

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Property Tax

KEVIN SCOTT HARPER,)	
)	
Plaintiff,)	TC-MD 050005C
)	
v.)	
)	
MULTNOMAH COUNTY ASSESSOR,)	
)	
Defendant.)	DECISION OF DISMISSAL

This matter is before the court on Defendant's July 28, 2005, Motion to Dismiss this appeal for want of prosecution.

Plaintiff failed to appear for the July 26, 2005, telephone status conference. The proceeding was scheduled during the May 13, 2005, case management conference. Written notice of the event was mailed to Plaintiff on May 13, 2005. The notice advised Plaintiff that the court may dismiss the Complaint if he was not available. The notice also advised Plaintiff to contact the court if he did not hear from us within 10 minutes of the scheduled proceeding. Plaintiff was unavailable and court staff left him a voice mail message advising him to call the Court within 10 minutes. Plaintiff did not contact the court. Plaintiff was previously unavailable for a telephone conference on March 31, 2005. As of this date, Plaintiff has not contacted the court.

Additionally, Plaintiff failed to provide Defendant with a copy of a March 2003 appraisal as agreed to during the May 13, 2005, proceeding.

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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 August 2005.

DAN ROBINSON
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 Dan Robinson August 3, 2005. The Court filed and entered this document August 3, 2005.