

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

KENNEDY H. MENDIOLA,)	
)	
Plaintiff,)	TC-MD 110821C
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	DECISION OF DISMISSAL

This matter comes before the court on its Order, issued March 8, 2012. Plaintiff filed his Complaint on June 13, 2011, appealing the Department of Revenue’s denial of seven dependents claimed on Plaintiff’s 2010 income tax return. Defendant filed an Answer on July 14, 2011. Defendant’s Answer included a request for Plaintiff to provide additional information related to his appeal.

At a case management conference on December 7, 2011, the court discussed Defendant’s request with the parties. At the conference, Plaintiff agreed to subsequently produce the requested information to Defendant.

On February 16, 2012, Defendant reported to the court that Plaintiff had not yet provided “any additional information concerning this appeal.” (Def’s Ltr, Feb 16, 2012.) On March 8, 2012, the court issued an Order, requiring Plaintiff to provide the additional information to the Defendant, copy to the court, no later than March 28, 2012. Plaintiff was warned that the failure to meet the March 28, 2012, deadline for the production of the information would result in the dismissal of Plaintiff’s appeal. Plaintiff failed to submit the required information; the court has

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received no further communication from Plaintiff. As a consequence, the court finds the matter should be dismissed. Now, therefore,

IT IS THE DECISION OF THIS COURT that this matter is dismissed.

Dated this ____ day of March 2012.

DAN ROBINSON
MAGISTRATE

If you want to appeal this 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 Decision or this Decision becomes final and cannot be changed.

This document was signed by Magistrate Dan Robinson on April 5, 2012. The Court filed and entered this document on April 5, 2012.