IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

ARCLIN SURFACES, INC.,)
)
          Plaintiff,)   TC-MD 130008N
)
      v.)
)
MULTNOMAH COUNTY ASSESSOR,)
)
         Defendant)
)
   and)
)
DEPARTMENT OF REVENUE,)
State of Oregon,)
)
        Defendant- Intervenor.)   **DECISION OF DISMISSAL**

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

prosecution.

A case management conference was scheduled at 9:45 a.m. on March 4, 2013, to consider

Plaintiff's appeal. On February 11, 2013, the court sent notice of the scheduled case

management conference to Plaintiff's authorized representative at the address he 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 March 13, 2013, the court sent a letter to Plaintiff's authorized representative that

explained the importance of diligently pursuing an appeal. That letter was not returned as

undeliverable. The letter stated that if Plaintiff did not provide a written explanation by

March 26, 2013, for its failure to appear, the court would dismiss the appeal. As of this date,

Plaintiff has not submitted a written response to the court explaining its failure to appear at the

March 4, 2013, case management conference. 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 March 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 <u>mailing</u> to: 1163 State Street, Salem, OR 97301-2563; or by <u>hand delivery</u> to: Fourth Floor, 1241 State Street, Salem, OR.

Your Complaint must be submitted within <u>60</u> days after the date of the Decision or this Decision becomes final and cannot be changed.

This document was signed by Magistrate Allison R. Boomer on March 29, 2013. The Court filed and entered this document on March 29, 2013.