

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

MARK BARTLETT,)	
)	
Plaintiff,)	TC-MD 140139N
)	
v.)	
)	
MULTNOMAH COUNTY ASSESSOR,)	
)	
Defendant.)	FINAL DECISION OF DISMISSAL

This Final Decision incorporates without change the court’s Decision entered on August 8, 2014. The court did not receive a request for an award of costs and disbursements within 14 days after its Decision was entered. *See* TCR-MD 19.

This matter is before the court on Plaintiff’s motion to dismiss, filed July 30, 2014, requesting that the Complaint be dismissed.

Plaintiff filed his Complaint on April 7, 2014, challenging a Multnomah County Board of Property Tax Appeals (BOPTA) Order and requesting relief in the amount of “[e]st. [at] \$501,080” for property identified as Account R187797 for tax year 2013-14. On April 24, 2014, Defendant filed its first Motion to Dismiss for failure “to allege a real market value that would suggest that he was aggrieved by the BOPTA determination of real market value.” (Def’s Mot at 2.) A case management conference was held on May 15, 2014, during which the parties discussed, and the court subsequently denied, Defendant’s first Motion to Dismiss.

On July 30, 2014, Plaintiff filed a written withdrawal of his appeal, stating “I [am] unwilling to go forward. Please dismiss the complaint.” (Ptf’s Ltr at 1, Jul 30, 2014.) Defendant filed a second Motion to Dismiss on August 7, 2014, requesting dismissal of Plaintiff’s Complaint “due to Plaintiff’s failure to comply with the Court’s July 16, 2014,

discovery and inspection order.” (Def’s Mot at 1.) Defendant’s second Motion to Dismiss was not responsive to Plaintiff’s written withdrawal.

Under these circumstances, the court finds that the case should be dismissed. Now, therefore,

IT IS THE DECISION OF THIS COURT that Plaintiff’s appeal is dismissed.

Dated this ____ day of August 2014.

ALLISON R. BOOMER
MAGISTRATE

If you want to appeal this Final 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 Final Decision or this Final Decision cannot be changed.

This document was signed by Magistrate Allison R. Boomer on August 25, 2014. The court filed and entered this document on August 25, 2014.