

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Income Tax

JOHN J. LENAHAN )  
and MARILYN S. LENAHAN, )  
 )  
Plaintiffs, ) TC-MD 050738B  
 )  
v. )  
 )  
DEPARTMENT OF REVENUE, )  
State of Oregon, )  
 )  
Defendant. ) **DECISION OF DISMISSAL**

Plaintiffs appealed to this court concerning tax years 1999 and 2000. At the September 22, 2005, case management conference, Plaintiffs agreed to provide an affidavit regarding their claim as to being financially disabled. Another proceeding was held on January 12, 2006. The parties reported that no progress had been made.

On January 12, 2006, Plaintiffs were ordered to produce the requested affidavit within 30 days, or the case would be dismissed. As of this date, no affidavit has been received by the court. Now, therefore,

IT IS THE DECISION OF THIS COURT that this matter be dismissed.

Dated this \_\_\_\_\_ day of February 2006.

\_\_\_\_\_  
JEFFREY S. MATTSON  
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 Jeffrey S. Mattson on February 23, 2006. The Court filed and entered this document on February 23, 2006.***