

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

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|-------------------------------|---|------------------------------|
| RICHARD MINOR and JEAN MINOR, |) | |
| |) | |
| Plaintiffs, |) | TC-MD 030777F |
| |) | |
| v. |) | |
| |) | |
| YAMHILL 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 September 9, 2003, at 11:00 a.m., to consider Plaintiffs' appeal. On June 11, 2003, notice of the case management conference was sent to Plaintiffs at P.O. Box 3159, Newberg, Oregon 97132, 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 September 10, 2003, 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 September 19, 2003, 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 this matter is dismissed.

Dated this _____ day of September, 2003.

SALLY L. KIMSEY
MAGISTRATE

IF YOU WANT TO APPEAL THIS DECISION, FILE A COMPLAINT IN THE REGULAR DIVISION OF THE OREGON TAX COURT, BY MAILING TO: 1163 STATE STREET, SALEM, OR 97301-2563; OR BY HAND DELIVERY TO: FOURTH FLOOR, 1241 STATE STREET, SALEM, OR. 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 SALLY L. KIMSEY ON SEPTEMBER 30, 2003. THE COURT FILED THIS DOCUMENT ON SEPTEMBER 30, 2003.