

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Small Claims
Property Tax

JAMES R. KORNBAU and RITA TODD- KORNBAU,)	
)	
Plaintiffs,)	No. 020309C
)	
v.)	
)	
COOS COUNTY ASSESSOR,)	
)	
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 hearing was scheduled to begin at 9:00 a.m. on June 18, 2002, to consider Plaintiffs' appeal. The court sent notice of the scheduled hearing to Plaintiffs in a notice dated May 1, 2002. The notice was sent to Plaintiffs at 56515 Levi Bunch Road, Coquille, OR 97423, which is the address Plaintiffs provided to the court. The notice was not returned as undeliverable.

A case may be dismissed when the participant seeking relief fails to appear. For purposes of a telephone proceeding, a participant "appears" by being available at the telephone number provided to the court by that participant on the date and at the time prescribed. Because Plaintiffs failed to appear for the scheduled proceeding, the court finds the case should be dismissed. Now, therefore,

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

Dated this _____ day of August, 2002.

DAN ROBINSON
MAGISTRATE

THIS DOCUMENT WAS SIGNED BY MAGISTRATE DAN ROBINSON ON

AUGUST 28, 2002. THE COURT FILED THIS DOCUMENT ON AUGUST 28, 2002.