

IN THE MAGISTRATE DIVISION  
OF THE OREGON TAX COURT

Small Claims

Property Tax

ROBERT A. SONNES,	)	
	)	
Plaintiff,	)	No. 000412D
	)	
v.	)	
	)	
MULTNOMAH COUNTY ASSESSOR,	)	
	)	
Defendant.	)	<b>DECISION AND JUDGMENT OF DISMISSAL</b>

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

A case management conference was scheduled to begin at 9:30 a.m. on July 11, 2000, to consider plaintiff's appeal. The court sent notice of the scheduled conference to plaintiff in a notice dated May 25, 2000. The notice was sent to plaintiff at 406-C SE 131st Avenue, Suite 305, Vancouver, Washington 98683, which is the address plaintiff provided to the court. The notice was not returned as undeliverable. Plaintiff was not available for the conference.

On July 12, 2000, the court wrote to plaintiff and requested a written explanation stating why plaintiff failed to appear. On July 19, 2000, the court was notified that plaintiff had surgery on the date the conference was scheduled. The court reset the case management conference for October 3, 2000. A notice was sent to plaintiff's address. The notice was not returned as undeliverable. Once again, plaintiff was not available for the conference.

A case may be dismissed when the participant seeking relief fails to appear. For purposes of a telephone proceeding, a participant "appears" by being available at the telephone number provided to the court by that participant on the date and at the time prescribed. Because plaintiff failed to appear for the two scheduled proceedings, the court finds the case should be dismissed.<sup>1</sup> Now, therefore;

IT IS HEREBY ADJUDGED AND DECREED that the Complaint is dismissed.

Dated this \_\_\_\_\_ day of October, 2000.

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JILL A. TANNER  
MAGISTRATE

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE JILL A. TANNER ON OCTOBER 30, 2000. THE COURT FILED THIS DOCUMENT ON OCTOBER 30, 2000.**

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<sup>1</sup> On October 4, 2000, the court received a letter from plaintiff asking that his case be dismissed.