

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

RONALD S. AND MARTHA S. CHEWNING,)	
)	
Plaintiffs,)	No. 001147E
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
STATE OF OREGON,)	
)	DECISION AND JUDGMENT
Defendant.)	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 January 2, 2001, to consider plaintiffs' appeal. On November 29, 2000, notice of the case management conference was sent to plaintiffs at 203 NE 95th Avenue, Vancouver, WA 98664, which was the address plaintiffs provided to the court. The notice was not returned as undeliverable. Plaintiffs did not appear at the case management conference and there was no explanation for plaintiffs' failure to appear.

On January 2, 2001, the court sent plaintiffs a letter that explained the importance of diligently pursuing an appeal. This letter was not returned as undeliverable. The letter advised that if plaintiffs did not provide a written explanation by January 16, 2001, for their failure to appear, the court would dismiss the appeal. As of this date, plaintiffs have not contacted the court. Under such circumstances, the court finds 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 January, 2001.

COYREEN R. WEIDNER
MAGISTRATE

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE COYREEN R. WEIDNER ON
JANUARY 24, 2001. THE COURT FILED THIS DOCUMENT ON JANUARY 24, 2001.**