



REPUBLIC OF THE PHILIPPINES
Department of Finance
BUREAU OF CUSTOMS
Port of Clark International Airport
Collection District XIV
Clark Freeport Zone, Pampanga 2023



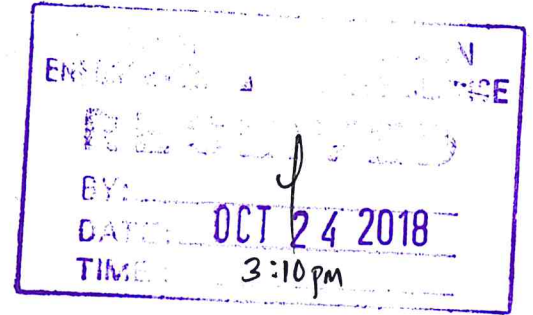
MEMORANDUM

TO : **CAPT. ANGELITO S. CRUZ**
ESS-District Commander

FROM : **ATTY. LILIBETH SUMBILLA-SANDAG**
Acting District Collector

SUBJECT : **Posting of the Warrant of Seizure and Detention**

DATE : October 19, 2018



This refers to the Warrant of Seizure and Detention **S.I. No. CFZ 043-2018** copy attached, which was not served due to the reason that consignee could not be located at their given addresses despite diligent efforts.

The CMTA, particularly Sec. 1119 on the Service of Warrant of Seizure, provides in part -

x x x Service of warrant to an unknown owner shall be effected by posting the warrant for fifteen (15) days in a public place at the concerned district and by electronic or printed publication.

Accordingly, you are hereby directed to cause the posting of the Warrant of Seizure and Detention at conspicuous place/s at the Clark International Airport Corporation considering that the subject passenger arrived at the Clark International Airport Corporation as well as at this port's premises and in a public place within this port's jurisdiction.

For strict compliance.

Cc:
CIAC
Passenger Service & Processing Division



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Republic of the Philippines,

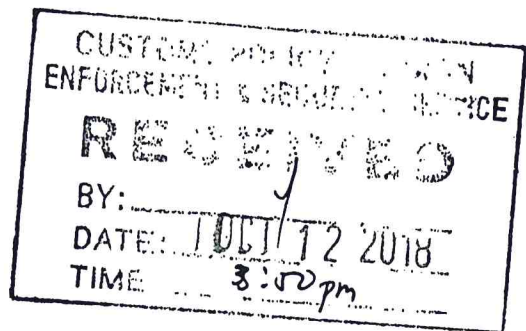
Seizure Identification
 No. CFZ **043-2018**

-versus-

Undeclared 262 pieces "device", 288 pieces debit card, 54 pieces USB and 33 pieces sim card from an arriving passenger from Macau at the Clark International Airport *via* Cebu Pacific Flight No. 5J 371

Consignee:
MR. DANIEL MELENDRES EMIA
 Block 14, Morning Ville, Canumay West,
 Valenzuela City

Claimant.



X-----X

WARRANT OF SEIZURE AND DETENTION

To: Capt. Angelito S. Cruz
 District Commander
 ESS-CPD, Port of Clark

Greetings!

WHEREAS, on August 30, 2018, Acting Customs Examiner Fatima Jehanne L. Dumadalog assigned at the Passenger Service Division Arrival Area was doing her regular duty along with Mr. Eufrocino Agguid when she noticed an arriving passenger from Macao *via* Cebu Pacific Flight No. 5J 371 with one luggage marked with "X" indicating the need for physical examination;

WHEREAS, the said luggage was initially subjected to non-intrusive X-ray examination and marked with "X" by the XIP duty personnel, Marion. S. Buenaventura, due to the image showing suspicious items for verification;

WHEREAS, the passenger, identified as Daniel Melendres Emia, 32 years old and a resident of Valenzuela City, was directed to pass through the red lane for examination of the subject luggage;

WHEREAS, the passenger was then asked to accomplish the Baggage Declaration (BD) Form;

Isidra Rostro
 Isidra R Ostris
 Desk officer
 Barangay Canumay West

WHEREAS, the Acting Customs Examiner reviewed the details provided by the passenger in the BD Form indicating "Nothing to Declare";

WHEREAS, however, upon examination of the passenger's luggage, the Acting Customs Examiner found nine black plastic bags containing unknown items wrapped with jeans;

WHEREAS, the Acting Customs Examiner conducted an inventory of the items inside the nine black plastic bags in the presence of arriving passenger Emia and witnessed by Aizza Amor Lingat-Galang, Assistant Chief, Passenger Service Division, Eufrocino Agguid, co-examiner, which yielded the findings of 262 pieces "device", 288 pieces debit card, 54 pieces USB and 33 pieces sim card not declared in the Baggage Declaration Form;

WHEREAS, upon termination of the inventory, the Acting Customs Examiner asked the passenger if he has prior authorization from the owners of the debit cards and sim cards possessed and transported by him to which he replied in the negative. The examiner further inquired whether the USB's were of his personal use to which he replied that the items do not belong to him;

WHEREAS, the Acting Customs Examiner, in a memorandum dated September 25, 2018, recommended the issuance of a Warrant of Seizure and Detention against the shipment for possible violation of Section 1404 (Failure to Declare Baggage) of the Customs Modernization and Tariff Act (CMTA), R.A. 10863, in relation to R.A. 8484 otherwise known as the "Access Devices Regulation Act of 1998" for the 262 pieces "device", 288 pieces debit card and 33 pieces sim card and R.A. 9239 otherwise known as the "Optical Media Act of 2003" for the 54 USBs without import permit/s from the Optical Media Board;

WHEREFORE, by virtue of the power vested in me by law, and in compliance with pertinent Customs laws, rules and regulations, you are hereby ordered to forthwith seize the aforementioned articles and take custody over the same pending termination of the seizure and forfeiture proceedings and/or until further order from this Office. In this connection, please be guided by Customs Memorandum Order No. 8-84, particularly on the matter of making a return of service and submission of inventory of list of the subject articles.

SO ORDERED.
Port of Clark, Clark Freeport Zone, Pampanga.
October 10, 2018.



ATTY. LILIBETH SUMBILLA-SANDAG
Acting District Collector

Cc:

Commissioner of Customs
Commission on Audit
City of San Fernando, Pampanga
Prosecution and Litigation Division
Legal Service, BOC
South Harbor Port Area, Manila