

## PENALTY NOTICE

**FAC No. SDNT-[text deleted]**

Mr. Ricardo Pereira  
Director  
America Servi Express, Inc.  
2766 Davie Boulevard  
Fort Lauderdale, FL 33312

Dear Mr. Pereira:

The Office of Foreign Assets Control (“OFAC”) issued to America Servi Express, Inc. (“ASE”) a Prepenalty Notice (“PPN”) dated August 3, 2007. A copy of the PPN was sent to ASE, via facsimile, on September 21, 2007. The PPN was issued based on evidence that ASE engaged in certain transactions prohibited by the Narcotics Trafficking Sanctions Regulations, 31 CFR Part 536 (the “Regulations”), and otherwise dealt in property in which a person identified as a Specially Designated Narcotics Trafficker has an interest.

The PPN proposed a civil penalty in the amount of \$4,929.00 and informed ASE of its right to submit a written response [within 30 days] explaining why it believes there should be no finding of a violation, why a monetary penalty should not be imposed, or why the monetary penalty should be in a lesser amount than proposed. The PPN also informed ASE that the submission of a written response is a factor that may result in a lower penalty absent any aggravating factors and that OFAC may proceed with the issuance of a Penalty Notice in 30 days whether or not ASE submits a written response.

OFAC did not receive a reply to the PPN. You have advised a member of my staff that ASE did not reply to the PPN because it had no information to submit beyond the information included in ASE’s November 4, 2003 reply to OFAC’s request for additional information.

After consideration of the entire record, OFAC determines that ASE violated the Regulations and that a monetary penalty is warranted. OFAC further determines that some mitigation is warranted to reflect the presence of the following mitigating factors: It is ASE’s first offense; ASE now routinely cross references clients’ names with OFAC’s List of Specially Designated Nationals and Blocked Persons; and ASE has cooperated with OFAC’s investigation of the alleged violation. Accordingly, OFAC determines that the proposed civil penalty amount should be reduced to \$2,465.00.

(1) The issuance of this Penalty Notice constitutes final agency action, and a civil monetary penalty in the amount of \$2,465.00 is imposed;

(2) ASE must submit this full penalty amount by check payable to “U.S. Treasury” postmarked no later than 30 days after the date of service of this Penalty Notice. Alternatively, ASE may arrange with the Office of Financial Management of the Department of the Treasury

("OFM") for payment via Electronic Funds Transfer or installment payment. Such an arrangement must be completed no later than 30 days after the date of service of this Penalty Notice. The telephone number for OFM is (202)622-1175. The website address of OFM is: [ofm-cmp@do.treas.gov](mailto:ofm-cmp@do.treas.gov). Failure to pay in full or to make arrangements with OFM will result in interest, administrative charges, and late fees beginning to accrue 30 days after the date of service of this Penalty Notice; and

(3) ASE must provide OFAC with its taxpayer identification number pursuant to 31 U.S.C. 7701. OFAC intends to use this taxpayer identification number for the purposes of collecting and reporting on any delinquent penalty amount in the event of a failure to pay the penalty imposed.

For more information on the OFAC civil penalty process and on the consideration of mitigating and aggravating factors, see the Reporting, Procedures and Penalties Regulations, 31 C.F.R. part 501, and the OFAC Enforcement Guidelines, which are available on OFAC's website at [www.treas.gov/ofac](http://www.treas.gov/ofac).

Sincerely,

[signature]

Adam J. Szubin  
Director  
Office of Foreign Assets Control