

IN THE MAGISTRATE DIVISION
OF THE OREGON TAX COURT
Property Tax

ROBERT O. AND M. GAIL JOHNSTON,)	
)	
Plaintiffs,)	No. 001151E
)	
v.)	
)	
MARION COUNTY ASSESSOR,)	
)	
Defendant.)	DECISION 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 17, 2001, to consider plaintiffs' appeal. On December 15, 2000, notice of the case management conference was sent to plaintiffs at 1886 Wintercreek Road SE; Jefferson, OR 97352, 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 17, 2001, the court sent plaintiffs a letter, which explained the importance of diligently pursuing an appeal. This letter was not returned as undeliverable. The letter advised plaintiffs that if they did not provide a written explanation by January 29, 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;

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IT IS THE DECISION OF THIS COURT that the Complaint is dismissed.

Dated this ____ day of February, 2001.

COYREEN R. WEIDNER
MAGISTRATE

IF YOU WANT TO APPEAL THIS DECISION, FILE A COMPLAINT IN THE REGULAR DIVISION OF THE OREGON TAX COURT, FOURTH FLOOR, 1241 STATE ST., SALEM, OR 97301-2563. YOUR COMPLAINT MUST BE SUBMITTED WITHIN 60 DAYS AFTER THE DATE OF THIS DECISION OR THIS DECISION BECOMES FINAL AND CANNOT BE CHANGED.

THIS DOCUMENT WAS SIGNED BY MAGISTRATE COYREEN R. WEIDNER ON FEBRUARY 14, 2001. THE COURT FILED THIS DOCUMENT ON FEBRUARY 14, 2001.