

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Income Tax

SHELLEY KAY DOHERTY	)	
and KEVIN ROBERT DOHERTY,	)	
	)	
Plaintiffs,	)	TC-MD 160341R
	)	
v.	)	
	)	
DEPARTMENT OF REVENUE,	)	
State of Oregon,	)	
	)	
Defendant.	)	<b>FINAL DECISION OF DISMISSAL<sup>1</sup></b>

This matter came before the court on its own motion to dismiss this case for lack of prosecution. On January 6, 2017, the court sent the parties an Order to show cause why the case should not be dismissed for failing to prosecute the case. The order instructed Plaintiffs to file a request for entry of default within 14 days of January 6, 2017. The Order advised that failure to comply with the deadlines set forth therein could result in dismissal of Plaintiffs’ appeal.

Plaintiffs’ deadline has passed and the court has not received Plaintiffs’ request for entry of default or any further communication from Plaintiffs. As a consequence, the court finds this matter should be dismissed for lack of prosecution. Now, therefore,

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<sup>1</sup> This Final Decision of Dismissal incorporates without change the court’s Decision of Dismissal, entered January 31, 2017. The court did not receive a statement of costs and disbursements within 14 days after its Decision of Dismissal was entered. See Tax Court Rule–Magistrate Division (TCR–MD) 16 C(1).

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

Dated this \_\_\_\_ day of February 2017.

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RICHARD DAVIS  
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 February 22, 2017.***