

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

JACK E. ALEXANDER,)	
)	
Plaintiff,)	TC-MD 111278N
)	
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.

This matter was originally scheduled for a case management conference on February 6, 2012. Plaintiff failed to appear for that conference, but Dana Sorum (Sorum), a business partner of Plaintiff, appeared on his behalf. The court requested that Plaintiff submit a signed authorization to represent form designating Sorum as his authorized representative if Plaintiff chooses to be represented by Sorum; otherwise, Plaintiff must appear on his own behalf. On February 14, 2012, Plaintiff filed an authorization to represent form designating Sorum as his representative in this appeal; however, Plaintiff did not indicate on the form in what capacity Sorum was authorized to represent him in this matter. A subsequent telephone call from court staff to Sorum revealed that Sorum is not statutorily authorized to represent Plaintiff.

The court rescheduled the case management conference to 9:00 a.m. on February 24, 2012, as agreed upon by Sorum and Defendant's authorized representative. Neither Sorum nor Plaintiff appeared for the February 24, 2012, case management conference. On February 27, 2012, the court sent the parties Journal Entry stating that, within 14 days of the date of the Journal Entry, Plaintiff shall file, copy to Defendant, a written explanation for his failure

to appear at the February 24, 2012, conference and provide the court with three mutually convenient trial dates. The court's Journal Entry warned that Plaintiff's failure to file a written response including three mutually convenient trial dates would result in dismissal of Plaintiff's appeal for lack of prosecution.

Plaintiff's deadline has passed and the court has not received Plaintiff's written response or any further communication from Plaintiff. Under such circumstances, the court finds that this matter 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 March 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 March 14, 2012. The Court filed and entered this document on March 14, 2012.