

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Small Claims
Income Tax

KRISTINA (VOSS) WARREN,)	
)	
Plaintiff,)	TC-MD 050834C
)	
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 November 9, 2005, to consider Plaintiff's appeal. On October 17, 2005, notice of the case management conference was sent to Plaintiff at 1243 Toledo Street, Bellingham WA 98229, which was the address Plaintiff provided to the court. The notice was not returned as undeliverable. When court staff called for the case management conference, a man informed the court that Plaintiff was working and would not be appearing.

On November 9, 2005, 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 21, 2005, for her failure to appear, the court would dismiss the appeal. On November 14, 2005, Plaintiff informed the court that she wished to withdraw her appeal and would not be responding to the court's letter.

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As of this date, there has been no further communication from Plaintiff. 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 _____ 2005.

DAN ROBINSON
MAGISTRATE

This document is final and may not be appealed. ORS 305.514.

***This document was signed by Magistrate Dan Robinson November 30, 2005.
The Court filed this document November 30, 2005.***