

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Small Claims
Income Tax

RYAN J. FLORENDO,)	
)	
Plaintiff,)	TC-MD 030031A
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
STATE OF OREGON,)	
)	
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 case management conference was scheduled on March 20, 2003, to consider Plaintiff's appeal. On February 13, 2003, notice of the case management conference was sent to Plaintiff at P.O. Box 97, Warm Springs, Oregon 97761, which was the address Plaintiff provided to the court. The notice was not returned as undeliverable. Plaintiff did not appear at the case management conference, and there was no explanation for Plaintiff's failure to appear.

On April 3, 2003, the court sent Plaintiff a Journal Entry, which explained the importance of diligently pursuing this appeal. The Journal Entry was not returned as undeliverable. The Journal Entry advised that if Plaintiff did not provide a written explanation for his failure to appear, the court would dismiss the appeal. As of this

///

///

///

///

///

date, Plaintiff has not contacted the court. Under such circumstances, the court finds the appeal must be dismissed for want of prosecution. Now, therefore,

IT IS ADJUDGED AND DECREED that the Complaint is dismissed.

Dated this ____ day of June, 2003.

SCOT A. SIDERAS
MAGISTRATE

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE SCOT A. SIDERAS ON
JUNE 25, 2003. THE COURT FILED THIS DOCUMENT ON JUNE 25, 2003.**