

06-1534

TAX TYPE: INCOME TAX

TAX YEAR: 2003

DATE SIGNED: 4-16-2007

COMMISSIONERS: P. HENDRICKSON, B. JOHNSON, M. JOHNSON

EXCUSED: D. DIXON

BEFORE THE UTAH STATE TAX COMMISSION

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TAXPAYER,	)	
	)	<b>ORDER OF DISMISSAL</b>
Petitioner,	)	
	)	
v.	)	Appeal No.    06-1534
	)	Account No.   #####
AUDITING DIVISION	)	
OF THE UTAH STATE TAX	)	Tax Type:     Income Tax
COMMISSION,	)	Tax Year:     2003
	)	
Respondent.	)	Judge:        Robinson

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**Presiding:**

R. Spencer Robinson, Administrative Law Judge

**Appearances:**

For Petitioner:    TAXPAYER, by phone

For Respondent:    RESPONDENT, from the Auditing Division

STATEMENT OF THE CASE

This matter came before the Utah State Tax Commission on April 9, 2007, for a Status Conference on Petitioner's appeal.

During the Status Conference, Respondent represented that the audit for the 2003 tax year has been amended to a zero balance. Based upon that representation, Petitioner made verbal representations that she did not want to further pursue the appeal and requested that the appeal be withdrawn.

ORDER

Based upon the foregoing, the Commission dismisses this appeal.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Appeal No. 06-1534

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R. Spencer Robinson  
Administrative Law Judge

BY ORDER OF THE COMMISSION:

The Commission has reviewed this case and the undersigned concur in this decision.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Pam Hendrickson  
Commission Chair

R. Bruce Johnson  
Commissioner

Marc B. Johnson  
Commissioner

D'Arcy Dixon Pignanelli  
Commissioner

**NOTICE:** A withdrawal is a failure to exhaust administrative remedies, which precludes further judicial review. Utah Code Ann. §63-46b-14. Pending an order by the Commission to reopen the appeal, this matter is closed without further recourse.

*ssw/06-1534.dis*