORE me this 9th day of March, 2023 at San Jose, Occidental Mindoro and I hereby certify that I have personally examined the herein declarant and I am convinced that he fully understood and voluntarily gave his statement.


ATTY. LEYNIKO B. SALCEDO

Notary Public

Until December 31, 2023

ROLL No. 28162

PTR No. 3521574/ 1-6-2023

IBP No. 250607/12-14-2022

MCLE Compliance No. VII-0012430

Valid until April 14, 2025

San Jose, Occidental Mindoro

DOC. NO. 413
 PAGE NO. 84
 BOOK NO. 39
 Series of 2023

APPREHENSION RECEIPT

CENRO Control No.: 2023- F480
E-FMS No: 2023- 175110- F480

This APPREHENSION RECEIPT is issued to -

Name	Address	Civil Status	Age	Participation	Status of the Person
Rudy La Vega	Bray. Payotbot				
	San Jose occ. Mindoro				

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:

[illegible]

Minor Forest Products

Kind	Unit of Measurement	No. of Units	Estimated Value	Custodian
N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A

Conveyance involved

[illegible]

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		
March 21, 2023 9:00 AM	Occidental Mindoro	San Jose	Bayotbof		DENR PERSONNEL	NO LEGAL DOCUMENTS

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 21 day of March, year 2023 at San Jose, Occ. Mindoro.

APPREHENDING OFFICER
(Signature over Printed Name)

1. JOHAN B. SERQUENA
Position: Forester I
Address: San Jose, Occidental Mindoro
2. LOREN KAYE AL GANCIA
Position: Forest Technician II
Address: San Jose, Occidental Mindoro
3. EDNOR C. LUCAS, JR.
Position: Forest Protection Officer
Address: San Jose, Occidental Mindoro

WITNESSES:

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

- | | |
|---|---|
| 1. _____
Position: _____
Address: _____ | 3. _____
Position: _____
Address: _____ |
| 2. _____
Position: _____
Address: _____ | 4. _____
Position: _____
Address: _____ |

Copy Received by:

Signature over Printed Name

Date/Time

Remarks:

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-F480
E-FMS No: 2023-175110-F480

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		LUS	Tamarind	1	34cm .69m=.0626 or 26.56 bdft	1,195.20	DENR	Engr. Nilo P. Salvador
	2				1	34cm x.60m=.0544 or 23.09 bdft.	1,039.05	CENRO	
	3				1	5x7x2=5.83	262.35	Office	
Total:					3	55.48bdft	Php 2,496.60		

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	Estimated Market Value	Custodian*
N/A	N/A	N/A	N/A	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
Rudy Lavega	Brgy. Bayotbot, San Jose, Occidental Mindoro				

- 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		
March 21, 2023 9:15 am	OCC. MINDORO	SAN JOSE	LABANGAN	N/A	Engr. Nilo P. Salvador	NO LEGAL DOCUMENT

Examination Conducted by Seizure Officer:

Persons Examined	Date	Time	Place
Apprehending Officer			
Witnesses			

After thorough evaluation of the Apprehension Report dated March 21, 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 21st day of March, 2023 at Brgy. Labangan, San Jose, Occidental Mindoro.



ENGR. NILO P. SALVADOR






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

RECAPITULATION AND ASSESSED VALUE

A. Major Forest Products:

Specie	Total volume	Price/bdft.	Value
Tamarind	55.48 bdft.	Php 45.00	Php 2,496.60

Total Value:

Php 2,496.60

Prepared by:

JOMAR B. SERQUIÑA

Forester I
Deputy, Chief, EMS



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

February 06, 2023

MEMORANDUM

FOR : The CENR Officer

THRU : The Chief, EMS

FROM : The Forest Technician II
The Forest Protection Officer

SUBJECT : MONITORING REPORT ON THE INVESTIGATION CONDUCTED
REGARDING THE COMPLAINT OF MR. LEONILLO M. CUDEN
AGAINST MR. RUDY LAVEGA ON ILLEGAL CUTTING OF TREES
WITHIN PRIVATE LAND OF THE FORMER

Please be informed that the undersigned conducted investigation anent above subject at Brgy. Bayotbot, San Jose, Occidental Mindoro based on a complaint letter by Mr. Leonilo Cuden and endorsed by BLGU Bayotbot, San Jose, Occidental Mindoro and was received by this office on February 20, 2023.

