

IN THE MAGISTRATE DIVISION
OF THE OREGON TAX COURT

Small Claims

Income Tax

| | | |
|-----------------------------------|---|---|
| STEVEN DALE COX and ANDREA LOUISE |) | |
| WARE, |) | |
| |) | |
| Plaintiffs, |) | No. 001020F |
| |) | |
| v. |) | |
| |) | |
| DEPARTMENT OF REVENUE, |) | |
| STATE OF OREGON, |) | |
| |) | |
| Defendant. |) | DECISION AND JUDGMENT OF DISMISSAL |

Plaintiffs filed an appeal as to a Notice of Refund Adjustment for the 1999 tax year.

A case management conference was scheduled on October 18, 2000, at 9:00 a.m. to consider their appeal. Notice of the case management conference was sent to plaintiffs at their last known address. It was not returned as undeliverable. Plaintiffs did not appear at the case management conference. There was no explanation for their failure to appear.

On October 18, 2000, the court sent Mr. Cox and Ms. Ware a letter. It was not returned as undeliverable. This letter explained the importance of diligently pursuing an appeal. It warned that dismissal would be the consequence of continued inaction.

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There has been no subsequent contact with the court. Under such

circumstances the appeal must be dismissed for want of prosecution. Now, therefore,

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

Dated this ____ day of November, 2000.

SALLY L. KIMSEY
MAGISTRATE

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE SALLY L. KIMSEY ON
NOVEMBER 17, 2000. THE COURT FILED THIS DOCUMENT ON NOVEMBER 17,
2000.**