

IN THE OREGON TAX COURT  
MAGISTRATE DIVISION  
Small Claims  
Income Tax

|                        |   |                              |
|------------------------|---|------------------------------|
| LIBRA GAUGER,          | ) |                              |
|                        | ) |                              |
| Plaintiff,             | ) | TC-MD 050954B                |
|                        | ) |                              |
| v.                     | ) |                              |
|                        | ) |                              |
| DEPARTMENT OF REVENUE, | ) |                              |
| State of Oregon,       | ) |                              |
|                        | ) | <b>DECISION and JUDGMENT</b> |
| Defendant.             | ) | <b>OF DISMISSAL</b>          |

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 16, 2006, to consider Plaintiff's appeal. On January 6, 2006, notice of the case management conference was sent to Plaintiff at 4450 NE Prescott, Portland, OR 97218, 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 16, 2006, 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 March 2, 2006, for her failure to appear, the court would dismiss the appeal. As of this date, Plaintiff has not contacted the court. Under

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DECISION and JUDGMENT OF DISMISSAL TC-MD 050954B

such circumstances, the court finds the appeal must be dismissed for want of prosecution. Now, therefore,

IT IS ADJUDGED that the matter is dismissed.

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

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JEFFREY S. MATTSON  
MAGISTRATE

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

***This document was signed by Magistrate Jeffrey S. Mattson March 7, 2006.  
The Court filed this document March 7, 2006.***