That on February 28, 2023, the undersigned together with Forest Protection Officer Ednor C. Lagaspi, Jr. travelled to Brgy. Bayotbot, San Jose, Occidental Mindoro to verify the said complaint. The team were accompanied by the complainant Mr. Leonilo M. Cuden to the area where the cutting occurred. The team discovered one (1) stump of Sampaloc Tree with slob and derivatives within the said area of Mr. Cuden. The team then conducted inventory of the stump (49 centimeters) and took geotagged photographs of the said Sampaloc Tree. Mr. Cuden firmly stated that it was Mr. Rudy Lavega who conducted the cutting of the said Sampaloc Tree and without permit or proper documents from the DENR. After the said investigation, the undersigned proceeded to the Barangay Hall of Brgy. Bayotbot to schedule a hearing between Mr. Cuden and Mr. Lavega to settle the said issue.

That on March 02, 2023, the undersigned together with Forest Ranger Ronald Fresnillo and Tristan Rendorio with complainant Mr. Leonilo Cuden and respondent Mr. Rudy Lavega conducted a hearing to settle the said issue at the BLGU Bayotbot, San Jose, Occidental Mindoro and was mediated by Punong Barangay Rolando Latoza, Sr. During the said hearing, Mr. Lavega admitted that he was guilty of cutting the said Sampaloc tree within the titled property of Mr. Cuden. Mr. Lavega also stated that he was sorry for the deed he has done within the titled property of Mr. Cuden but the latter was already decisive to file legal action against Mr. Lavega.

To further confirm/verify the evidences of the complaint, on March 09, 2023, Mr. Cuden provided the undersigned a certified true copy of the land title of the said area and minutes of the hearing at the barangay. And on March 13, 2023, the undersigned together with FPO Ednor C. Legaspi, Jr. conducted another perimeter of the said area of Mr. Leonilo Cuden and to also find the cylindrical concrete monument that pertains to the technical description of the titled property of Mr. Cuden at Brgy. Bayotbot, San Jose, Occidental Mindoro.

Please be informed further that the titled property document of provided by Mr. Leonilo Cuden to this office is a Transfer Certificate of Title No. T-320 titled to Mr. Leon Cuden, father of the

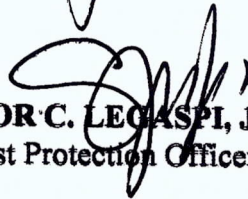
complainant Mr. Leonilo Cuden containing an area of NinetyThree Thousand Seven Hundred and Two (93,702) located at Brgy. Bayotbot, San Jose, Occidental Mindoro,

The undersigned recommends that Mr. Leonilo Cuden to file a case against Mr. Rudy Lavega in violation of Section 77 of the Presidential Decree 705 or The Revised Forestry Code of the Philippines which pertains to the cutting, gathering and/or collecting timber products without license or pertinent documents to do such.

Attached are the location map, geotagged photographs and supporting documents.

For your information and record.


LOREN KAYE A. GARCIA
Forest Technician II


EDNOR C. LEGASPI, JR.
Forest Protection Officer

GEOTAGGED PHOTOGRAPH

March 21, 2023 (Inventory of the Sampaloc Tree illegally cut within the private property of Mr. Leonilo Cuden)





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

March 22, 2023

MEMORANDUM

FOR : The CENR Officer
THRU : The Chief, EMS
FROM : The Deputy Chief, MS
SUBJECT : FINAL REPORT ON THE INVESTIGATION CONDUCTED
REGARDING THE COMPLAINT OF MR. LEONILLO M. CUDEN
AGAINST MR. RUDY LAVEGA ON ILLEGAL CUTTING OF TREES
WITHIN PRIVATE LAND OF MR. LEONILLO CUDEN

Please be informed that the undersigned conducted the final investigation anent above subject at Brgy. Bayotbot, San Jose, Occidental Mindoro based on a complaint letter by Mr. Leonilo Cuden and endorsed by BLGU Bayotbot, San Jose, Occidental Mindoro and was received by this office on February 28, 2023

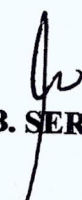
That on March 21, 2023, the undersigned together with Forest Technician II Loren Kaye A. Garcia and Forest Protection Officer Ednor C. Legaspi, Jr. conducted the final inventory of the Sampaloc lumbers illegally cut within the property of Mr. Leonilo Cuden. The said Sampaloc Tree stump has a diameter of 49 cm while the (2) two logs and one (1) lumber that has a total volume of 55.48 boardfeet.

