

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

ANTONIA JIMENEZ-SALUCIO,)
)
 Plaintiff,) TC-MD 111269N
)
 v.)
)
 DEPARTMENT OF REVENUE,)
 State of Oregon,)
)
 Defendant.) **DECISION OF DISMISSAL**

This matter is before the court on Defendant’s motion to dismiss this case as stated in its Answer, filed January 31, 2012.

On December 19, 2011, Plaintiff filed this appeal, challenging Defendant’s Notice of Deficiency Assessment, dated December 2, 2011. In Plaintiff’s Complaint, she stated, “I have submitted an amendment on September 2011 and awaiting response.” (Ptf’s Compl at 1.) On January 31, 2012, Defendant filed its Answer, stating that “[a]n amended return as a written objection was received 10/27/2011. Defendant agrees with the amended return. * * * * * [D]efendant requests the case be dismissed since there is no longer any disagreement.” (Def’s Answer at 1.)

The court contacted Plaintiff via telephone on January 31, 2012, and, through a Spanish interpreter, requested that Plaintiff file a written response to Defendant’s Answer stating whether the parties were in agreement. At that time, Plaintiff indicated that she would submit a written acceptance to the court. As of the date of this Decision, the court has not received Plaintiff’s written response or any further communication from Plaintiff. Under such circumstances, the

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court finds this matter should be dismissed because Defendant has provided Plaintiff's requested relief. Now, therefore,

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

Dated this ____ day of February 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 February 14, 2012. The Court filed and entered this document on February 14, 2012.