

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON

3
4 NANCY CASSLEY,)
5)
6 Petitioner,)
7)
8 vs.)
9) LUBA No. 93-134
10 JACKSON COUNTY,)
11) FINAL OPINION
12 Respondent,) AND ORDER
13)
14 and)
15)
16 ROBERT E. LAMBERT and)
17 SHIRLEY LAMBERT,)
18)
19 Intervenors-Respondent.)

20
21
22 Appeal from Jackson County.

23
24 Nancy Cassley, Eagle Point, represented herself.

25
26 Arminda J. Brown, County Counsel, Medford, represented
27 respondent.

28
29 Robert E. Lambert and Shirley Lambert, Eagle Point,
30 represented themselves.

31
32 KELLINGTON, Chief Referee; HOLSTUN, Referee; SHERTON,
33 Referee, participated in the decision.

34
35 DISMISSED 11/10/93

36
37 You are entitled to judicial review of this Order.
38 Judicial review is governed by the provisions of ORS
39 197.850.

1 Opinion by Kellington.

2 ORS 197.830(10) provides that a petition for review
3 must be filed within the deadlines established by this
4 Board's rules. OAR 661-10-030(1) provides, in relevant
5 part:

6 " * * * The petition for review shall be filed with
7 the Board within 21 days after the date the record
8 is received by the Board. * * * Failure to file a
9 petition for review within the time required by
10 this section, and any extensions of that time
11 under * * * OAR 661-10-067(2), shall result in
12 dismissal of the appeal * * *."

13 OAR 661-10-067(2) provides that the time limit for filing
14 the petition for review may only be extended with the
15 written consent of all parties.

16 The petition for review in this appeal was due on
17 September 28, 1993. No extension of time for filing the
18 petition for review has been requested or granted. As of
19 this date, no petition for review has been filed.

20 Because petitioner has neither filed a petition for
21 review within the time required by our rules, nor obtained
22 an extension of time for filing the petition for review,
23 ORS 197.830(10) and OAR 661-10-030(1) require that we
24 dismiss this appeal. McCauley v. Jackson County, 20 Or LUBA
25 176 (1990); Piquette v. City of Springfield, 16 Or LUBA 47
26 (1987); Hutmacher v. Marion County, 15 Or LUBA 514 (1987).

27 This appeal is dismissed.