

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Property Tax

GERALD B. UPHAM and ROBIN L. UPHAM,	)	
	)	
	)	
Plaintiffs,	)	No. 020935D
	)	
v.	)	
	)	
DESCHUTES COUNTY ASSESSOR,	)	
	)	
Defendant.	)	<b>DECISION OF DISMISSAL</b>

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 Friday, August 9, 2002, to consider Plaintiffs' appeal. On June 20, 2002, notice of the case management conference was sent to Plaintiffs at 3025 N.W. Craftsman Drive, Bend, Oregon 97701, 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 August 12, 2002, 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 that if Plaintiffs did not provide a written explanation by August 27, 2002, for their failure to appear, the court would dismiss the appeal. As

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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 THE DECISION OF THIS COURT that this matter is dismissed.

Dated this \_\_\_\_\_ day of September, 2002.

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JILL A. TANNER  
PRESIDING 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 THE DECISION OR THIS DECISION BECOMES FINAL AND CANNOT BE CHANGED.**

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE JILL A. TANNER ON SEPTEMBER 9, 2002. THE COURT FILED THIS DOCUMENT ON SEPTEMBER 9, 2002.**