

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Income Tax

JOHN T. DE JONG, )  
 )  
 Plaintiff, ) TC-MD 120759N  
 )  
 v. )  
 )  
 DEPARTMENT OF REVENUE, )  
 State of Oregon, )  
 )  
 Defendant. ) **FINAL 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 September 24, 2013, to consider Plaintiff's appeal. On July 17, 2013, the court sent notice of the scheduled trial to Plaintiff at the 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. Plaintiff failed to appear for the trial scheduled in this matter at 9:00 a.m. on September 24, 2013. Under such circumstances, the court finds the appeal must be dismissed for lack of prosecution. Now, therefore,

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

Dated this \_\_\_\_ day of September 2013.

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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.*

*This document was signed by Magistrate Allison R. Boomer on September 24, 2013. The court filed and entered this document on September 24, 2013.*