

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

JOHN WILSON)	
)	
Plaintiff,)	TC-MD 030972A
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
STATE OF OREGON,)	
)	
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 November 3, 2003, to consider Plaintiff's appeal. On October 8, 2003, notice of the case management conference was sent to Plaintiff at 4612 Robin Avenue NE, Albuquerque, NM 87110, 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 November 25, 2003, the court sent Plaintiff a Journal Entry, which explained the importance of diligently pursuing an appeal. This Journal Entry was not returned as undeliverable. The letter advised that if Plaintiff did not provide a written explanation within 30 days for this failure to appear, the court would dismiss the appeal. As of this

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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 THE DECISION OF THIS COURT that this matter is dismissed.

Dated this _____ day of January, 2004.

SCOT A. SIDERAS
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 SCOT A. SIDERAS ON JANUARY 15, 2004. THE COURT FILED THIS DOCUMENT ON JANUARY 15, 2004.