KIND	SPECIES	PIECES	MEASUREMENT	VOLUME
Logs	Tamarind	1	34cm x 0.69m	0.0626 cu. m./26.56 boardfeet
Logs	Tamarind	1	34cm x 0.60m	0.0544 cu. m./23.09 boardfeet
Lumber	Tamarind	1	5 x 7 x 2	0.01375 cu.m/5.83 boardfeet
			TOTAL	0.13 cu.m./55.48 boardfeet

In lieu with the final assessment of the investigation, the team recommends that this office file a case against Mr. Rudy Lavega with Mr. Leonilo Cuden as witness in violation of Section 77 of the Presidential Decree 705 or The Revised Forestry Code of the Philippines which pertains to the cutting, gathering and/or collecting timber products without license or pertinent documents to do such.

Attached are the location map, geotagged photographs and supporting documents.

For your information and record.

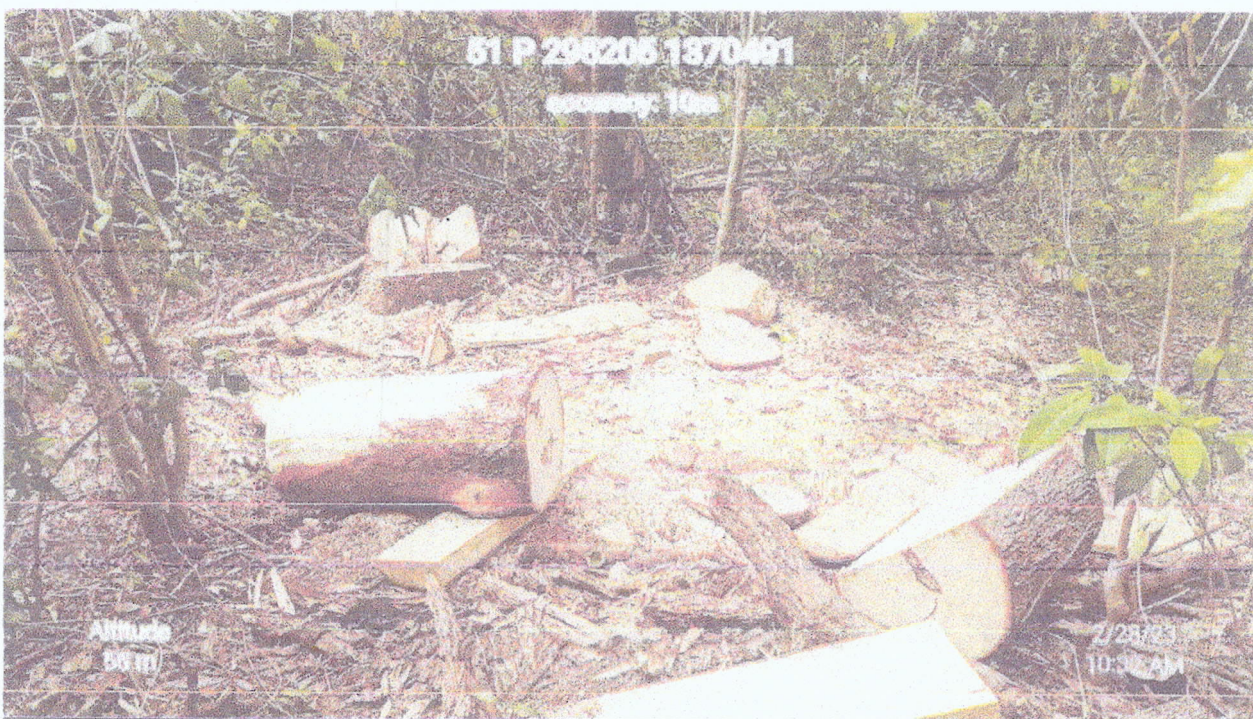

JOMAR B. SERQUINA

GEOTAGGED PHOTOGRAPHS

Investigation on the complaint of Mr. Leonilo Cuden against Mr. Rudy Lavega re: illegal cutting trees within Title Property of Mr. Cuden (TCT No. T-328 of Leon Cuden)



