

08-1613  
AUDIT- IINCOME TAX  
10-23-2008

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BEFORE THE UTAH STATE TAX COMMISSION

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PETITIONER,  Petitioner,  vs.  AUDITING DIVISION OF THE UTAH STATE TAX COMMISSION,  Respondent.	<b>ORDER OF DEFAULT</b>  Appeal No.    08-1613  Account No.   ##### Tax Type:     Income Tax  Tax Year:     2005  Judge:        Jensen
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**Presiding:**

Clinton Jensen, Administrative Law Judge

**Appearances:**

For the Petitioner:    No one appeared

For the Respondent:   RESPONDENT REP, Manager, Auditing Division

STATEMENT OF CASE

This matter came before the Commission for a Telephone Status Conference on October 21, 2008. Although duly notified of the date, time and place of the Status Conference, Petitioner failed to appear. An effort was made to reach Petitioner by phone, but it was unsuccessful.

ORDER AND DECISION

On the basis of the foregoing, the Commission hereby enters its ORDER OF DEFAULT against Petitioner and dismisses the appeal.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Clinton Jensen  
Administrative Law Judge

Appeal No. 08-1613

BY ORDER OF THE UTAH STATE TAX COMMISSION:

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Pam Hendrickson  
Commission Chair

R. Bruce Johnson  
Commissioner

Marc B. Johnson  
Commissioner

D'Arcy Dixon Pignanelli  
Commissioner

**Notice of Appeal Rights and Payment Requirements:** Failure to pay the balance due within thirty days of the date of this order may result in a late payment penalty. A default is a failure to exhaust administrative remedies, which precludes further judicial review. Utah Code Ann. §63-46b-14. A party may motion to set aside the default pursuant to Utah Code Ann. §63-46b-11 and the Utah Rules of Civil Procedure. Pending an order by the Commission to set aside the default, this matter is closed without further recourse.

Ssw/08-1613.def