

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

NEW CREATIONS LIFE CENTER (CB))	
and HEATHER HOLLANDER,)	
)	
Plaintiffs,)	TC-MD 110864D
)	
v.)	
)	
DESCHUTES COUNTY ASSESSOR,)	
)	
Defendant.)	DECISION OF DISMISSAL

This matter is before the court on its own motion to dismiss this case for lack of prosecution.

Plaintiffs filed their motion for summary judgment on November 15, 2011. Defendant filed its cross motion for summary judgment and response on November 21, 2011. Plaintiffs filed their reply on December 7, 2011. By Order of the court filed December 13, 2011, the court determined that because the parties dispute a material fact, the above-entitled matter could not be decided on motions for summary judgment. The Order further required the parties to submit three mutually convenient trial dates no later than 21 days from the date of the Order. The Order advised that failure to comply with the deadlines set forth therein would result in dismissal of Plaintiffs' appeal. The court's Order is incorporated herein by reference.

Plaintiffs' deadline has passed and the court has not received the parties' three mutually convenient trial dates, or any further communication from Plaintiffs. As a consequence, the court finds this matter should be dismissed for lack of prosecution. Now, therefore,

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

Dated this ____ day of January 2012.

JILL A. TANNER
PRESIDING 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 Presiding Magistrate Jill A. Tanner on January 10, 2012. The Court filed and entered this document on January 10, 2012.