

Issues

Is there evidence beyond reasonable doubt, **first**, of petitioners' ethnicity as Iraya-Mangyan IPs, **and second**, of the elements of violation of Section 77 of PD 705, as amended? As for the latter, is there evidence beyond reasonable doubt that:

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1. the *dita* tree which petitioners had cut and collected is a specie of timber?;
2. the *dita* tree was cut and collected from a forest land, an alienable or disposable public land, or a private land, as contemplated in Section 77 of PD 705, as amended?; and,
3. the cutting of the *dita* tree was done without any authority granted by the State?

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