



**Office of Appeals
U.S. Department of Housing and Urban Development
Washington, D.C. 20410-0001**

In the Matter of:

JANELLE MERRELL,

Petitioner

HUDOA No. 10-M-NY-AWG19
Claim No. 0243378

RULING AND ORDER OF DISMISSAL

On March 9, 2010, this Office issued a Decision and Order finding that imposition of an administrative wage garnishment in this case, and at that time, would result in financial hardship for Petitioner. The Court, therefore, stayed referral of this matter to the U.S. Department of the Treasury, indefinitely. In his Secretary's Response to Order to Show Cause, ("the Secretary's Response"), filed on April 28, 2010, the Secretary requested that "the Court take judicial notice of the documents previously filed, and . . . that this matter has been fully adjudicated." at ¶5.

The Secretary's Response is hereby deemed to be a motion to dismiss. Upon consideration and without objection, the Secretary's Motion to Dismiss is GRANTED. Accordingly, it is

ORDERED that this case is DISMISSED without prejudice.

A handwritten signature in blue ink, appearing to read "H. Alexander Manuel", is written over a horizontal line.

H. Alexander Manuel
Administrative Judge

October 26, 2010