

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3  
4 JAMES M. ALTHAUSER,  
5 *Petitioner,*

6  
7 vs.

8  
9 CLACKAMAS COUNTY,  
10 *Respondent.*

11  
12 LUBA No. 2008-007

13  
14 FINAL OPINION  
15 AND ORDER

16  
17 Appeal from Clackamas County.

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19 James M. Althausser, Estacada, represented himself.

20  
21 Michael E. Judd, Oregon City, represented respondent.

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23 HOLSTUN, Board Chair; BASSHAM, Board Member; RYAN, Board Member,  
24 participated in the decision.

25  
26 DISMISSED

01/24/2008

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

Opinion by Holstun.

In an Order dated January 8, 2008, LUBA directed petitioner to “immediately serve a copy of the notice of intent to appeal on the county’s legal counsel, if petitioner has not done so. We also directed petitioner to file and serve a Supplemental Certificate of Service “to certify that the county’s legal counsel was served with a copy of the notice of intent to appeal.” The last sentence of that order provided “[i]f LUBA does not receive a Supplemental Certificate of Service in accordance with this paragraph on or before January 15, 2008, this appeal will be dismissed.”

It is now January 24, 2008 and LUBA has not received a Supplemental Certificate of Service or any communication from petitioner.

In accordance with our January 8, 2008 Order, this appeal is dismissed. Assuming the county does not file a record and does not file a cost bill, LUBA will return petitioner’s \$150 deposit for costs.