February 28, 2023 – Geotagged photograph of FPO Ednor C. Legaspi with Mr. Leonilo Cuden conducting inventory of the Sampaloc tree stump illegally cut within the Titled Property of Mr. Cuden at Brgy. Bayotbot, San Jose, Occidental Mindoro



February 28, 2023 – Geotagged photograph of the Sampaloc Tree and derivatives illegally cut within the Titled Property of Mr. Cuden at Brgy. Bayotbot, San Jose, Occidental Mindoro

GEOTAGGED PHOTOGRAPHS

Investigation on the complaint of Mr. Leonilo Cuden against Mr. Rudy Lavega re: illegal cutting trees within Title Property of Mr. Cuden (TCT No. T-328 of Leon Cuden)



February 28, 2023 – Geotagged photograph of FPO Ednor C. Legaspi with Mr. Leonilo Cuden conducting inventory of the Sampaloc tree stump illegally cut within the Titled Property of Mr. Cuden at Brgy. Bayotbot, San Jose, Occidental Mindoro



February 28, 2023 – Geotagged photograph of the Sampaloc Tree and derivatives illegally cut within the Titled Property of Mr. Cuden at Brgy. Bayotbot, San Jose, Occidental Mindoro

GEOTAGGED PHOTOGRAPHS

Investigation on the complaint of Mr. Leonilo Cuden against Mr. Rudy Lavega re: illegal cutting trees within Title Property of Mr. Cuden (TCT No. T-328 of Leon Cuden)



March 02, 2023 – Geotagged photograph of the Forest Rangers Ronald Fresnillo and Tristan Rendorio conducting hearing between Mr. Leonilo Cuden and Mr. Rudy Lavega at the Barangay Hall of Brgy. Bayotbot, San Jose, Occidental Mindoro.



March 13, 2023 – Geotagged photograph of the EMS Staffs together with Mr. Leonilo Cuden at the titled property of Mr. Cuden at Brgy. Bayotbot, San Jose, Occidental Mindoro

GEOTAGGED PHOTOGRAPHS

Investigation on the complaint of Mr. Leonilo Cuden against Mr. Rudy Lavega re: illegal cutting trees within Title Property of Mr. Cuden (TCT No. T-328 of Leon Cuden)



March 02, 2023 – Geotagged photograph of the Forest Rangers Ronald Fresnillo and Tristan Rendorio conducting hearing between Mr. Leonilo Cuden and Mr. Rudy Lavega at the Barangay Hall of Brgy. Bayotbot, San Jose, Occidental Mindoro.



March 13, 2023 – Geotagged photograph of the EMS Staffs together with Mr. Leonilo Cuden at the titled property of Mr. Cuden at Brgy. Bayotbot, San Jose, Occidental Mindoro

March 2, 2024

10:30 AM

Agumbong - Loren Kaye A. Garcia

Agumbong - Rudy Lavaga

Ulat sa - pamumutal ng puno sa
area ni Leonilo Cuden

Attendees -

- 1. Rodrigo P. Lavaga
- 2. Rosendo R. Lavaga
- 3. Remy R. Lavaga
- 4. Enoch C. LERASPI JR.
- 5. RONALDO D. FRESNILLO
- 6. TRISTAN V. RIMONDO
- 7. LEONILLO M. CUDEN

[Handwritten signatures and initials]

Engli:

Tristan Rondonio - ito po ay pagpuputal
sa area ni Mr. Cuden.

- pinatubalan po namin ito at
nakita namin ang pagpuputal
ng kompanya.

- tanong ko po - Mr. Rudy? alam
kaya ba na area ito ni Cuden.

Rudy - kamin ba po yan. ibeneata ko
na sangkalan.

Tristan - may permit po ba kayo

Rudy - wala po.

friston - bawal ito, kalit pa rin ng ito.
at wala kayang consent kay Mr.

Cuden.

- ano ang masasabi sa Mr. Cuden.

Mr. Cuden - ifuloy ulang po ito sa kanila.
paulit ulit ulang po para
hindi na maulit.

Mr. friston - kung ito ang desisyon ng
complaint, ifuloy po natin
ito.

Kap - kami ng transportation lang
po depends pa rin ito sa
kayumanggi.

Mr. friston - ano po ang masasabi nyo
kuna Mr. Lavagn.

