

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

JARED WELSH,)	
)	
Plaintiff,)	TC-MD 111098N
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	DECISION OF DISMISSAL

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

A case management conference was held in this matter on January 30, 2012, during which the parties agreed to a schedule by which exchange information. Plaintiff agreed to send additional information and documents to Defendant by March 15, 2012, and file a response with the court by May 29, 2012. The court issued a Journal Entry on January 31, 2012, memorializing the parties' agreed upon schedule. The Journal Entry advised that failure to comply with the deadlines set forth therein might result in dismissal of Plaintiff's appeal.

On May 11, 2012, Defendant's representative Kevin Cole filed a letter with the court outlining his communications with Plaintiff following the January 30, 2012, case management conference and stating that, as of the date of the letter, Defendant had not received any of the requested information from Plaintiff. During the January 18, 2012, conference, Plaintiff agreed to file a response to Defendant's recommendations by May 29, 2012. That date has passed and, as of the date of this decision, the court has received no further communication from Plaintiff. Under such circumstances, the court finds that Plaintiff's appeal should be dismissed for lack of prosecution. Now, therefore,

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

Dated this ____ day of June 2012.

ALLISON R. BOOMER
MAGISTRATE PRO TEMPORE

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 Pro Tempore Allison R. Boomer on June 4, 2012. The Court filed and entered this document on June 4, 2012.