

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

SECOND DIVISION

GAMMA GRAY MARKETING,
Petitioner,

CTA CASE NO. 9855

- versus -

COMMISSIONER OF CUSTOMS,
Respondent.

X - - - - - X

ORDER

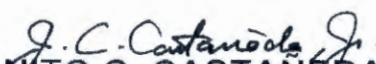
When this case was called for the **presentation of the lone witness for the petitioner**, only counsel for respondent, Solicitor Kristan Carlos M. Cristobal, appeared. Counsels for petitioner failed to appear despite due notice.

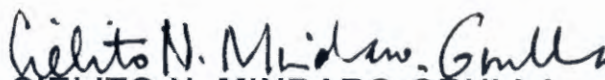
Records show that petitioner's counsels were duly notified of today's hearing. Despite due notice, petitioner's counsels failed to appear. Upon this ground, counsel for respondent moved that the judicial affidavit of the lone witness for the petitioner, Mr. Arthur A. Villalba, be stricken out of the records of this case and that the case be dismissed for failure to prosecute. Finding merit in the motion, the same is hereby GRANTED.

WHEREFORE, the judicial affidavit of Mr. Arthur A. Villalba is stricken out of the records of this case and the case in caption is hereby DISMISSED for failure to prosecute (Section 3, Rule 17 of the 1997 Rules of Civil Procedure, as amended).

SO ORDERED.

Quezon City, Philippines, April 10, 2019.


JUANITO C. CASTANEDA, JR.
Associate Justice


CIELITO N. MINDARO-GRULLA
Associate Justice