

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

RORY D. LAPPING,)	
)	
Plaintiff,)	TC-MD 170262R
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	FINAL DECISION OF DISMISSAL¹

This matter came before the court on its own motion to dismiss this appeal for lack of prosecution. At the case management conference held on October 5, 2017, Plaintiff agreed that he would submit either a status report or request for dismissal to the court within 30 days. That agreement was memorialized in the court’s Journal Entry, issued October 6, 2017. The Journal Entry warned that Plaintiff’s appeal might be dismissed if he failed to fulfill that agreement. Plaintiff did not respond within the 30-day period.

The court issued an Order on November 15, 2017, directing Plaintiff to file a status report or request for dismissal within 14 days. The Order warned that Plaintiff’s appeal would be dismissed if he did not respond. The 14-day period for Plaintiff’s response has lapsed, and the court has not received any further communication from Plaintiff. As a consequence, the court finds that Plaintiff’s appeal should be dismissed for lack of prosecution. Now, therefore,

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¹ This Final Decision of Dismissal incorporates without change the court’s Decision of Dismissal, entered December 7, 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 Plaintiff's appeal be dismissed.

Dated this ____ day of December, 2017.

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 signed by Magistrate Richard Davis and entered on December 28, 2017.