

Ottawa, Wednesday, March 6, 2002

**Appeal No. AP-2001-019**

IN THE MATTER OF an appeal under subsection 67(1) of the  
*Customs Act*, R.S.C. 1985 (2d Supp.), c. 1;

AND IN THE MATTER OF a decision of the Commissioner of  
the Canada Customs and Revenue Agency dated April 26, 2001,  
with respect to a request for redetermination under section 61 of  
the *Customs Act*.

**BETWEEN**

**TRAVIS G. PARENT**

**Appellant**

**AND**

**THE COMMISSIONER OF THE CANADA CUSTOMS AND  
REVENUE AGENCY**

**Respondent**

**ORDER**

WHEREAS, on March 16, 2001, by Notice of Detention No. K26P-504-131, the respondent detained 37 replica firearms, which had been classified as prohibited devices pursuant to the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*;

AND WHEREAS, on March 21, 2001, by e-mail from Mr. Brad Davidson, on behalf of the appellant, the appellant requested a redetermination of the above classification of the goods in issue;

AND WHEREAS, on April 26, 2001, the respondent redetermined the classification of the goods in issue;

AND WHEREAS, by letter dated July 24, 2001, to the respondent, the appellant purported to appeal the respondent's redetermination;

AND WHEREAS, by facsimile dated July 30, 2001, the respondent forwarded the letter of appeal to the Canadian International Trade Tribunal (the Tribunal);

AND WHEREAS, by letter dated August 3, 2001, the Tribunal accepted the appellant's July 24, 2001, letter of appeal and notified the respondent and the Attorney General of Canada;

AND WHEREAS, by letters dated October 5 and November 1, 2001, the Tribunal reminded the appellant that, under rule 34 of the *Canadian International Trade Tribunal Rules*, his brief should have been filed by October 2, 2001, but had not yet been received and, in the November 1, 2001, letter, directed the appellant to immediately file a brief;

AND WHEREAS, by letter dated January 21, 2002, the Tribunal directed the appellant to show cause by February 8, 2002, why the appeal should not be dismissed and warned the appellant that failure to show cause might result in the appeal being dismissed without any further proceedings;

AND WHEREAS the appellant has failed to show cause why the appeal should not be dismissed in accordance with the Tribunal's direction of January 21, 2002, or to even reply to the Tribunal's letters dated October 5, November 1, 2001, and January 21, 2002;

THEREFORE, the Tribunal orders that the above-noted appeal be dismissed pursuant to paragraph 29 (c) of the *Canadian International Trade Tribunal Rules*.

Pierre Gosselin  
Pierre Gosselin  
Presiding Member

Zdenek Kvarda  
Zdenek Kvarda  
Member

James A. Ogilvy  
James A. Ogilvy  
Member

Michel P. Granger  
Michel P. Granger  
Secretary