Kap - alala na po ang binabawing ng
pasahero para sa kanila.
Maaring hindi nila alam
ang batas at gipit alam
po sa kanila sa pamamagitan ng agayon.
- pakiusap ko kay Mr. Cuden, pagbisyon
puna sa kanila sa agayon. last na po
ito.

Mr. Lavagn - hindi ko po kasi alam
sa kalit pa rin ko po ay
bawal putulin.

Mr. friston - Bago ~~ito~~ kami magbibigay
ng arting permit ay certification
mula sa DTSP.

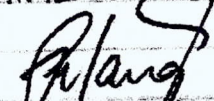
- fruit trees etc. ang bawal
pubulin.
- locity po sa ito ng Ranger.
- magbibigay po ng transport permit -
ang appie.
- maghahanap po rin po ng IDC sa
may.

Mr. Lamego & Mrs. Lamego - humihingi
po kami ng pasensya kay Mr.
Cuden. ~~maghahanap~~ ~~ang~~ ~~po~~
~~para ang~~ ~~ospital~~ ~~na~~.

Mr. Cuden - magdidiyon na po kaming
maghahanapid na itulay ito
sa busgado. Paulit ulit na po
kase ng ulit na po itong nangyari.
- Gusto po sa busgado para maghi record.
- final na po ito.
- kung- kap. paputalan na po natin
ito dahil nagdidiyon na ang nag
complain.

Mrs. Lamego - puede ba dito nalang
sa may. Hapusan na natin ito.
Humihingi kami ng pasensya.
- pinapalabas na aaman, wala kaming
pamamahala kay sa bayan na.
- pinapalabas na ang butas kami
para mapalalis kami sa pagiging
fermat natin.

CERTIFIED TRUE COPY


ROLANDO L. LATORRA SR.
MUNICIPAL BARANGAY

JUSTIN V. PENDING

Standard. Latorra
may may.

Accountable Form No. 51
(Revised 2008)



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
LAND REGISTRATION AUTHORITY

DATE: 07. 2023

Entry/Ref No.: EPEB_COW2023000557

1026351693

San Jose, Occ. Mdo.

Issuing Office:

Received From: (Last Name, First Name, Middle Initial)
LEONILYN G. GLEN

Address (No., Street, City/Municipality, Province, Zip Code)
109 BURGOS ST. SAN JOSE, OCC. MINDORO

PAYMENT DETAILS

Nothing Follows

BREAKDOWN OF PAYMENT

Service fee - Insurance Fee 225.00
Nothing Follows

TOTAL AMOUNT PAID: TWO HUNDRED SEVENTY THREE AND 00/100 ONLY

THE SUM OF (in Pesos)

MODE OF PAYMENT

☐ Cash ☐ Check ☐ Money Order ☐ Credit/Debit Card ☐ Others

CASH	Bank/Company	Ref. No.	Date	Amount

AILENU MONTEPRIO

CASHIER

Write the number and date of this receipt on the back of check or money order received.

Official Form No. 149
Revised January 31, 1955

Book 11 7
Page 78

THE REGISTERED OWNER IS REMINDED TO UPGRADE THE "PAPER TITLE" TO "COMPUTERIZED TITLE" FOR EASIER TRANSACTIONS.

GOVERNMENT COPY • GOVERNMENT COPY • GOVERNMENT COPY

12-10-23

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE

Land Registration Commission

REGISTRY OF DEEDS FOR THE PROVINCE OF OCCIDENTAL MINDORO

Transfer Certificate of Title

No. T-328

It is hereby certified that certain land situated in the Province of Occidental Mindoro, more particularly bounded and described as follows:
A tract of public land situated in the barrio of Bangarin, Municipality of San Jose, Province of Mindoro, Island of Mindoro, Philippines, containing an area of 9 hectares, 37 area, 02 centares according to the official plat of the survey thereof on file in the Office of Lands, Manila, and described as follows: Beginning at a point on the "L" of the 1:50,000 scale map of the Republic of the Philippines, being N. 57-43 E., 112.43 m. from WHM No. 38, P12-34, thence (continued on the back hereof).
is registered in accordance with the provisions of section 122 of the Land Registration Act in the name of * LEON M. CUDEN, married to Paz Macabata, both Filipino and resident of San Jose, Occidental Mindoro,
subject to the provisions of the said Land Registration Act and the Public Land Act, as well as to those of the Mining Laws, if the land is mineral, and subject, further, to such conditions contained in the original title as may be subsisting, and to the provisions of Sec 4 of Act No. 114 of the Rules of Court in favor of any other heirs, creditors, and persons who might be deprived of their lawful participation on the estate of the deceased for a period of two years.
It is further certified that said land was originally registered on the 27th day of March, in the year nineteen hundred and twenty-two in Registration Book No. 8, page 1, of the Office of the Registrar of Deeds of Occidental Mindoro, as Original Certificate of Title No. 2220, pursuant to a Homestead patent granted by the President of the Philippines, on the 27th day of August, in the year nineteen hundred and twenty-two under Act No. 141 as amended.

