

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

In the Matter of:

**John Donahue,**

Petitioner.

18-AM-0224-AG-115

721011488

August 5, 2019

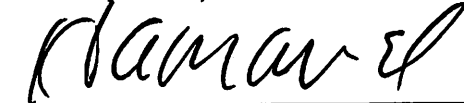
**RULING AND ORDER OF DISMISSAL**

On August 21, 2018, Petitioner was ordered to file documentary evidence to prove that Petitioner was not indebted to the Department in the amounts claimed by the Secretary. *Notice of Docketing, Order, and Stay of Referral*, dated August 21, 2018 ("*Notice of Docketing*".) Petitioner failed to comply with the *Notice of Docketing*. On December 19, 2018, Petitioner was issued an *Order for Documentary Evidence* again directing Petitioner to file documentary evidence, on or before January 18, 2019, to support his case. The *Order for Documentary Evidence* specifically stated that "[f]ailure 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)." (emphasis in original). Petitioner also failed to comply with the *Order for Documentary Evidence*. Accordingly, it is

**ORDERED** that Petitioner's appeal is hereby **DISMISSED**, with prejudice. It is

**FURTHER ORDERED** that the *Stay of Referral* previously entered in this case on August 21, 2018, 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 absent a showing of new evidence that could not have been previously presented. You may also appeal this decision to the appropriate United States District Court. For wage garnishment cases, See 24 C.F.R. §17.81, 31 C.F.R. §285.11(f), 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.*