

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

In the Matter of:

Hank McMullen,

Petitioner.

17-AM-0189-AG-067

721010287

June 7, 2018

RULING AND ORDER OF DISMISSAL

On September 15, 2017, Petitioner was ordered to file documentary evidence on or before October 20, 2017, to support his appeal and claim of financial hardship in this case. *Notice of Docketing, Order, and Stay of Referral*, dated September 5, 2017. Petitioner failed to comply with that *Order*.

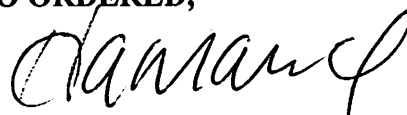
On November 21, 2017, Petitioner was again ordered to file, on or before December 21, 2017, "documentary evidence which will prove that all or part of the alleged debt is either unenforceable or not past due." *Order*, dated November 21, 2017. Petitioner also failed to comply with the November 21st *Order*.

On January 10, 2018, Petitioner was issued a *Show Cause Order* directing Petitioner to file documentary evidence on or before February 10, 2018. Petitioner failed to comply with the *Show Cause Order* as well. Petitioner was warned that: "Failure to comply with this Order shall result in the immediate entry of judgment in favor of the opposing party or in the imposition of such other sanctions as the Administrative Judge deems necessary or appropriate in this case." *See* 24 C.F.R. §26.4(d)." *Show Cause Order*, dated January 10, 2018.

On March 22, 2018, Petitioner filed his untimely *Request for Extension of Time* to file documentary evidence in this case. In light of Petitioner's repeated failures to comply with the Orders of this Court, that request is DENIED. Further, Petitioner has failed to show cause why his appeal should not be dismissed in this case. Accordingly, it is

ORDERED that this appeal is DISMISSED, *without prejudice*. The Stay of Referral previously entered in this case on September 5, 2017, is hereby VACATED. The Secretary is hereby authorized to obtain an order of administrative wage garnishment against Petitioner in the maximum amounts permitted by law.

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge