

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>JONI NUERNBERGER, ET AL.,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>DOUGLAS COUNTY BOARD OF EQUALIZATION.</b></p>	▲
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Joni Nuernberger Address: 23862 Taranto Bay Dana Point, California 92629 Phone Number: (949) 234-0348 E-mail: Attorney Registration No.:</p>	<p><b>Docket Number: 39148</b></p>
<p><b>ORDER</b></p>	

**THIS MATTER** was heard by the Board of Assessment Appeals on December 17, 2001, Debra A. Baumbach and Mark R. Linné presiding. Petitioner was not represented at the hearing. Respondent was represented by Kelly Dunnaway, Esq.

**FINDINGS OF FACT AND CONCLUSIONS:**

1. Subject property is legally described as follows:  
  
**LOT 155 REPLAT STONEHENGE AT ROXBOROUGH  
(Douglas County Schedule No. R0028071)**
2. Petitioner is requesting a reduction of taxes on the subject property for tax year 2001.
3. Petitioner did not attend the hearing, and did not make a telephone appearance.
4. Counsel for Respondent moved to dismiss the appeal on the grounds that Petitioner failed to appear or telephone.

5. The Board granted Respondent's motion to dismiss.

**ORDER:**

The petition is dismissed.

**APPEAL:**

Petitioner may petition the Court of Appeals for judicial review within 45 days from the date of this decision.

If Respondent alleges procedural errors or errors of law by this Board, Respondent may petition the court of appeals for judicial review within 30 days from the date of this decision.

DATED this 17<sup>th</sup> day of December, 2001.

**BOARD OF ASSESSMENT APPEALS**

*Debra A. Baumbach*

Debra A. Baumbach

*Mark R. Linné*

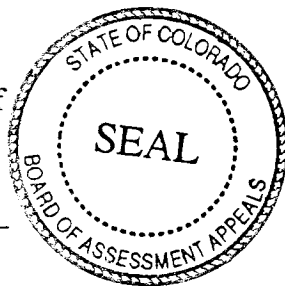
Mark R. Linné

This decision was put on the record

December 17, 2001.

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

*Diane Von Dollen*  
Diane Von Dollen



39148.dism

<p><b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203</p> <hr/> <p>Petitioner:</p> <p><b>JONI NUERNBERGER, ET AL.,</b></p> <p>v.</p> <p>Respondent:</p> <p><b>DOUGLAS COUNTY BOARD OF EQUALIZATION.</b></p>	▲
<p>Attorney or Party Without Attorney for the Petitioner:</p> <p>Name: Joni Nuernberger Address: 23862 Taranto Bay Dana Point, California 92629 Phone Number: (949) 234-0348 Attorney Reg #:</p>	<p><b>Docket Number: 39148</b></p>
<p><b>POST-ORDER MOTION</b></p>	

**THE BOARD OF ASSESSMENT APPEALS** received Petitioners' letters of December 22, 2001 and January 2, 2002 asking the Board to rescind their dismissal on grounds that they did not understand that they needed to call in the day and the time of the hearing for the Board to be able to review the documentation that was submitted when the petition was filed September 4, 2001.

The Board did not receive a response from the Respondent.

The Board Rule 28(e) Post-Order Motion may be made within ten calendar days of the date of the order and on Rule 26 on the Board's own motion when the interests of justice or fairness so require, the Board grants Petitioner's Motion for Rescission on Dismissal.

The Board will mail a Notice of Hearing to all parties at least 30 days prior to a new hearing date. There will be no further continuances will be allowed in this appeal.

**ORDER:**

The Order on Dismissal is hereby rescinded.

DATED/MAILED this 9<sup>th</sup> day of January, 2002.

**BOARD OF ASSESSMENT APPEALS**

*Debra A. Baumbach*

Debra A. Baumbach

*Mark R. Linné*

Mark R. Linné

This decision was put on the record

JAN 08 2002

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

*Diane Von Dollen*

Diane Von Dollen



39148.motion

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	
<hr/> Petitioner: <b>JONI NUERNBERGER, ET AL.,</b> v. Respondent: <b>DOUGLAS COUNTY BOARD OF EQUALIZATION.</b>	
Attorney or Party Without Attorney for the Petitioner:  Name: Joni Nuernberger Emily Address: 23862 Taranto Bay Dana Point, CA 92629 Phone Number: (949) 234-0348 E-mail: Attorney Reg. No.:	<b>Docket Number: 39148</b>
<b>ORDER</b>	

**THIS MATTER** was heard by the Board of Assessment Appeals on July 17, 2002, Debra A. Baumbach and Steffen A. Brown presiding. Petitioner was not represented at the hearing. Respondent was represented by Kelly Dunnaway, Esq., Assistant County Attorney.

**FINDINGS OF FACT AND CONCLUSIONS:**

1. Subject property is legally described as follows:  
**10081 Thunder Run aka Lot 155 Stonehenge at Roxborough  
(Douglas County Schedule No. R0028071)**
2. Petitioner is requesting a reduction of taxes on the subject property for tax year 2001.
3. Petitioner did not attend the hearing, and did not make a telephone appearance.
4. Counsel for Respondent moved to dismiss the appeal for failure to appear or call by the Petitioner. Counsel stated that this is the second time that the Petitioner has set a date and

failed to appear. The first time was December 17, 2001. On January 9, 2002 the Board of Assessment Appeals rescinded its order on dismissal for failure to appear.

5. Counsel for the Respondent stated that there has been quite a history of attempting to have this hearing and requested that no further rescissions of dismissal orders will be granted and no further hearings granted on this order to finality. This is the second trip for the Respondent for a hearing that the Petitioner has failed to appear.

6. The Board granted Respondent's motion to dismiss.

**ORDER:**

The petition is dismissed.

**APPEAL:**

Petitioner may petition the Court of Appeals for judicial review within 45 days from the date of this decision.

If Respondent alleges procedural errors or errors of law by this Board, Respondent may petition the court of appeals for judicial review within 30 days from the date of this decision.

DATED/MAILED this 18<sup>th</sup> day of July, 2002.

**BOARD OF ASSESSMENT APPEALS**

Debra A. Baumbach  
Debra A. Baumbach

Steffen A. Brown  
Steffen A. Brown

This decision was put on the record

July 17, 2002

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

Penny S. Bunnell  
Penny S. Bunnell

