

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Small Claims
Income Tax

KELLEY R. REIS,)	
)	
Plaintiff,)	TC-MD 040828B
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	DECISION and JUDGMENT
Defendant.)	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 October 18, 2004, to consider Plaintiff's appeal. On September 8, 2004, notice of the case management conference was sent to Plaintiff at 1005 SW Park Ave. #402, Portland, OR 97205, 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 October 19, 2004, the court sent Plaintiff a letter, which explained the importance of diligently pursuing an appeal. That letter was not returned as undeliverable. The letter advised that if Plaintiff did not provide a written explanation by November 4, 2004, for her failure to appear, the court would dismiss the appeal. As of this date, Plaintiff has not contacted the court.

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DECISION and JUDGMENT OF DISMISSAL TC-MD 040828B

Under such circumstances, the court finds the appeal must be dismissed for want of prosecution.

Now, therefore,

IT IS ADJUDGED that the Complaint is dismissed.

Dated this ____ day of November 2004.

JEFF MATTSON
MAGISTRATE

THIS DOCUMENT IS FINAL AND MAY NOT BE APPEALED. ORS 305.514.

**THIS DOCUMENT WAS SIGNED BY MAGISTRATE JEFF MATTSON ON
NOVEMBER 18, 2004. THE COURT FILED THIS DOCUMENT NOVEMBER 18, 2004.**