



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

A modernized and credible customs administration that upholds good governance and is among the world's best

Republic of the Philippines,

**SEIZURE IDENTIFICATION
NO. 05 – 2024**

-versus-

1 unit of Isuzu Wing Van with Plate Number CBA 2593 (Inclusive of Key), 40 boxes of Kings Perfect Brand Cigarette, 20 boxes Nelson Brand Cigarette, 100 boxes of New Orleans Brand Cigarette, 64 boxes of Seven Kings Brand Cigarette, 2 reams of Seven Kings Brand Cigarette, 200 boxes of Cannon Brand Cigarette, 95 boxes of Port Brand Green Cigarette, 45 boxes of Port Brand Red Cigarette, and 230 boxes of Lampien Brand Diapers

PIPITO MAGHARI FIGUEROA

Claimant

X-----/

To: **Pipito Maghari Figueroa**
Claimant

NOTICE OF PRELIMINARY CONFERENCE HEARING

You are hereby notified that the above-entitled case is scheduled for a preliminary conference hearing on **June 11, 2024 (Tuesday) 10 a.m.**, at the District Office - Training Room, 2nd Floor, Cagayan de Oro Customhouse, Macabalan, Cagayan de Oro City.

Relative thereto, please take note of the pertinent provisions of **Customs Memorandum Order (CMO) No. 4-2018 (A)**, which state that:

Section 6.3. During the Preliminary Conference Hearing 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 Paper 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



Barangay Macabalan, Cagayan de Oro City, 9000


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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 a waiver on its part to submit the same. **No Motion for Extension shall be allowed.**

6.5. Within five (5) days from receipt of the Position Paper, the Government Prosecutor shall file its Comment, copy furnished the Claimant. Failure to submit the Comment within the prescribed period shall be deemed a waiver on the part of the Government Prosecutor to submit his Comment.

6.6. Should the Claimant deem it necessary to submit Reply, the Claimant may file its verified Reply within three (3) days from receipt of the Claimant, copy furnished the Government Prosecutor, thereafter, the case is deemed submitted for resolution. Claimant's failure to submit Reply within the prescribed period would render the case submitted for resolution.

Port of Cagayan de Oro, May 21, 2024.


ATTY. MUNAIPHA P. MONTILA
Hearing Officer



Barangay Macabalan, Cagayan de Oro City, 9000

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**SEIZURE IDENTIFICATION
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**1 UNIT OF ISUZU WING VAN WITH
PLATE NUMBER CBA 2593 (INCLUSIVE
OF KEY), 40 BOXES OF KINGS PERFECT
BRAND CIGARETTE, 20 BOXES NELSON
BRAND CIGARETTE, 100 BOXES NEW
ORLEANS BRAND CIGARETTE, 64 BOXES
OF SEVEN KINGS BRAND CIGARETTE,
2 REAMS OF SEVEN KINGS BRAND
CIGARETTE, 200 BOXES OF CANNON
BRAND CIGARETTE, 95 BOXES OF
FORT BRAND, GREEN CIGARETTE,
45 BOXES OF FORT BRAND, RED
CIGARETTE AND 230 BOXES OF
LAMPIEN BRAND DIAPERS**

PIPITO MAGHARI FIGUEROA

Claimant

X----- /

TO: **SPAS ALLAN R. CRUZ**
District Commander
CPD-ESS, Port of CDO

Greetings!

WARRANT OF SEIZURE AND DETENTION

WHEREAS, at about 3:20am of May 14, 2024, elements of 2nd Mechanized Brigade, 4th ID Philippine Army led by Major Jun C. Bagalanon (ARM) PA, in coordination of the Special Intelligence Unit of the Armed Forces, flagged down an ISUZU wing van bearing plate number CBA 2593 during their checkpoint operations at Barangay Magoong, Linamon, Lanao del Norte;

WHEREAS, when requested for pertinent documents, Pipito Maghari Figueroa, the driver of the subject wing van, was not able to present any documents related to the goods loaded in the truck;

WHEREAS, upon securing consent from the driver and truck aides, the army elements opened the van and found numerous boxes of cigarettes of various brands;

WHEREAS, at 5:00am of even date, the subject wing van was transferred to the headquarters of the 2nd Mechanized Brigade, 4ID for proper accounting and documentation;

WHEREAS, at 2:00pm of even date, the confiscated goods and wing van were transported to the Bureau of Customs Subport of Iligan for proper inventory, handling and turnover;

WHEREAS, in compliance with the memorandum issued by Port Collector Nasrudin D. Guro, an examination and physical inventory of the apprehended goods turned over by the Philippine Army was conducted by Renante M. Engracia, Customs Operations III and yielded the following:

QUANTITY	DESCRIPTION OF GOODS	TOTAL ESTIMATED VALUE (based on the market value)
1 Unit	ISUZU wing Van Plate Number CBA 2593 (inclusive of key)	Php 2,500,000.00
40 Boxes	Kings Perfect Brand Cigarette	Php 22,561,600.00 (1 box = 50 ream 1 ream = 10 packs 1 pack = Php 80.00)
20 Boxes	Nelson Brand Cigarette	
100 Boxes	New Orleans Brand Cigarette	
64 Boxes	Seven Kings Brand Cigarette	
2 Reams	Seven Kings Brand Cigarette	
200 Boxes	Cannon Brand Cigarette	
95 Boxes	Fort Brand, Green Cigarette	
45 Boxes	Fort Brand, Red Cigarette	
230 Boxes	Lampien Brand Diapers	

WHEREAS, upon detailed examination and inspection, it was found out that the apprehended cigarettes were not manufactured in the Philippines yet no Import Commodity Clearance (ICC) from National Tobacco Administration (NTA) was presented, a clear violation of Section 117 (Regulated Importation and Exportation) of Customs Modernization and Tariff Act (CMTA) in relation to NTA Board Resolution No. 079-2005 (Amended Rules and Regulations Governing the Exportation and Importation of Leaf Tobacco and Tobacco Products) and Republic Act (RA) No. 10643 known as "The Graphics Health Warning Law";

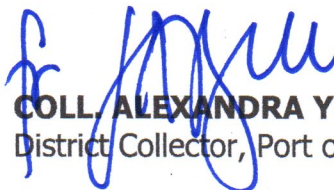
WHEREAS, the transportation of the smuggled cigarettes subjects the ISUZU wing van to seizure pursuant to Section 1113 (k) of CMTA;

WHEREAS, Port Collector Guro recommended the issuance of Warrant of Seizure and Detention against the subject vehicle and goods for violation of the abovementioned laws, rules and regulations.

NOW, THEREFORE, by virtue of the authority vested in this office in accordance with Republic Act 10863 (Customs Modernization and Tariff Act) in relation to (RA) 10643 and relevant customs rules and regulations, you are hereby ordered to take physical possession and custody of the above-described goods and vehicle, and turn-over them to the Property Custodian/Warehouse-In-charge, this Port for safekeeping, pending termination of the seizure proceedings thereon or until further orders from this office, pursuant to and in strict compliance with the provisions of CMO 8-94 particularly on the matter of making a return of service and the submission of the Inventory Report or list of the articles seized.

SO ORDERED.

Port of Cagayan de Oro, May 16, 2024.



COLL. ALEXANDRA Y. LUMONTAD
District Collector, Port of Cagayan de Oro

