



Republic of the Philippines,

Seizure Identification
No. CFZ **172-2023**

-versus-

Shipment said to contain “SOCKS (UNISEX) – MADE OF COTTON POLYESTER, FOLDABLE STORAGE BOX – MADE OF NYLON, WOMENS BLOUSE AND PANTS SET – MADE OF COTTON WOVEN, WOMENS PAJAMA SET – MADE OF COTTON WOVEN, WOMENS SHORTS SET – MADE OF COTTON WOVEN, WOMEN’S DRESS – MADE OF COTTON SPANDEX” bound to Simi Valley, California, USA which will be shipped thru Federal Express (FedEx) Clark on 11 April 2023 under House Airway Bill No. 771808627383 but found to contain various bags (11 pcs. LV, 1 pc. Gucci, 1 pc. Fendi, 4 pcs. Marc Jacobs, 3 pcs. Dior), wallets (5 pcs. Prada, 9 pcs. LV, 6 pcs. Gucci, 3 pcs. Coach), 1 pc. LV dress, 6 pcs. unbranded and 1 pc. Chanel sleepwear

Exporter/Shipper:

RYAN JAY DIMACALI

B3 L1 Dolores Homesite Ext., Dolores, City of San Fernando, Pampanga 2000 PH

Claimant.

X-----X



NOTICE OF HEARING

TO : **RYAN JAY DIMACALI**
B3 L1 Dolores Homesite Ext., Dolores, City of San Fernando, Pampanga 2000 PH
(Tel No.: 09198117494)

Greetings!

Please be notified that there will be a hearing on the above entitled case on **May 30 and June 01, 2023, 10:00 AM**, via **Zoom Teleconferencing** which can be accessed, as follows:

Meeting ID: 856 4360 8688
Passcode: 147166

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



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

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;
- 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



Republic of the Philippines,

Seizure Identification
No. CFZ 172-2023

-versus-

Shipment said to contain **“SOCKS (UNISEX) – MADE OF COTTON POLYESTER, FOLDABLE STORAGE BOX – MADE OF NYLON, WOMENS BLOUSE AND PANTS SET – MADE OF COTTON WOVEN, WOMENS PAJAMA SET – MADE OF COTTON WOVEN, WOMENS SHORTS SET – MADE OF COTTON WOVEN, WOMEN’S DRESS – MADE OF COTTON SPANDEX”** bound to Simi Valley, California, USA which will be shipped thru Federal Express (FedEx) Clark on 11 April 2023 under House Airway Bill No. 771808627383 but found to contain various bags (11 pcs. LV, 1 pc. Gucci, 1 pc. Fendi, 4 pcs. Marc Jacobs, 3 pcs. Dior), wallets (5 pcs. Prada, 9 pcs. LV, 6 pcs. Gucci, 3 pcs. Coach), 1 pc. LV dress, 6 pcs. unbranded and 1 pc. Chanel sleepwear

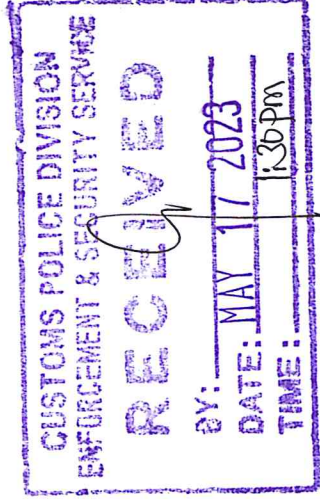
Exporter/Shipper:

RYAN JAY DIMACALI

B3 L1 Dolores Homesite Ext., Dolores, City of 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 Simi Valley, California, USA (Consignee: Yeni Varela Cruz) under House Airway Bill No. 771808627383 said to contain **“SOCKS (UNISEX) – MADE OF COTTON POLYESTER, FOLDABLE STORAGE BOX – MADE OF NYLON, WOMENS BLOUSE AND PANTS SET – MADE OF COTTON WOVEN, WOMENS PAJAMA SET – MADE OF COTTON WOVEN, WOMENS SHORTS SET – MADE OF COTTON WOVEN, WOMEN’S DRESS – MADE OF COTTON SPANDEX”** under the name of RYAN JAY DIMACALI with address at B3 L1 Dolores Homesite Ext., Dolores, City of San Fernando, Pampanga 2000 PH (Contact No.: 09198117494) 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 Julius Ceasar Asuncion 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"> • 20 PCS. SOCKS (UNISEX) – MADE OF COTTON POLYESTER • 8 PCS. FOLDABLE STORAGE BOX – MADE OF NYLON • 9 PCS. WOMENS BLOUSE AND PANTS SET – MADE OF COTTON WOVEN • 7 PCS. WOMENS PAJAMA SET – MADE OF COTTON WOVEN • 9 PCS. WOMENS SHORTS SET – MADE OF COTTON WOVEN • 7 PCS. WOMEN'S DRESS – MADE OF COTTON SPANDEX 	<ul style="list-style-type: none"> • Various bags (11 pcs. LV, 1 pc. Gucci, 1 pc. Fendi, 4 pcs. Marc Jacobs, 3 pcs. Dior) • Various wallets (5 pcs. Prada, 9 pcs. LV, 6 pcs. Gucci, 3 pcs. Coach) • 1 pc. LV dress • 6 pcs. unbranded sleepwear • 1 pc. Chanel sleepwear
<p>Value: USD 275.00 Gross Weight: 26 kgs.</p>	

WHEREAS, on 05 May 2023, the Office of the District Collector received a Memorandum of even date from Ms. Maricar N. Go and Mr. Asuncion, 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

JULIUS CEASAR D. ASUNCION
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