

Appendix A

IN THE COURT OF APPEALS OF THE STATE OF OREGON

HAMID MICHAEL HEJAZI,
Plaintiff-Appellant,

v.

MICHAEL J. BUSEMAN PC and MICHAEL BUSEMAN,
Defendants-Respondents.

Lane County Circuit Court No. 20CV20202

Court of Appeals No. A174786

ORDER OF DISMISSAL

On October 13, 2020, appellant filed a notice of appeal from an order denying a motion to waive the Sheriff's service fee entered September 29, 2020. Thereafter, on November 16, 2020, appellant filed notice of appeal from the general judgment entered November 3, 2020. Both notices of appeal name Michael J. Buseman PC, and Michael J. Buseman, as respondents on appeal. In both notices of appeal, appellant states that he did not serve the notice on respondents because they were not served and did not appear below.

A notice of appeal must be filed and served within 30 days of the date the order or judgment on appeal is entered in the register. Under ORS 19.270(2)(a), timely service of the notice of appeal on "all parties identified in the notice of appeal as adverse parties" is jurisdictional and may not be waived or extended. Any attempt at serving respondents now would be well past the 30 days after entry of judgment. Because appellant failed to timely serve respondents as required pursuant to ORS 19.270(2), this court lacks jurisdiction.

Therefore, the court, on its own motion, dismisses the appeal.

Appeal dismissed.



THERESA M. KIDD
APPELLATE COMMISSIONER
2/9/2021 11:49 AM

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Respondent

Costs: No costs allowed

c: Hamid Michael Hejazi
Michael J Buseman

ej

ORDER OF DISMISSAL

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563

Appendix B

IN THE SUPREME COURT OF THE STATE OF OREGON

HAMID MICHAEL HEJAZI,
Plaintiff-Appellant,
Petitioner on Review,

v.

MICHAEL J. BUSEMAN PC and MICHAEL BUSEMAN,
Defendants-Respondents,
Respondents on Review.

Court of Appeals
A174786

S068457

ORDER DENYING REVIEW

Upon consideration by the court.

The court has considered the petition for review and orders that it be denied.

MWB
MARTHA L. WALTERS
CHIEF JUSTICE, SUPREME COURT
5/20/2021 10:48 AM

c: Michael J Buseman
✓Hamid Michael Hejazi

ms

ORDER DENYING REVIEW

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563