

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Income Tax

SALLY ANNE CLOSE,	)	
	)	
Plaintiff,	)	TC-MD 160051N
	)	
v.	)	
	)	
DEPARTMENT OF REVENUE,	)	
State of Oregon,	)	
	)	
Defendant.	)	<b>FINAL DECISION OF DISMISSAL</b>

This Final Decision of Dismissal incorporates without change the court’s Decision of Dismissal, entered May 20, 2016. The court did not receive a statement of costs and disbursements within 14 days after its Decision of Dismissal was entered. *See* TCR–MD 16 C(1).<sup>1</sup>

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

A case management conference was scheduled for 9:00 a.m. on May 2, 2016, to consider Plaintiff’s appeal. On April 13, 2016, the court sent notice of the scheduled case management conference to Plaintiff at the address Plaintiff provided to the court. The court’s notice was not returned as undeliverable. That notice advised that if Plaintiff did not appear, the court might dismiss the appeal.

Plaintiff failed to appear for the scheduled case management conference. On May 2, 2016, the court sent Plaintiff a letter that explained the importance of diligently pursuing an appeal. That letter was not returned as undeliverable. The court’s letter advised that if Plaintiff did not provide a written explanation by May 16, 2016, for her failure to appear, the

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<sup>1</sup> Tax Court Rules–Magistrate Division (TCR–MD)

court would dismiss the appeal. As of this date, Plaintiff has not submitted a written response to the court's letter explaining her failure to appear. Under the circumstances, the court finds the appeal must be dismissed for lack of prosecution. Now, therefore,

IT IS THE DECISION OF THIS COURT that Plaintiff's appeal is dismissed.

Dated this \_\_\_\_ day of June 2016.

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ALLISON R. BOOMER  
MAGISTRATE

***If you want to appeal this Final Decision of Dismissal, 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 of Dismissal or this Final Decision of Dismissal cannot be changed. TCR-MD 19 B.***

***This document was filed and entered on June 9, 2016.***