

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

REBECCA GUBERMAN,)
)
 Plaintiff,) TC-MD 080228D
)
 v.)
)
 MULTNOMAH COUNTY ASSESSOR,)
)
 Defendant.) **DECISION OF DISMISSAL**

This matter is before the court on Defendant's Motion to Dismiss, filed April 7, 2008, and Defendant's second request to dismiss Plaintiff's appeal made in its letter dated August 21, 2008, requesting that Plaintiff's Complaint be dismissed.

On June 26, 2008, a case management conference was held. At that time, Defendant's Motion to Dismiss was discussed. Plaintiff requested, and was given, until August 2, 2008, to determine if she wanted to continue her appeal.

Plaintiff telephoned the court on August 20, 2008, stating that she wanted to withdraw her appeal. Plaintiff was asked to put her request in writing.

Defendant's representative, David Babcock (Babcock), Real Property Appraiser, wrote to the court and Plaintiff on August 21, 2008. In his letter, Babcock stated that Defendant believed that "there is a clerical error that will allow us to make the adjustment requested by the plaintiff. We have notified her that we will be correcting our records."

As of this date, Plaintiff has not submitted a written request to withdraw her appeal. Because Plaintiff verbally stated that she planned to withdraw her appeal and because Defendant stated that it could "make the adjustment requested by" Plaintiff, the court grants Defendant's Motion to Dismiss. Now, therefore,

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

Dated this _____ day of September 2008.

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 September 19, 2008. The Court filed and entered this document on September 19, 2008.