

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF HEARINGS AND APPEALS

In the Matter of:

Timothy Johnson

Petitioner,

20-AM-0170-AG-096

721016029

December 9, 2020

RULING AND ORDER OF DISMISSAL

On December 8, 2020, the Secretary filed his *Motion to Dismiss* in this case, seeking dismissal of Petitioner's appeal based on Petitioner's lack of disposable pay after considering deductions for child support payments. *Motion to Dismiss*, ¶ 2. Upon consideration of the *Secretary's Motion to Dismiss*, and without objection, the Secretary's motion is GRANTED. Therefore, it is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *without prejudice*. It is

FURTHER ORDERED that the *Stay of Garnishment* issued by the Court on May 29, 2020 is hereby **VACATED**.

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge

APPEAL NOTICE: You have the right to move for reconsideration of this case before the HUD Office of Hearings and Appeals within 20 days of the date of this ruling or decision; or, thereafter, to reopen this case. Ordinarily, such motions will not be granted unless you can demonstrate that you have new evidence to present that could not have been previously presented. You may also appeal this decision to the appropriate United States District Court. For wage garnishments cases, See 24 C.F.R. § 17.81, 31 C.F.R. § 285.119f, and 5 U.S.C. 701, *et seq.* For administrative offset cases, See 24 C.F.R. § 17.73(a), and 5 U.S.C. § 701, *et seq.*