



Ottawa, Thursday, January 23, 2003

Appeal No. AP-2002-016

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

AND IN THE MATTER OF a letter dated November 5, 2002, from the Canadian International Trade Tribunal directing Richard Darling to show cause why the above-noted appeal should not be dismissed pursuant to paragraph 29(c) of the *Canadian International Trade Tribunal Rules*.

BETWEEN

RICHARD DARLING

Appellant

AND

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

Respondent

ORDER

WHEREAS the above-noted appeal was filed by the appellant on June 9, 2002, under section 67 of the *Customs Act*;

AND WHEREAS the appellant is self-represented on the appeal;

AND WHEREAS, by letter dated June 13, 2002, the Canadian International Trade Tribunal (the Tribunal) accepted the filing of the appeal and notified the respondent;

AND WHEREAS, by letter dated August 16, 2002, the Tribunal indicated that the appellant was to file his brief, pursuant to Rule 34 of the *Canadian International Trade Tribunal Rules*, and that the Tribunal had not yet received the brief;

AND WHEREAS, by letter dated September 4, 2002, the Tribunal wrote to the appellant again, since the appellant's brief had not yet been filed, and attached a completed notice of discontinuance to be signed by the appellant;

AND WHEREAS, by letter dated October 2, 2002, the Tribunal wrote to the appellant and attached a second completed notice of discontinuance for the appellant's signature;

AND WHEREAS, by letter dated November 5, 2002, the Tribunal directed the appellant to show cause by November 29, 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 Tribunal received no reply to its letter of November 5, 2002, and, to date, the appellant's brief has not been filed as directed by the Tribunal in its letters of June 13, August 16, September 4 and November 5, 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

Patricia M. Close
Patricia M. Close
Member

Richard Lafontaine
Richard Lafontaine
Member

Michel P. Granger
Michel P. Granger
Secretary