

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

CURT BANEY, INC.)
and CARLO TERRANOVA,)
)
Plaintiffs,) TC-MD 130317N
)
v.)
)
KLAMATH COUNTY ASSESSOR,)
)
Defendant.) **FINAL DECISION OF DISMISSAL**

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

An uncontested trial was scheduled at 9:00 a.m. on November 4, 2013, to consider Plaintiffs' appeal. On September 18, 2013, the court sent notice of the scheduled trial to Plaintiffs at the email address Plaintiffs' authorized representative provided to the court. The notice was not returned as undeliverable. The notice advised that if Plaintiffs did not appear, the court might dismiss the appeal. Plaintiffs failed to appear for the November 4, 2013, uncontested trial and failed to provide an explanation for their failure to appear. Under such circumstances, the court finds the appeal must be dismissed for lack of prosecution. Now, therefore,

IT IS THE DECISION OF THIS COURT that Plaintiffs' Complaint is dismissed.

Dated this ____ day of November 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 November 4, 2013. The court filed and entered this document on November 4, 2013.