

ORIGINAL

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
No. 12-490T

(Filed: October 18, 2016)

_____)
DELBERT BUNCH and ERNESTINE)
BUNCH,)
)
Plaintiffs,)
)
v.)
)
UNITED STATES,)
)
Defendant.)
_____)



ORDER FOR DISMISSAL

On September 23, 2016, this court ordered plaintiffs¹ to show cause on or before October 7, 2016 why this case should not be dismissed in light of the decision of the United States Tax Court in case number 18774-11. That decision addressed the deductibility of a theft loss, the existence and timing of which is also at issue in this case. In a status report filed August 26, 2016, defendant indicated that the Tax Court had rejected plaintiffs' claim of a theft loss.

Plaintiffs have not responded to the order to show cause. In the circumstances, this case is DISMISSED based upon the related and pertinent decision of the Tax Court. The clerk shall enter judgment in accord with this disposition.

No costs.

It is so ORDERED.



 Charles F. Lettow
 Judge

¹ The court has recently been advised that plaintiff Delbert Bunch has died.