

WHEREAS, in a Memorandum for the District Collector dated September 1, 2021, thru Atty. Ma. Lourdes V. Mangaoang Deputy Collector for Passenger Service, Customs Examiner Jose G. Fresnoza, Jr. and DOD Flight Supervisor Roger Agias, reported the incident and recommended the issuance of Warrant of Seizure and Detention against the subject seven (7) empty magazines owned by US Military Serviceman Tyler Smith for lack of permit from the PNP-FEO;

WHEREAS, after a careful evaluation of the documents submitted and applicable customs laws, rules and regulations, the NAIA District Collector finds probable cause for the issuance of Warrant of Seizure and Detention against the subject shipment for violation of Section 1113 in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA), and Republic Act 10591, otherwise known as the Comprehensive Firearms and Ammunition Regulation Act of 2013;

WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules and regulations, it is hereby ordered and decreed that the seven (7) empty magazines held from outgoing passenger Tyler Smith be, as it is hereby ordered seized for violation of Section 1113 in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA), and Republic Act 10591, otherwise known as the Comprehensive Firearms and Ammunition Regulation Act of 2013, to be held in custody at the In Bond Room, Customs Arrival Area, NAIA Terminal 1, for custody and safekeeping pursuant to CAO 10-2020, pending the resolution of the seizure case by the Law Division, and/or upon order of the District Collector, this Port;

Compliance with Customs Administrative Order No.10-2020, particularly on the matter of making a return of service and the submission of the Inventory Report or list of the articles seized, is to be strictly observed.

SO ORDERED.

SEP 14 2021
NAIA Customhouse, Pasay City, Metro Manila, _____ September 2021.


CARMELITA M. TALUSAN, CESE
District Collector 

5027726



BUREAU OF CUSTOMS
MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 123-2021 (NAIA)

-versus-

Seven (7) empty M4 Chambered Magazines intercepted from outgoing passenger **TYLER SMITH** at the Departure Area, NAIA Terminal 1 on July 15, 2021.

X-----X

WARRANT OF SEIZURE AND DETENTION

TO: The District Commander
ESS-CPD, NAIA District Office

GREETINGS!

WHEREAS, on or about 2130H on July 15, 2021, an Office for Transportation Security (OTS) Scanning personnel, the Security personnel of Aseana Airlines, and two (2) Police Officers from the Aviation Security Command (Avsecom), approached the Customs Counter and informed the Duty Officer thereat that there is a passenger of Aseana Airlines whose baggage was detected to contain rifle magazines;

WHEREAS, after verification, the subject passenger was identified to be TYLER SMITH, an enlisted US Serviceman who was one of the 170 personnel who participated in the Philippine US Visiting Forces Agreement (VFA) which was recently held in Zamboanga City;

WHEREAS, Mr. Smith admitted to the authorities that he did not have any documents for the seven (7) magazines that he is bringing back with him to the United States of America;

WHEREAS, Jose G. Fresnoza, Jr. and Roger Agias, COO III and DOD Flight Supervisor, respectively, Departure Operations Division, immediately called up Sgt. Montano of the NAIA-Firearms and Explosives Division, who coordinated with the Firearms and Explosives Office of the Philippine National Police (FEO-PNP);

WHEREAS, Police Master Sergeant Joseph Mamanao of the NAIA PNP-FED explained to Mr. Smith why he is not allowed to bring with him the seven (7) empty rifle magazines, and told him to write a letter to the PNP-FED turning over these magazines to that Office for custody and safekeeping, with the assurance that Mr. Smith or his duly authorized representative could release the same once he can submit a Permit from PNP Camp Crame;

WHEREAS, PSMS Mamanao turned over the subject empty magazines to Customs Examiner Fresnoza who, in turn, turned them over to Rosalinda A. Ros, Assistant Chief, Baggage Assistance Division, this Port, for safekeeping at the In Bond Room, Customs Arrival Area at NAIA Terminal 1 under Held Baggage Receipt No. 00334512;