

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Property Tax

DAMON YUZON	)	
and NANCY YUZON,	)	
	)	
Plaintiffs,	)	TC-MD 150051D
	)	
v.	)	
	)	
MULTNOMAH COUNTY ASSESSOR,	)	
	)	
Defendant.	)	<b>FINAL DECISION OF DISMISSAL</b>

This Final Decision incorporates without change the court’s Decision of Dismissal, entered May 13, 2015. On May 18, 2015, Plaintiffs filed a letter requesting the court to reconsider its Decision of Dismissal. The court denied Plaintiffs’ request in its Order Denying Reconsideration, dated May 21, 2015. The court did not receive a statement of costs and disbursements within 14 days after its Decision of Dismissal was entered. *See* TCR-MD 16 C(1).

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 8:30 a.m. on April 21, 2015, to consider Plaintiffs’ appeal. On April 2, 2015, the court sent notice of the scheduled case management conference to Plaintiffs at the e-mail address Plaintiffs provided to the court. The court’s notice was not returned as undeliverable. That notice advised that if Plaintiffs did not appear, the court might dismiss the appeal.

Plaintiffs failed to appear for the scheduled case management conference. On April 21, 2015, the court sent Plaintiffs a letter that explained the importance of diligently pursuing an appeal. That letter was not returned as undeliverable. The court’s letter advised that

if Plaintiffs did not provide a written explanation by May 5, 2015, for their failure to appear, the court would dismiss the appeal. As of this date, Plaintiffs have not submitted a written response to the court's letter explaining their failure to appear.

In response to Plaintiffs' Complaint, Defendant filed a Motion to Dismiss on April 2, 2015. As of this date, Plaintiffs have not filed a written response to Defendant's Motion to Dismiss.

Because Plaintiffs failed to respond to the court's letter dated April 21, 2015, and Defendant's Motion to Dismiss, filed April 2, 2015, 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 June 2015.

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JILL A. TANNER  
PRESIDING 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. TCR-MD 19 B.***

***This document was filed and entered on June 1, 2015.***