

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

3
4 CHARLES WOODS,)
5)
6 Petitioner,) LUBA No. 93-130
7)
8 vs.) FINAL OPINION
9) AND ORDER
10 MARION COUNTY,)
11)
12 Respondent.)

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14
15 Appeal from Marion County.

16
17 Charles Woods, Salem, represented himself.

18
19 Jane Ellen Stonecipher, Assistant County Counsel,
20 Salem, represented respondent.

21
22 SHERTON, Referee; KELLINGTON, Chief Referee; HOLSTUN,
23 Referee, participated in the decision.

24
25 DISMISSED 12/08/93

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 Opinion by Sherton.

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

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

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

15 Under OAR 661-10-030(1), the petition for review in
16 this appeal was originally due on October 11, 1993. Based
17 on a stipulation of the parties, the Board extended the time
18 for filing the petition for review to November 8, 1993.
19 OAR 661-10-067(2). No additional extension of time for
20 filing the petition for review has been requested or
21 granted. As of this date, no petition for review has been
22 filed. Respondent moves that this appeal be dismissed.

23 Because petitioner has not filed a petition for review
24 within the time required under our rules, ORS 197.830(10)
25 and OAR 661-10-030(1) require that we dismiss this appeal.
26 McCauley v. Jackson County, 20 Or LUBA 176 (1990); Piquette
27 v. City of Springfield, 16 Or LUBA 47 (1987); Hutmacher v.
28 Marion County, 15 Or LUBA 514 (1987).

29 This appeal is dismissed.