

BEFORE THE COLUMBIA RIVER GORGE COMMISSION

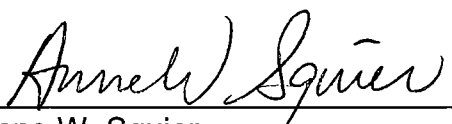
RICK AND MARLO MESSMER,	)	
	)	
Petitioners,	)	CRGC No. COA-M-01-06
	)	
vs.	)	<b>ORDER DISMISSING</b>
	)	<b>APPEAL</b>
MULTNOMAH COUNTY,	)	
	)	
Respondent,	)	
	)	
and	)	
	)	
FRIENDS OF THE COLUMBIA	)	
GORGE,	)	
	)	
Respondent-Intervenor.	)	
_____	)	

On February 13, 2002, the Columbia River Gorge Commission dismissed the Petitioners' and Respondent's "Stipulated Motion for Remand." In that order, the Gorge Commission also specified a briefing schedule for this matter, which required the Request for Review be filed by March 15, 2002. Petitioners failed to file the Request for Review. Commission Rule 350-60-080(1) states, " \* \* \* Failure to file a Request for Review within the time required by this section shall result in dismissal of the appeal."

Additionally, dismissal of this appeal is appropriate in this case due to the Petitioners' failure to take any action to seriously prosecute this appeal. In this case, Petitioners and Respondent jointly requested an extension of time to file the Request for Review, and at the same time filed a motion for remand. The extension of time was granted on October 24, 2001. Subsequently, the Commission made two inquiries to the parties about the status of the motion for remand, one on December 3, 2001 and one on January 28, 2002. None of the parties responded to these inquiries in any manner. Hence, on February 13, 2002, the Commission dismissed the motion for remand due to the inaction of the parties and set new due dates for the briefing. As noted above, the Petitioners failed to take action necessary to continuing this appeal—by filing the required Request for Review or requesting another extension of time.

IT IS SO ORDERED that this appeal is dismissed pursuant to Commission Rule 350-60-080(1).

DATED this 19<sup>th</sup> day of March, 2002

  
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Anne W. Squier  
Chair