

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Income Tax

SUSAN SCHULTZ, )  
 )  
 Plaintiff, ) TC-MD 020943E  
 )  
 v. )  
 )  
 DEPARTMENT OF REVENUE, )  
 STATE OF OREGON, )  
 )  
 Defendant. ) **DECISION**

This matter is before the court on its own motion finding the case is ready for decision.

On March 24, 2003, the court issued an Order advising Plaintiff she had until April 9, 2003, to notify the court of whether she intended to pursue her appeal. The court issued its Order after having failed to receive responses from Plaintiff to its various telephone inquiries. The Order set forth the factual history of the case and concluded by advising Plaintiff as follows:

**“Given the status of the case, the court finds it appropriate to set a deadline for Plaintiff to either file the returns or otherwise notify the court of whether she intends to pursue her appeal. If Plaintiff does not file the information with the court by April 9, 2003, the court will enter a decision dismissing the appeal for years 1988, 1990, 1991, 1992, 1993, and ordering the assessment canceled for 1994, pursuant to Defendant’s agreement.”**

(Order at 2) (emphasis in original).

As of this date, the court has not received a response from Plaintiff. As a consequence, the court finds the case should be dismissed as to tax years 1988, 1990, 1991, 1992, and 1993. The court further finds the assessment should be canceled for 1994. Now, therefore,

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IT IS THE DECISION OF THIS COURT that Plaintiff's Complaint, as it relates to tax years 1988, 1990, 1991, 1992, and 1993, is dismissed; and

IT IS FURTHER DECIDED that Defendant shall cancel the assessment for 1994.

Dated this \_\_\_\_\_ day of April, 2003.

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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 THE DECISION OR THIS DECISION BECOMES FINAL AND CANNOT BE CHANGED.**

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE COYREEN R. WEIDNER ON APRIL 24, 2003. THE COURT FILED THIS DOCUMENT ON APRIL 24, 2003.**