

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Small Claims
Income Tax

JAMES E. ANDERSON and)	
DARCI L. ANDERSON,)	
)	
Plaintiffs,)	TC-MD 050898C
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	DECISION and JUDGMENT 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 February 22, 2006, to consider Plaintiffs' appeal. On January 20, 2006, notice of the case management conference was sent to Plaintiffs at 64231 Tumalo Rim Drive, Bend, OR 97701, which was the address Plaintiffs provided to the court. The notice was not returned as undeliverable. Plaintiffs did not appear at the case management conference, and there was no explanation for Plaintiffs' failure to appear.

On February 22, 2006, the court sent Plaintiffs a letter, which explained the importance of diligently pursuing an appeal. That letter was not returned as undeliverable. The letter advised that if Plaintiffs did not provide a written explanation by March 8, 2006 for their failure to appear, the court would dismiss the appeal. As of this date, Plaintiffs have not contacted the

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court. 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 March 2006.

DAN ROBINSON
MAGISTRATE

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

This document was signed by Magistrate Dan Robinson March 20, 2006. The Court filed this document March 20, 2006.