

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

GLORIETTA BAY LLC,)	
)	
Plaintiff,)	TC-MD 120498D
)	
v.)	
)	
BENTON COUNTY ASSESSOR,)	
)	
Defendant.)	DECISION OF DISMISSAL

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

A trial was scheduled at 9:00 a.m. on January 7, 2013, to consider Plaintiff's appeal. On October 8, 2012, the court sent notice of the scheduled trial to Plaintiff at the email address Plaintiff provided to the court. The notice was not returned as undeliverable. The notice advised that if Plaintiff did not appear, the court might dismiss the appeal.

On October 9, 2012, the court sent its Order, denying Defendant's motion to dismiss. The Order stated that trial for the above-entitled matter was scheduled for January 7, 2013, in the Oregon Tax Courtroom, Salem, Oregon, beginning at 9:00 a.m. (Order at 2.) That document was not returned as undeliverable.

Plaintiff did not appear for trial. Plaintiff submitted no exhibits for trials. Defendant's representative appeared for trial. Defendant delivered and exchanged exhibits for trial on December 27, 2012.

Plaintiff has not contacted the court. Under the circumstances, the court finds the appeal must be dismissed for lack of prosecution. Now, therefore,

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IT IS THE DECISION OF THIS COURT that the Complaint is dismissed.

Dated this ____ day of January 2013.

JILL A. TANNER
PRESIDING 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 document was signed by Presiding Magistrate Jill A. Tanner on January 7, 2013. The Court filed and entered this document on January 7, 2013.