

IN THE MAGISTRATE DIVISION
OF THE OREGON TAX COURT
Small Claims
Withholding Tax

B C V, INC.,)	
)	
Plaintiff,)	No. 001079B
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
STATE OF OREGON,)	
)	
Defendant.)	DECISION AND JUDGMENT OF DISMISSAL

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

A case management conference was scheduled on December 7, 2000, to consider plaintiff's appeal. On October 30, 2000, notice of the case management conference was sent to plaintiff at 3340 Beity Rd, Valley, WA, 99181, which was the address plaintiff provided to the court. The notice was not returned as undeliverable. Plaintiff did not appear at the case management conference, and there was no explanation for plaintiff 's failure to appear.

On December 13, 2000, the court sent plaintiff an Order, which explained the importance of diligently pursuing an appeal. This Order was not returned as undeliverable. The Order advised that if plaintiff did not provide a written explanation within 30 days for their failure to appear, the court would dismiss the appeal. As of this date, plaintiff has not contacted the court. Under such circumstances, the court finds the appeal must be dismissed for want of prosecution. Now, therefore;

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

Dated this ____ day of January, 2001.

JEFF MATTSON
MAGISTRATE

THIS DOCUMENT WAS SIGNED BY MAGISTRATE JEFF MATTSON ON JANUARY 31, 2001. THE COURT FILED THIS DOCUMENT ON JANUARY 31, 2001.