



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Appeals

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## ORDER

Appeal No. AP-2008-014

Sean Turner

v.

President of the Canada Border  
Services Agency

*Order issued  
Thursday, February 26, 2009*

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 January 28, 2009, from the Canadian International Trade Tribunal directing Mr. Sean Turner 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**

**SEAN TURNER**

**Appellant**

**AND**

**THE PRESIDENT OF THE CANADA BORDER SERVICES  
AGENCY**

**Respondent**

**ORDER**

WHEREAS the above-noted appeal was filed by Mr. Sean Turner on October 2, 2008, under section 67 of the *Customs Act*;

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

AND WHEREAS, by letter dated October 29, 2008, the Canadian International Trade Tribunal (the Tribunal) accepted the appeal, notified the Canada Border Services Agency and directed Mr. Turner to file a brief;

AND WHEREAS, by letter dated January 6, 2009, the Tribunal indicated that Mr. Turner was to file his brief, pursuant to rule 34 of the *Canadian International Trade Tribunal Rules* (the *Rules*), which the Tribunal had not yet received, and further, the Tribunal attached a completed notice of discontinuance to be signed by Mr. Turner if that was his preferred option;

AND WHEREAS, by letter dated January 28, 2009, the Tribunal wrote to Mr. Turner and directed him to show cause by February 11, 2009, 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 January 28, 2009, and to date Mr. Turner's brief has not been filed as directed by the Tribunal in its letters of October 29, 2008 and January 6, 2009;

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

Pasquale M. Saroli

Pasquale M. Saroli

Presiding Member

Hélène Nadeau

Hélène Nadeau

Secretary