

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

TISSON K. MATHEW,)
)
 Plaintiff,) TC-MD 120439N
)
 v.)
)
 MULTNOMAH COUNTY ASSESSOR,)
)
 Defendant.) **DECISION OF DISMISSAL**

This matter is before the court on Defendant’s motion to dismiss, filed January 28, 2013, requesting that this matter be dismissed due to Plaintiff’s failure to allow a site inspection as required by the court’s Order of January 10, 2013.

On January 10, 2013, the court issued an Order granting Defendant’s Request for Inspection and ordering Plaintiff to allow a full inspection of the subject property by Defendant no later than January 24, 2013. The Order stated that Plaintiff’s failure to comply with the Order would result in sanctions including, but not limited to, dismissal of Plaintiff’s appeal.

Defendant’s motion to dismiss states: “As of January 28, 2013, Plaintiff has not arranged for such inspection and has therefore failed to comply with this Court’s order.” (Def’s Mot at 1.) Plaintiff did not file a written response to the court’s January 10, 2013, Order, or to Defendant’s motion to dismiss. As of the date of this Decision of Dismissal, the court has received no further communication from Plaintiff.

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Under such circumstances, Plaintiff's appeal must be dismissed for lack of prosecution and failure to comply with the court's Order of January 10, 2013. The trial set in this matter for February 13, 2013, is hereby canceled. Now, therefore,

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

Dated this ____ day of February 2013 .

ALLISON R. BOOMER
MAGISTRATE

If you want to appeal this 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 Decision or this Decision becomes final and cannot be changed.

This Decision was signed by Magistrate Allison R. Boomer on February 11, 2013. The court filed and entered this Decision on February 11, 2013.