



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Appeals

ORDER

Appeal No. AP-2004-010

Andrew Tyler

v.

Commissioner of the Canada
Customs and Revenue Agency

*Order issued
Monday, December 20, 2004*

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 18, 2004, from the Canadian International Trade Tribunal directing Mr. Andrew Tyler 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

ANDREW TYLER

Appellant

AND

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

Respondent

ORDER

WHEREAS the above-noted appeal was filed by Mr. Andrew Tyler on July 12, 2004, under section 67 of the *Customs Act*;

AND WHEREAS Mr. Tyler is self-represented on the appeal;

AND WHEREAS, by letter dated July 13, 2004, the Canadian International Trade Tribunal (the Tribunal) accepted the appeal and notified the Canada Border Services Agency (formerly the Canada Customs and Revenue Agency);

AND WHEREAS, by letter dated September 20, 2004, the Tribunal indicated that Mr. Tyler was to file his brief, pursuant to rule 34 of the *Canadian International Trade Tribunal Rules* (the *Rules*), and the Tribunal had not yet received the brief;

AND WHEREAS, by letter dated October 7, 2004, the Tribunal wrote to Mr. Tyler again, since his brief had not at that time been filed, and attached a completed notice of discontinuance to be signed by Mr. Tyler;

AND WHEREAS, by letter dated October 25, 2004, the Tribunal wrote to Mr. Tyler and attached a second completed notice of discontinuance for Mr. Tyler's signature;

AND WHEREAS, by letter dated November 18, 2004, the Tribunal directed Mr. Tyler to show cause by December 9, 2004, why the appeal should not be dismissed and warned him 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 18, 2004, and to date Mr. Tyler's brief has not been filed as directed by the Tribunal in its letters of September 20, October 7 and 25, and November 18, 2004;

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

Pierre Gosselin
Pierre Gosselin
Presiding Member

Hélène Nadeau
Hélène Nadeau
Secretary