



Republic of the Philippines,

Seizure Identification  
No. CFZ **162-2023**

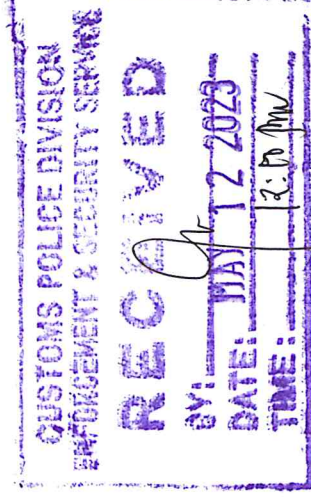
-versus-

Shipment said to contain “**MATRESS COVER, PLANNER, SLEEP WEAR TERNO, BLAZER SUIT, BLANKET, SWIM WEAR**” bound to Clovis, California, USA which will be shipped thru Federal Express (FedEx) Clark on 11 April 2023 under House Airway Bill No. 771793049786 but found to contain various clutch bags (8 pcs. LV, 1 pc. LV brown, 1 pc. LV black), bags (1 pc. Marc jacobs, 3 pcs. Bottega Veneta, 2 pcs. Goyard, 1 pc. MCM, 1 pc. Chanel, 1 pc. YSL, 2 pcs. Hermes, 2 pcs. Prada, 4 pcs. LV) and 1 pc. Gucci belt

Exporter/Shipper:  
**CHARLIE AVILA**

Villa Julita, San Fernando, Pampanga 2000 PH  
Claimant.

X-----X



**NOTICE OF HEARING**

**TO :** **CHARLIE AVILA**  
Villa Julita, San Fernando, Pampanga  
2000 PH  
(Tel No.: 83636646)

Greetings!

Please be notified that there will be a hearing on the above entitled case on **May 29 and 30, 2023, 10:30 AM**, via **Zoom Teleconferencing** which can be accessed, as follows:

**Meeting ID: 885 9001 0546**  
**Passcode: 179211**

Kindly coordinate in the below indicated contact number/s and/or email address for the Zoom link to be transmitted via e-mail for easy access.

Please be further informed of the pertinent provisions of Customs Memorandum Order (CMO) No. 4-2018 (A) which provides:

xxx

**6.3** During the Preliminary Conference the following shall be discussed:

- 6.3.1** Defining and simplifying the issues of the case;
- 6.3.2** Entering into admission or stipulation of facts;
- 6.3.3** Marking of exhibits;



# BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM INTEGRITY ACCOUNTABILITY

**6.3.4** The possibility of disposition of the goods pending forfeiture proceedings in case of perishable articles;  
**6.3.5** The possibility of settlement; and  
**6.3.6** Dates for submission of respective Position Papers of the parties.

**6.4** The Hearing Officer shall require the Claimant to submit its verified Position Paper within five (5) days from the termination of the preliminary conference, copy furnished the Government Prosecutor. Failure on the part of the Claimant to submit its verified Position Paper within the prescribed period shall be deemed waiver on its part to submit the same. No Motion for Extension shall be allowed.

xxx

**Failure to appear on the said scheduled hearing and/or submit a position paper shall be construed as a waiver on your part to be heard or to adduce evidence and the case shall be deemed submitted for resolution.**

