

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

JANUARY NEATHERLIN,)	
)	
Plaintiff,)	TC-MD 150067N
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	FINAL DECISION OF DISMISSAL

This Final Decision of Dismissal incorporates without change the court’s Decision of Dismissal entered on September 28, 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 trial was scheduled in the Oregon Tax Courtroom in Salem, Oregon, at 9:00 a.m. on September 28, 2015, to consider Plaintiff’s appeal. On July 29, 2015, the court issued an Order Setting Trial and sent notice of the scheduled trial to Plaintiff at the address she provided to the court. Neither the court’s Order Setting Trial nor its notice was returned as undeliverable. The court’s notice advised that if Plaintiff did not appear, the court might dismiss the appeal.

Plaintiff failed to appear for the scheduled trial and failed to explain her failure to appear. Defendant’s authorized representative appeared for trial and stated he had no objection to the court dismissing this appeal. Under these circumstances, the court finds the appeal should be dismissed for lack of prosecution. Now, therefore,

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IT IS THE DECISION OF THIS COURT that Plaintiff's Complaint is dismissed.

Dated this ____ day of October 2015.

ALLISON R. BOOMER
MAGISTRATE

If you want to appeal this Final Decision of Dismissal, 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 of Dismissal or this Final Decision of Dismissal cannot be changed. TCR-MD 19 B.

This document was filed and entered on October 15, 2015.