

**REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY**

SECOND DIVISION

REPUBLIC OF THE PHILIPPINES
Represented by the Bureau of Customs,
Plaintiff,

- versus -

C.T.A. OC NO. 008

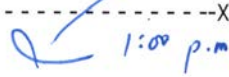
FIBER TECHNOLOGY CORPORATION, ET AL.,
Respondents.

Members:

CASTAÑEDA, JR., Chairperson;
UY, and
ENRIQUEZ, JJ.

Promulgated:

MAR 10 2008

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RESOLUTION

When this case was called today for the plaintiff's initial presentation of evidence, only counsel for respondent Felix Chingkoe, Atty. Mario M. Mauleon, appeared. Counsel for the plaintiff failed to appear despite due notice and despite the final warning during the hearing held on January 30, 2008 against further postponement. Upon these grounds, Atty. Mauleon moved that the case in caption be dismissed.

WHEREFORE, for failure of the counsel for the plaintiff to present its evidence for the seventh time, despite notice & final warning and as moved by counsel for respondent Felix Chingkoe, the case in caption is hereby DISMISSED due to fault of plaintiff pursuant to Section 3, Rule 17 of the 1997 Rules of Civil Procedure, as amended.

Further, upon motion of the counsel for respondent Felix Chingkoe, the latter's Counter-Claim is hereby deemed withdrawn.

SO ORDERED.


JUANITO C. CASTANEDA, JR.
Associate Justice


ERLINDA P. UY
Associate Justice


OLGA PALANCA ENRIQUEZ
Associate Justice