This certificate is a transfer from * Leon M. Cuden Certificate of Title No. T-328 which is cancelled by virtue hereof in so far as the above described land is concerned.

Entered at this Office, Province of Mindoro, Philippines, on the 20th day of November, in the year nineteen hundred and twenty-three at 11:30 a. m.

Special Registrar of Deeds

San Jose, Occidental Mindoro
(Owner's present address)

* State the civil status, name of spouse if married, age if a minor, citizenship and residence of the registered owner. If the owner is a married woman state also the citizenship of her husband. If the land is registered in the name of the conjugal partnership, state the citizenship of both spouses.

This is a Certified True Copy of TCT T-328 on file at Registry of Deeds of Mindoro Occidental, San Jose. This consists of 4 page(s) and does not require a manually affixed signature pursuant to R.A. No. 8792. Printed at Registry of Deeds of Mindoro Occidental, San Jose. Requested By: LEONILLO M. CUDEN.

Ref. No.: 2023000557 OR No.: 1026351693
Date: 03/07/2023 OR Date: Mar 7 2023
Time: 10:03:03 AM Amt. Paid: 273.35

LR A 11083219

MEMORANDUM OF ENCUMBRANCES

(When necessary use this page for the continuation of the technical description)

Know all men to these presents, that I, LEONIL M. CUDEN, of the County of San Jose, Province of Mindoro Occidental, Philippines, do hereby certify that the following is a true and correct copy of the technical description of the land described in the foregoing instrument, as the same appears in the records of the Registry of Deeds of Mindoro Occidental, San Jose, Philippines, and that the same is a true and correct copy of the original as the same appears in the records of the Registry of Deeds of Mindoro Occidental, San Jose, Philippines.

1. A certain lot, situated in the Block 10, Subdivision 1, Zone 1, Section 1, Township 1, Range 1, Meridional, containing an area of 131.75m. to point 1; 4.37-07m. to point 2; 987.17m. to point 3; 2.14-84 m. to point 4; 120.00m. to point 5; 28-27 to point 6; 2.48-31m. to point 7; 413.26 m. to point 8; and 1.14-00m. to point 9. Containing an area of 93.702 square meters. All points are marked on ground as follows: points 1 and 2 by 1/2" iron nail; points 3 and 4 by 1/2" iron nail; points 5 and 6 by 1/2" iron nail; points 7 and 8 by 1/2" iron nail; and point 9 by 1/2" iron nail. The lot is bounded on the NE. along line 1-2 by road 1 on the NE. along line 2-3 by road 2 on the NE. along line 3-4 by lot 1880, 112-31; and on the SE. along line 4-5 by lot 1880, 112-31. Bearings and distances are as follows: 1-2, S 11° 15' E, 4.37-07m.; 2-3, S 89° 15' E, 987.17m.; 3-4, S 89° 15' E, 2.14-84 m.; 4-5, S 89° 15' E, 120.00m.; 5-6, S 89° 15' E, 28-27; 6-7, S 89° 15' E, 2.48-31m.; 7-8, S 89° 15' E, 413.26 m.; 8-9, S 89° 15' E, 1.14-00m. This lot was surveyed by Leoni M. Cuden, Surveyor, and approved by the Board of Surveyors on Nov. 2, 1912.

2. This lot is covered by R. A. No. 7-31107.

Leoni M. Cuden
Special Deputy Registrar of Deeds

RECEIVED IN FAVOR OF THE
REGISTERED OWNER OF THE
LAND DESCRIBED IN THE
INSTRUMENT FOR THE SUM OF
P. 100.00 (ONE HUNDRED AND
NO PARTS OF 100) PESOS
ON FILE IN THIS REGISTRY

DATE OF INSCRIPTION

COLEGEAR G. M. 4740

2. This lot is covered by R. A. No. 7-31107.

3. This lot is covered by R. A. No. 7-31107.

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100. This lot is covered by R. A. No. 7-31107.

