

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

HALVORSON FAMILY LP)	
and ELIZABETH A. HAYFORD TR,)	
)	
Plaintiffs,)	TC-MD 130185N
)	
v.)	
)	
MULTNOMAH COUNTY ASSESSOR,)	
)	
Defendant.)	FINAL DECISION OF DISMISSAL

This matter is before the court on Defendant’s Motion to Dismiss, filed October 10, 2013, requesting that this matter be dismissed due to Plaintiffs’ failure to comply with the court’s Order issued September 13, 2013.

On September 13, 2013, the court issued an Order granting, in part, Defendant’s Motion for Discovery and granting Defendant’s Request for Inspection. The court ordered Plaintiffs to arrange a site inspection of the property at issue no later than 21 days from the date of the Order. The Order stated that Plaintiffs’ failure to comply with the Order would result in sanctions including, but not limited to, dismissal of Plaintiffs’ appeal. Defendant’s Motion to Dismiss states that, as of the date of the Motion to Dismiss, October 9, 2013, Plaintiffs had not contacted Defendant to schedule an inspection. (Def’s Mot at 2.) As of the date of this decision, Plaintiffs have not filed a response to Defendant’s Motion to Dismiss and the court has received no further communication from Plaintiffs.

Under such circumstances, Plaintiffs’ appeal must be dismissed for lack of prosecution and failure to comply with the court Order, issued September 13, 2013. The trial set in this matter for December 18, 2013, is hereby cancelled. Now, therefore,

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IT IS THE DECISION OF THIS COURT that Defendant's Motion to Dismiss is granted and this matter is dismissed.

Dated this ____ day of October 2013.

ALLISON R. BOOMER
MAGISTRATE

If you want to appeal this Final Decision of Dismissal, 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 Final Decision of Dismissal or this Final Decision of Dismissal cannot be changed.

This document was signed by Magistrate Allison R. Boomer on October 24, 2013. The court filed and entered this document on October 24, 2013.