

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

CHRISTARAY L. SMITH,)	
)	
Plaintiff,)	TC-MD 160327R
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	FINAL DECISION OF DISMISSAL¹

This matter came before the court on its own motion to dismiss this case for lack of prosecution. On November 3, 2016, the court sent the parties a Notice of a telephonic Case Management Conference (Conference) scheduled on November 22, 2016, at 9:00 a.m. Plaintiff did not call in for the Conference. On November 22, 2016, the court mailed Plaintiff a letter requiring her to file a written response with the court no later than December 6, 2016, explaining her failure to appear at the Conference. The letter stated: “Your case will be dismissed if the court does not receive your response by December 6, 2016.” Plaintiff’s deadline has passed and the court has not received any further communication from Plaintiff. As a consequence, the court finds this matter should be dismissed for lack of prosecution. Now, therefore,

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¹ This Final Decision of Dismissal incorporates without change the court’s Decision of Dismissal, entered December 8, 2016. The court did not receive a statement of costs and disbursements within 14 days after its Decision of Dismissal was entered. *See* Tax Court Rule–Magistrate Division (TCR–MD) 16 C(1).

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

Dated this ____ day of January 2017.

RICHARD DAVIS
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 January 5, 2017.