

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Property Tax

STEPHEN C. JAQUA, )  
 )  
 Plaintiff, ) TC-MD 120783D  
 )  
 v. )  
 )  
 DESCHUTES 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 case management was scheduled at 2:00 p.m. on December 18, 2012, to consider Plaintiff's appeal. On December 3, 2012, the court sent notice of the scheduled case management conference 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 December 18, 2012, the court sent a letter to Plaintiff, which explained the importance of diligently pursuing an appeal. That letter was sent to the mailing address Plaintiff provided to the court and was not returned as undeliverable. The letter advised that if Plaintiff did not provide a written explanation by January 2, 2013, for his failure to appear, the court would dismiss the appeal. As of this date, Plaintiff has not submitted a written response to the court explaining his failure to appear at the December 18, 2012, case management conference.

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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 January 2013.

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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 8, 2013. The Court filed and entered this document on January 8, 2013.***