

**BEFORE THE STATE BOARD OF EQUALIZATION**  
**FOR THE STATE OF WYOMING**

IN THE MATTER OF THE APPEAL OF            )  
ANCHOR SIGN, INC. FROM A DECISION    )     Docket No. 2015-54  
BY THE DEPARTMENT OF REVENUE        )  
(Contractor Determination)            )

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**NOTICE OF INTENT TO DISMISS WITH PREJUDICE**

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**THIS MATTER** came before the State Board of Equalization (State Board) on its own motion, and pursuant to *Rules, Wyoming State Board of Equalization, Chapter 1 § 10, and Chapter 2 §§ 20, 21*. The State Board having reviewed the file herein, and being otherwise advised in the premises finds as follows:

1. The State Board issued its Scheduling Conference Order in this matter on November 3, 2015. The order set a deadline for the parties to file Preliminary Statements;
2. The Petitioner filed a Notice of Motion and Motion for Continuance and Extension of Time on December 3, 2015. The State Board issued an Order Granting Motion for Continuance and Extension of Time, and Vacating and Resetting Scheduling Conference and Preliminary Statement Deadlines on December 8, 2015. The State Board issued an Amended Order Granting Motion for Continuance and Extension of Time, and Vacating and Resetting Scheduling Conference and Preliminary Statement Deadlines on December 9, 2015, after noticing an error in the Preliminary Statement deadlines;
3. The Petitioner filed a second Notice of Motion and Motion for Continuance and Extension of Time on January 4, 2016. The State Board issued a Second Order Granting Motion for Continuance and Extension of Time, and Vacating and Resetting Scheduling Conference and Preliminary Statement Deadlines on January 7, 2016;
4. The Petitioner and the Department of Revenue filed Preliminary Statements, pursuant to the State Board's Second Order Granting Motion for Continuance and Extension of Time, and Vacating and Resetting Scheduling Conference and Preliminary Statement Deadlines;
5. The Second Order Granting Motion for Continuance and Extension of Time, and Vacating and Resetting Scheduling Conference and Preliminary Statement

Deadlines set a date and time of February 19, 2016, at 9:00 a.m., for the parties to appear before the hearing officer for a scheduling conference;

6. On February 19, 2016, at 9:00 a.m., the date and time set for the scheduling conference, the State Board's appointed hearing officer, Gayle R. Stewart, Executive Secretary-Attorney, and Karl D. Anderson, counsel for the Department of Revenue, appeared for the conference;

7. Petitioner failed to appear for the February 19, 2016, scheduling conference set in the State Board's Second Order Granting Motion for Continuance and Extension of Time, and Vacating and Resetting Scheduling Conference and Preliminary Statement Deadlines;

8. Petitioner has failed to comply with a valid order of the State Board and is, therefore, subject to sanctions pursuant to Rules, Wyoming State Board of Equalization, Chapter 1 § 10 and Chapter 2 § 21;

9. The Petitioner has not met its burden of going forward pursuant to the Rules, Wyoming State Board of Equalization, Chapter 2 § 20.


**NOTICE IS HEREBY GIVEN** that pursuant to *Rules, Wyoming State Board of Equalization, Chapter 1 § 10, and Chapter 2 §§ 20, 21*, an Order of Dismissal with Prejudice shall be entered in this matter on or after March 9, 2016, unless the parties file specific written objections to dismissal before said date.

Dated this 19<sup>th</sup> day of February, 2016.

**STATE BOARD OF EQUALIZATION**

  
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E. Jayne Mockler, Chairman

**ATTEST:**

  
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Jessica M. Brown, Executive Assistant

## CERTIFICATE OF SERVICE

I hereby certify that on the 19<sup>th</sup> day of February, 2016, I served the foregoing **NOTICE OF INTENT TO DISMISS WITH PREJUDICE** by placing a true and correct copy thereof in the United States Mail, postage prepaid, and properly addressed to the following:

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cc: State Board of Equalization  
Kim E. Lovett, Excise Tax Division, Department of Revenue  
ABA State and Local Tax Reporter