

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

3  
4 SPRINT PCS,  
5 *Petitioner,*

6  
7 vs.

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9 CITY OF TUALATIN,  
10 *Respondent,*

11 and

12  
13  
14 PETER LeBRAY,  
15 *Intervenor-Respondent.*

16  
17 LUBA No. 2001-141

18  
19 FINAL OPINION  
20 AND ORDER

21  
22 Appeal from City of Tualatin.

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24 Phillip E. Grillo, Portland, represented petitioner.

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26 Brenda L. Braden, City Attorney, Tualatin, represented respondent.

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28 Peter LeBray, Tualatin, represented himself.

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30 BRIGGS, Board Member; HOLSTUN, Board Chair; BASSHAM, Board Member,  
31 participated in the decision.

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33 DISMISSED

12/31/2002

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

Opinion by Briggs.

The notice of intent to appeal in this matter was filed on August 23, 2001. On September 4, 2001, petitioner and respondent filed a stipulated motion to extend the time to file the record for an indefinite period. On September 13, 2001, Peter LeBray moved to intervene on the side of respondent. No party opposes the motion to intervene and it is allowed.

On November 21, 2002, the Board mailed a letter to the parties, inquiring into the status of the appeal, and informing the parties that if no response was received within 14 days of the date of the letter, the Board would dismiss the appeal.

No response has been received by either party within the time set in our November 21, 2002 letter. Accordingly, this appeal is dismissed.