

UNITED STATES TAX COURT
WASHINGTON, DC 20217

Jefferey Geesey,)	
)	
Petitioner,)	
)	
v.)	Docket No. 31786-15.
)	
COMMISSIONER OF INTERNAL REVENUE,)	
)	
Respondent.)	

ORDER

An imperfect petition commencing this case was filed on December 21, 2015. Attached to that petition is an IRS Form 5564, Notice of Deficiency - Waiver, signed and dated by petitioner and Shirley A. Geesey as of December 10, 2015, reflecting that Mr. and Mrs. Geesey consent to the immediate assessment of the proposed increase in tax asserted against them in the deficiency notice dated December 7, 2015, issued to them for taxable year 2013. On March 22, 2016, petitioner filed an Amended Petition. In that Amended Petition petitioner states:

I took the Letter that I got from IRS and my tax return back to H&R Block who done my tax return and they explained the letter from IRS that shows that I do owe the money to IRS. So I am making payment to pay the money. Thank you. I will not need to file Appeal.

On April 6, 2016, respondent filed a Motion To Dismiss for Failure To State a Claim Upon Which Relief Can Be Granted.

An examination of the record discloses that petitioner and his wife apparently do not dispute their 2013 tax liability. Accordingly, the Court will deny respondent’s motion, and direct the parties to confer as to whether they possibly might agree to submit proposed decision documents to the Court.

Upon due consideration and for cause, it is

ORDERED that the caption of this case is amended to read: “Jefferey Geesey & Shirley A. Geesey, Petitioners v. Commissioner of Internal Revenue, Respondent”. It is further

ORDERED that respondent’s Motion To Dismiss for Failure To State a Claim Upon Which Relief Can Be Granted is denied. It is further

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ORDERED that at a reasonable date and time, but no later than May 4, 2016, the parties shall confer as to the present status of this case, including whether they possibly might agree to submit proposed decision documents to the Court. It is further

ORDERED that, on or before May 18, 2016, the parties shall (1) either submit proposed decision documents, or (2) file reports (preferably a joint report) concerning the then present status of this case.

(Signed) Michael B. Thornton
Chief Judge

Dated: Washington, D.C.
April 8, 2016