

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of:

RONALD L. MAHON

Respondent.

HUDALJ 95-5045-DB

ORDER DISMISSING APPEAL

This matter is before the undersigned on the Government's Motion to Dismiss Respondent's appeal, with prejudice, filed on July 31, 1995. For the reasons stated below, the Motion will be granted.

By letter dated February 28, 1995, Respondent was notified that debarment had been proposed denying him participation in all Government programs and procurement for a period of five years based upon his conviction for conspiracy and bribery. On April 3, 1995, Respondent filed a timely request for an appeal. He indicated that he wished to submit documentary evidence and a written brief challenging the debarment. On May 2, 1995, I issued an Order setting forth a schedule for submitting briefs and evidence. Based on this Order, the Government was required to submit its brief and evidence on or before June 9, 1995, and Respondent was required to file a reply brief and any relevant evidence on or before July 7, 1995.

The Government timely filed its brief. Respondent has submitted no brief or evidence. According to the Government, it served a copy of its June 9, 1995, filing on Respondent at his last known address -- the same address provided by Respondent in his letter dated April 3, 1995, appealing the debarment. However, on July 12, 1995, the envelope and domestic return receipt by which the Government's submission was sent to Respondent, were returned unclaimed after three attempts were made to deliver them. Based on these facts, it appears that Respondent has moved and left no forwarding address or has otherwise abandoned his appeal.

Accordingly, the appeal in the above-entitled matter is hereby ORDERED dismissed, with prejudice.

CONSTANCE T. O'BRYANT
Administrative Law Judge

Date: August 10, 1995