

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

ROGELIO MONTOYA)
and MA ISABEL PINEDA,)
)
Plaintiffs,) TC-MD 120050C
)
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.

On March 29, 2012, the court sent the parties a Journal Entry instructing Plaintiffs to file a written response to Defendant's recommendations by May 10, 2012. The Journal Entry advised that failure to comply with the deadlines set forth therein might result in dismissal of Plaintiffs' appeal.

Plaintiffs' deadline has passed and the court has not received the Plaintiffs' written response 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.

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 May 15, 2012. The Court filed and entered this document on May 15, 2012.