

IN THE MAGISTRATE DIVISION  
OF THE OREGON TAX COURT

Small Claims

Income Tax

NICKOLAS T. AND KELLY A. SMITH,	)	
	)	
Plaintiffs,	)	No. 000436F
	)	
v.	)	
	)	
DEPARTMENT OF REVENUE,	)	
STATE OF OREGON,	)	
	)	
Defendant.	)	<b>DECISION AND JUDGMENT OF DISMISSAL</b>

This matter is before the court on plaintiffs' oral Motion to Dismiss, made on August 28, 2000. Per Magistrate Division Rules, the court requested confirmation in writing. None was received. At the scheduled trial date of September 6, 2000, plaintiff Kelly Smith repeated plaintiffs' Motion to Dismiss. After considering plaintiffs' motion, the court finds the case should be dismissed. Now, therefore;

IT IS HEREBY ADJUDGED AND DECREED that this matter be dismissed.

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

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SALLY L. KIMSEY  
MAGISTRATE

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE SALLY L. KIMSEY ON  
SEPTEMBER 11, 2000. THE COURT FILED THIS DOCUMENT ON SEPTEMBER  
11, 2000.**