

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Property Tax

DONALD M. KILPATRICK and PAULA D. )  
KILPATRICK, TRUSTEES OF THE )  
KILPATRICK REVOCABLE LIVING )  
TRUST, )  
 )  
Plaintiffs, ) TC-MD 120040C  
 )  
v. )  
 )  
CLACKAMAS COUNTY ASSESSOR, )  
 )  
Defendant. ) **DECISION OF DISMISSAL**

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

On April 10, 2012, the court issued an Order instructing Plaintiffs to file, no later than April 24, 2012, a request to withdraw the appeal or a written explanation for why they missed the April 9, 2012, case management conference. The Order advised that failure to comply with the deadline set forth therein would result in the dismissal of Plaintiffs' appeal.

Plaintiffs' deadline has passed and the court has not received Plaintiffs' withdrawal or any further communication from Plaintiffs. As a consequence, the court finds 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 May 2012.

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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 May 7, 2012. The Court filed and entered this document on May 7, 2012.***