

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

In the Matter of:

James Porte,

Petitioner.

18-AM-0126-AG-062

721010288

July 10, 2019

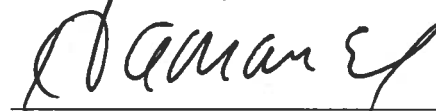
RULING AND ORDER OF DISMISSAL

On July 11, 2019, the Secretary filed the *Supplemental to Secretary's Motion to Dismiss* ("Supp.") Petitioner's appeal in this case. The Secretary had previously filed the *Secretary's Motion to Dismiss* on June 11, 2019. However, subsequent to June 11, 2019, Petitioner became unemployed. Supp, ¶3. The Secretary states that while the Government "believes that Petitioner's debt to HUD is past due and legally enforceable, HUD moves to dismiss the instant [AWG] proceeding without prejudice, since Petitioner is not currently employed." *Id.* ¶4. HUD further "reserves the right to collect this debt via Administrative Offset, and may resume [AWG] proceedings in the future, if or when Petitioner resumes employment." *Id.* Upon consideration of the *Supplemental to Secretary's Motion to Dismiss*, and without objection, the motion is GRANTED. Accordingly, it is

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

FURTHER ORDERED that the Stay of Referral previously entered in this case on or about February 26, 2018, is hereby **VACATED**.

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge