

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

GLORIA JACKSON,)	
)	
Plaintiff,)	TC-MD 050932B
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	DECISION 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 on May 2, 2006, to consider Plaintiff's appeal. On February 23, 2006, notice of the case management conference was sent to Plaintiff at 4705 NE 13th Avenue, Portland, OR 97211, 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 February 6, 2006, Plaintiff did not appear at a case management conference scheduled to hear her case. Plaintiff responded to the court's letter requesting an explanation and offered dates for rescheduling. The May 2, 2006, conference was set during a telephone call with the Plaintiff with her express agreement to the date and time.

On May 4, 2006, the court sent Plaintiff a letter, which explained the importance of diligently pursuing an appeal. This letter was not returned as undeliverable. The letter advised that if Plaintiff did not provide a written explanation by May 18, 2006, for her failure to appear,

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the court would dismiss the appeal. As of this date, Plaintiff has not contacted the court. 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 be dismissed.

Dated this ____ day of May 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 May 24, 2006. The Court filed and entered this document on May 24, 2006.