



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

In the Matter of:

LINDA KELLER,

Petitioner

HUDOA No. 10-M-NY-AWG93
Claim No. 721006058

RULING AND ORDER OF DISMISSAL

On August 6, 2010, the Secretary filed the Secretary's Motion to Dismiss. The Secretary states that "HUD is currently not able to locate the Promissory Note signed by Petitioner to establish the terms and conditions of repayment. Therefore, HUD is dismissing without prejudice, this action to pursue Administrative Wage Garnishment until additional documentary evidence becomes available that would give HUD the legal basis to proceed against this Petitioner. Secretary's Motion to Dismiss ¶2, Declaration of Brian Dillon – Exhibit A. 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".

H. Alexander Manuel
Administrative Judge

August 6, 2010