Leoni M. Cuden
Special Deputy Registrar of Deeds

(Memorandum of Encumbrances continued on Page 2)
(Technical Description continued on Additional Sheet Page 3)

Register of Deeds

GOVERNMENT COPY • GOVERNMENT COPY • GOVERNMENT COPY

1 R A 11052194

THE REGISTERED OWNER IS REMINDED TO UPGRADE THE "PAPER TITLE" TO "COMPUTERIZED TITLE" FOR FASTER TRANSACTIONS.

7.4.1.1. **Preparation of the monomer**

1-24-77

(Continuation of the Memorandum of Encumbrances from Page 4)

1990

[Illegible text]

23-1

~~CONFIDENTIAL~~

Register of Donors

This is a Certified True Copy of TCT T-328 on file at Registry of Deeds of Mindoro Occidental, San Jose. This consists of 4 page(s) and does not require a manually affixed signature pursuant to R.A. No. 8792. Printed at Registry of Deeds of Mindoro Occidental, San Jose. Requested By: **LEONIL M. CUDEN.**

Ref. No. : 2023000557 OR No. : 1026351693
Date : 03/07/2023 OR Date : Mar 7 2023
Time : 10:09:03 AM Amt. Paid: 273.35

LR A 110832194

LAND REGISTRATION AUTHORITY
CERTIFIED TRUE COPY VERIFICATION FORM

Page C

+ 318 P

(Continuation of the Memorandum of Encumbrances from Page D)

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(Continued on Additional Sheet Page)

Register of Deeds

12-121

THE REGISTERED OWNER IS REMINDED TO UPGRADE THE "PAPER TITLE" TO "COMPUTERIZED TITLE" FOR FASTER TRANSACTIONS.

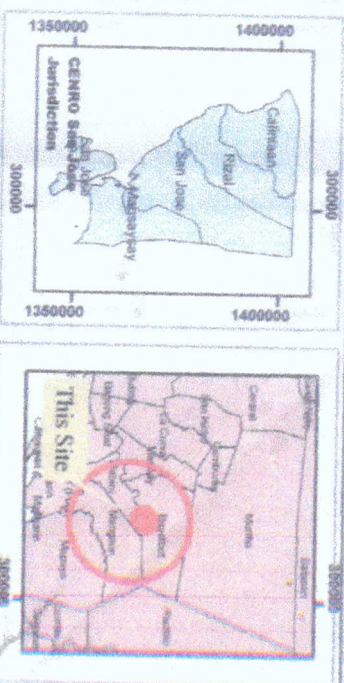
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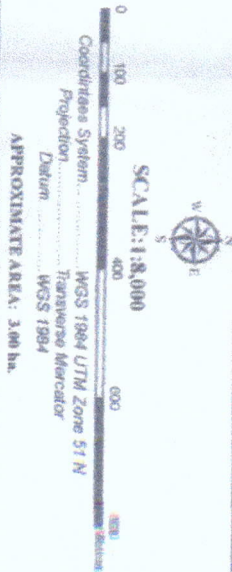
Date : 03/07/2023 OR Date : Mar 7 2023

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LRA 1106321946



**LOCATION MAP OF
 CUTTING OF TREES WITHIN
 TITLED PROPERTY COVERED BY
 TCT NO. T-328 OF LEON CUDEN**



Barangay: Bayatbot
 Municipality: San Jose
 Province: Occidental Mindoro

OCMTOPO.tif

Legend:

- Monument
- Corner
- Geotagged_Photos
- Tracks
- Roads

Color Legend:

- Red: Band 1
- Green: Band 2
- Blue: Band 3

TCT No. T-328

TECHNICAL DESCRIPTION		
Corner	Easting	Northing
1	295172	1370438
2	295081	1370532
3	295050	1370593
4	295432	1370927
5	295470	1370782
6	295501	1370725



Assisted by:

MR. SALVADOR
 DIGNO II, Deputy CENRO

LEGITIMATING
 OPERATOR

EFREN M. MARIAS
 CENRO

NOTE:

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