

IN THE SUPREME COURT OF THE STATE OF OREGON

CHARLES ANDRE BAILEY,
Plaintiff-Appellant,

v.

DENNIS BLEY,
Defendant-Respondent.

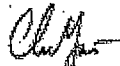
Court of Appeals
A181338

S070379

ORDER OF DISMISSAL AND DISMISSING MOTION TO WAIVE FEES

It appears that appellant is seeking to obtain this court's review of the order of the Appellate Commissioner dated July 31, 2023. It further appears that appellant did not seek reconsideration of the order of the Appellate Commissioner under ORAP 7.55(4)(a). A decision of the Appellate Commissioner is not subject to a petition for review to the Supreme Court. ORAP 7.55(4)(c). Appellant's petition for review is dismissed.

Appellant's motion to waive the filing fee is dismissed as moot on the ground that no filing fee is required to file a petition for review.



CHRISTOPHER L. GARRETT
PRESIDING JUSTICE, SUPREME COURT
8/16/2023 2:41 PM

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: None

☒ No costs allowed

cc: Matteo James Leggett
Jay W Beattie
Charles Andre Bailey

sh

ORDER OF DISMISSAL AND DISMISSING MOTION TO WAIVE FEES

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2583

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Appendix



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CHARLES ANDRE BAILEY,
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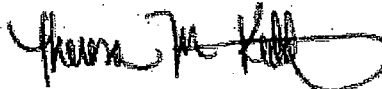
Multnomah County Circuit Court No. 22CV24526

Court of Appeals No. A181338

ORDER OF DISMISSAL

Respondent moves to dismiss this appeal on the ground that, despite having been given the notice required by ORAP 7.40, appellant has, nonetheless, failed to file an undertaking as required by ORS 19.300. Appellant has not filed a response to the motion to dismiss. See ORAP 7.40(3). The motion to dismiss is well taken and, accordingly, is granted.

Appeal dismissed.



TERESA M. KIDD
APPELLATE COMMISSIONER
7/31/2023 11:43 AM

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Respondent

Costs: Allowed, payable by: Appellant

c: Charles Andre Bailey
Matteo James Leggett
Jay W Beattie

ORDER OF DISMISSAL


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

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Appendix

A

OREGON JUDICIAL DEPARTMENT

Register / Sign In  ▾

Financial

Bailey, Charles Andre

Total Financial Assessment

\$331.00

Total Payments and Credits

\$331.00

7/26/2022 Transaction Assessment \$281.00

7/26/2022 Waiver (\$281.00)

8/23/2022 Transaction Assessment \$50.00

5/5/2023 Waiver (\$50.00)

Bley, Dennis

Total Financial Assessment

\$392.00

Total Payments and Credits

\$392.00

9/23/2022 Transaction Assessment

9/23/2022 xWeb Accessed eFile Receipt # 2022-62

Appendix 

DENNIS BLEY.

Defendant.

DECLARATION
D.D. IN RE
MOTION FOR

1. Dr. Dennis Bley, being of lawful age, hereby declare and state as follows:

1. I make this declaration based on my personal knowledge.
2. I work as an internist and provide care to patients at Broadway Medical Clinic in Portland, Oregon.
3. Plaintiff Charles Andre Bailey's father was a patient of Broadway Medical Clinic. However, he was not my patient and I never saw him in clinic for any of his medical visits.

I HEREBY DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND THIS DECLARATION IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO OATH FOR PERJURY.

Dated this 21 day of September, 1967

Dennis Bley, M.D.

**Additional material
from this filing is
available in the
Clerk's Office.**