

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Small Claims  
Income Tax

BONNITA COLLIER	)	
	)	
Plaintiff,	)	TC-MD 030825C
	)	
v.	)	
	)	
DEPARTMENT OF REVENUE,	)	
STATE OF OREGON,	)	
	)	
Defendant.	)	<b>DECISION AND JUDGMENT 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 to begin at 9:00 a.m. August 20, 2003, to consider Plaintiff's appeal. The court sent notice of the scheduled hearing to Plaintiff in a notice dated July 15, 2003. The notice was sent to Plaintiff at 905 Pioneer Lane, Newberg, OR 97132, which is the address Plaintiff 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 Plaintiff failed to appear for the scheduled proceeding, the court finds the case should be dismissed. Now, therefore,

IT IS ADJUDGED AND DECREED that the Complaint is dismissed.

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

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DAN ROBINSON  
MAGISTRATE

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE DAN ROBINSON ON  
SEPTEMBER 22, 2003. THE COURT FILED THIS DOCUMENT ON SEPTEMBER  
22, 2003.**