

BEFORE THE STATE BOARD OF EQUALIZATION
FOR THE STATE OF WYOMING

IN THE MATTER OF THE APPEAL OF)
EDWARD H. SWARTZ FROM A DECISION)
BY THE DEPARTMENT OF REVENUE) Docket No. **2013-09**

ORDER OF DISMISSAL

THIS MATTER comes before the State Board of Equalization (State Board) upon Notice of Intent to Dismiss, issued May 13, 2013, and the State Board having reviewed the file herein and being otherwise advised in the premises finding as follows:

A. The Mineral Tax Division, Department of Revenue, issued a Notice of Valuation (NOV) to Mr. Edward H. Swartz on February 20, 2013.

B. Mr. Swartz responded to the NOV by a letter addressed to the Department of Revenue. The letter was forwarded to the State Board effective March 5, 2013, and was treated by the State Board as an appeal based on the issues raised in the letter concerning the NOV.

C. On May 8, 2013, a Scheduling Conference was held by the State Board's hearing officer. Mr. Swartz participated by telephone. The Department of Revenue participated through its attorney, Brenda S. Yamaji, Assistant Attorney General.

D. During the scheduling conference Mr. Swartz indicated his letter to the Department of Revenue was not intended to be an appeal to the State Board. Mr. Swartz further indicated an amended severance tax report had been prepared and accepted by the Department of Revenue. The amended return, accepted by the Department of Revenue, constitutes a settlement between Mr. Swartz and the Department of Revenue rendering an appeal of the original NOV moot.

IT IS HEREBY ORDERED this matter shall be and the same is **dismissed**.

Dated this 4th day of June, 2013.

STATE BOARD OF EQUALIZATION


Steven D. Olmstead, Chairman

ATTEST:




Jana R. Fitzgerald, Executive Assistant

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of June, 2013, I served the foregoing **Order of Dismissal** by placing a true and correct copy thereof in the United States Mail, postage prepaid, and properly addressed to the following:

Mr. Edward H. Swartz
P.O. Box 1539
Gillette WY 82717

Brenda S. Yamaji
Assistant Attorney General
123 Capitol Building
Cheyenne, WY 82002



Jana R. Fitzgerald, Executive Assistant
State Board of Equalization
P.O. Box 448
Cheyenne, WY 82003
Phone: (307) 777-6989
Fax: (307) 777-6363

cc: State Board of Equalization;
Commissioners/Treasurer/Attorney - Uinta (Posted -<http://taxappeals.state.wy.us>);
Craig Grenvik, Mineral Tax Division, Department of Revenue;
ABA State and Local Tax Reporter