

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

3
4 MELVIN MEAD,)
5)
6 Petitioner,) LUBA No. 96-140
7)
8 vs.) FINAL OPINION
9) AND ORDER
10 JACKSON COUNTY,)
11)
12 Respondent.)

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14
15 Appeal from Jackson County.

16
17 Melvin Mead, Rogue River, represented himself.

18
19 Arminda J. Brown, County Counsel, Medford, represented
20 respondent.

21
22 LIVINGSTON, Referee; GUSTAFSON, Chief Referee; HANNA,
23 Referee, participated in the decision.

24
25 DISMISSED 09/04/97

26
27 You are entitled to judicial review of this Order.
28 Judicial review is governed by the provisions of ORS
29 197.850.

1 Livingston, Referee.

2 Respondent moves to dismiss this appeal and requests
3 forfeiture of petitioner's filing fee and deposit for costs
4 for petitioner's failure to file a petition for review.
5 Petitioner has not responded to the motion.

6 The petition for review in the appeal was due July 31,
7 1997. The petition for review has not been filed, nor has
8 an extension of time to file the petition for review been
9 granted.

10 ORS 197.830(10) requires that a petition for review be
11 filed within the deadlines established by Board rule. OAR
12 661-10-030(1) provides, in relevant part:

13 "* * * The petition for review together with four
14 copies shall be filed with the Board within 21
15 days after the date the record is received by the
16 Board. * * * Failure to file a petition for review
17 within the time required by this section, and any
18 extensions of that time under * * * OAR 661-10-
19 067(2), shall result in dismissal of the appeal *
20 * *."

21 The deadline for filing the petition for review is
22 strictly enforced. Terrace Lakes Homeowners Assn. v. City
23 of Salem, 29 Or LUBA 532, aff'd 138 Or App 188 (1995);
24 Bongiovanni v. Klamath County, 29 Or LUBA 351 (1995).

25 Because a petition for review was not filed within the
26 time required by our rules, ORS 197.830(10) and
27 OAR 661-10-030(1) require that we dismiss this appeal.

28 This appeal is dismissed. Pursuant to OAR 661-10-
29 075(1)(c), petitioner's filing fee and deposit for costs are

1 awarded to respondent.