

UNITED STATES TAX COURT  
 WASHINGTON, DC 20217

SUZANNE JEAN MCCRORY,	)	
	)	
Petitioner,	)	
	)	
v.	)	Docket No. 3443-18W.
	)	
COMMISSIONER OF INTERNAL REVENUE,	)	
	)	
Respondent	)	

**ORDER**

Currently pending before the Court is respondent’s Motion To Dismiss for Lack of Jurisdiction, filed July 2, 2018. Respondent asserts in the motion that this case should be dismissed on the ground that the petition was not filed within the time prescribed by the Internal Revenue Code.

On July 2, 2019, the United States Court of Appeals for the District of Columbia Circuit issued its decision in the case of Myers v. Commissioner. See Myers, 928 F.3d 1025 (2019). That decision is not yet final. As the result in the Myers case may possibly affect the disposition of respondent’s motion in this case, we will continue to hold respondent’s motion in abeyance.

Upon due consideration, it is

ORDERED that, on or before December 4, 2019, respondent shall file a written report concerning the then-current status of this case and of Myers v. Commissioner, Docket No. 2181-15W.

**(Signed) Maurice B. Foley**  
**Chief Judge**

Dated: Washington, D.C.  
 September 3, 2019