Port of Clark, Clark Freeport Zone, Pampanga.  
09 May 2023

  
**ATTY. JONATHAN D. MENGULLO**  
Hearing Officer  
Chief, Law Division  
Port of Clark





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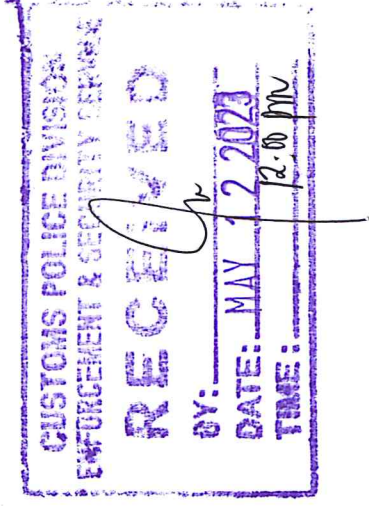
Shipment said to contain “**MATRESS COVER, PLANNER, SLEEP WEAR TERNO, BLAZER SUIT, BLANKET, SWIM WEAR**” bound to Clovis, California, USA which will be shipped thru Federal Express (FedEx) Clark on 11 April 2023 under House Airway Bill No. 771793049786 but found to contain **various clutch bags (8 pcs. LV, 1 pc. LV brown, 1 pc. LV black), bags (1 pc. Marc jacobs, 3 pcs. Bottega Veneta, 2 pcs. Goyard, 1 pc. MCM, 1 pc. Chanel, 1 pc. YSL, 2 pcs. Hermes, 2 pcs. Prada, 4 pcs. LV) and 1 pc. Gucci belt**

Exporter/Shipper:

**CHARLIE AVILA**

Villa Julita, San Fernando, Pampanga 2000 PH  
Claimant.

X-----X



**WARRANT OF SEIZURE AND DETENTION**

To: SP/CAPT. ARNEL A. BAYLOSIS  
District Commander  
ESS-CPD, Port of Clark

Greetings!

WHEREAS, on 11 April 2023, a shipment bound to Clovis, California, USA (Consignee: Mercedes Carter) under House Airway Bill No. 771793049786 said to contain “**MATRESS COVER, PLANNER, SLEEP WEAR TERNO, BLAZER SUIT, BLANKET, SWIM WEAR**” under the name of CHARLIE AVILA with address at Villa Julita, San Fernando, Pampanga 2000 PH (Contact No.: 83636646) arrived at the Federal Express (FedEx) gateway facility and marked for verification/physical examination by the X-ray Inspector on duty;

WHEREAS, on 15 April 2023, Trade Control Examiner Marife Foloso conducted physical examination on the subject shipment in the presence of representative from FedEx with the following findings:

AS DECLARED IN THE INVOICE	AS FOUND
<ul style="list-style-type: none"> <li>4 PCS. MATRESS COVER</li> <li>5 PCS. PLANNER</li> <li>10 SET SLEEP WEAR TERNO</li> <li>5 PCS. BLAZER SUIT</li> <li>2 PCS. BLANKET</li> <li>8 PCS. SWIMWEAR</li> </ul>	<ul style="list-style-type: none"> <li>Various clutch bags (8 pcs. LV, 1 pc. LV brown, 1 pc. LV black)</li> <li>Various bags (1 pc. Marc jacobs, 3 pcs. Bottega Veneta, 2 pcs. Goyard, 1 pc. MCM, 1 pc. Chanel, 1 pc. YSL, 2 pcs. Hermes, 2 pcs. Prada, 4 pcs. LV)</li> <li>1 pc. Gucci belt</li> </ul>
<p><b>Value: USD 142.50</b> <b>Gross Weight: 22.25 kgs.</b></p>	

WHEREAS, on 04 May 2023, the Office of the District Collector received a Memorandum of even date from Ms. Maricar N. Go and Ms. Folloso, Officer-In-Charge (OIC) Export Unit and Trade Control Examiner FedEx-Export, respectively, thru Atty. Lilibeth Sandag, Deputy Collector for Operations, recommending the issuance of a Warrant of Seizure and Detention (WSD) against the subject shipment based on the discrepancy between the goods found during the physical examination and goods declared in the commercial invoice for violation of Section 1113 paragraph (l) (3) and (4) of Republic Act (R.A.) No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA);

WHEREAS, upon evaluation thereof, this Office finds probable cause for the issuance of WSD against the subject shipment for violation of Section 1113 paragraphs (f) and (l) (3) and (4) of R.A. No. 10863 otherwise known as the CMTA;

**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.**

08 May 2023, Port of Clark, Clark Freeport Zone, Pampanga.



**JOHN M. SIMON**  
Officer-In-Charge, Port of Clark

Copy furnished:

- MARICAR N. GO**  
Officer-In-Charge, Export Unit
- MARIFE V. FOLLOSO**  
Trade Control Examiner, FedEx
- Commissioner Of Customs
- Commission On Audit
- BATAS, Legal Service
- Intelligence Group
- Account Management Office
- Risk Management Office
- CIIS-Port Of Clark