

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Income Tax

STEPHANIE RUGGIERO-BODDEN,	)	
	)	
Plaintiff,	)	TC-MD 150274N
	)	
v.	)	
	)	
DEPARTMENT OF REVENUE,	)	
State of Oregon,	)	
	)	
Defendant.	)	<b>FINAL DECISION OF DISMISSAL</b>

This Final Decision incorporates without change the court’s Decision, entered June 30, 2015. The court did not receive a statement of costs and disbursements within 14 days after its Decision was entered. *See* TCR-MD 16 C(1).

This matter is before the court on its own motion to dismiss this case for lack of prosecution.

During the case management conference on May 26, 2015, Plaintiff agreed to file a letter by June 9, 2015, stating whether she wished to continue her appeal and, if so, whether a trial or a written briefing schedule was requested. A Journal Entry was issued on May 26, 2015, reminding Plaintiff of her deadline and warning that Plaintiff’s failure to file her letter might result in the dismissal of her appeal. Plaintiff did not file the letter on or before June 9, 2015.

On June 12, 2015, the court sent the parties an Order advising that if it did not receive Plaintiff’s letter within 14 days of the date of the Order the court would dismiss the appeal. On June 26, 2015, Plaintiff sent the court what appears to be an attempt to withdraw her appeal, however, that document was never filed due to an insufficiency in the certificate of service. To date, the court has not received a letter from Plaintiff indicating her wish to continue her appeal

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or a written request for extension of time. As a consequence, the court finds this matter should be dismissed for lack of prosecution. Now, therefore,

IT IS THE DECISION OF THIS COURT that this matter is dismissed.

Dated this \_\_\_\_ day of July 2015.

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ALLISON R. BOOMER  
MAGISTRATE

***If you want to appeal this Final Decision, file a complaint in the Regular Division of the Oregon Tax Court, by mailing to: 1163 State Street, Salem, OR 97301-2563; or by hand delivery to: Fourth Floor, 1241 State Street, Salem, OR.***

***Your complaint must be submitted within 60 days after the date of the Final Decision or this Final Decision cannot be changed. TCR-MD 19 B.***

***This document was filed and entered on July 21, 2015.***