

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

FIRST DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CTA CRIM. CASE No. O-041
For: *Violation of Sec. 3602 of
the Tariff and Customs
Code of the Philippines*

Members:

-versus-

**Acosta, Chairman,
Bautista, and
Casanova, JJ.**

LIBERTY B. DE RAMOS,
(At-large and can be located at
Libert Trading, No. 42 Botocan
St., NPC Village, Tandang Sora,
Quezon City),

Accused.

Promulgated:

AUG 15 2007; 10:05 AM

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RESOLUTION

On June 1, 2007, an Information for violation of Section 3602 of the Tariff and Customs Code was filed before this Court by State Prosecutor Elizabeth L. Berdal against accused Liberty B. De Ramos.

On June 13, 2007, this Court promulgated a Resolution ordering State Prosecutor Elizabeth L. Berdal as follows:

"WHEREFORE, this Court hereby **ORDERS** State Prosecutor Elizabeth L. Berdal as follows:

1. To make the necessary formal corrections in the Information against the accused, Liberty B. De Ramos, within five (5) days from receipt of this Resolution; and

2. To submit to this Court within the same period copies of the above-mentioned Annexes as well as the Counter-Affidavit of the accused and records of the Preliminary Investigation, for the proper determination of probable cause for the issuance of a Warrant of Arrest against accused Liberty B. De Ramos.

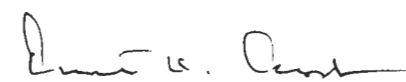
SO ORDERED.”

On July 18, 2007, this Court promulgated another Resolution ordering State Prosecutor Elizabeth L. Berdal to comply with the Resolution of the Court dated June 13, 2007 within an extended period of five (5) days from receipt thereof. Otherwise, the case shall be dismissed for lack of probable cause and failure to obey a lawful order of the Court, the requested documents and corrections being necessary in the examination by this Court of whether or not there is probable cause.

Records show that despite notice and receipt of the Resolution dated July 18, 2007, State Prosecutor Elizabeth L. Berdal failed to comply with the said Resolution.

WHEREFORE, for lack of probable cause and for failure to obey a lawful order of the Court, the case-in-caption is hereby **DISMISSED**.

SO ORDERED.


ERNESTO D. ACOSTA
Presiding Justice



LOVELL R. BAUTISTA
Associate Justice



CAESAR A. CASANOVA
Associate Justice