

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

In the Matter of:

Lindy Burgess,

Petitioner.

19-AM-0029-AG-003

780788466

September 24, 2019

RULING AND ORDER OF DISMISSAL

On December 20, 2018, Petitioner was ordered to file documentary evidence in support of Petitioner's position no later than February 26, 2019. *Corrected Notice of Docketing, Order, and Stay of Referral*, dated December 20, 2018 ("*Notice of Docketing*"). Petitioner failed to comply with the *Notice of Docketing*. The Secretary has timely filed the *Secretary's Statement*, dated February 4, 2019, together with documentary evidence to prove that Petitioner's alleged debt to the Department is enforceable and past due. On April 8, 2019, Petitioner was again ordered to file documentary evidence on or before April 22, 2019, to support her appeal in this case. Petitioner was warned that

Failure to comply with this Order may result in a judgment being entered in favor of the opposing party in this case or such other sanctions as the Administrative Judge deems necessary and proper, as authorized under 24 C.F.R. §26.4.

Order for Documentary Evidence, dated April 8, 2019. Petitioner also failed to comply with the *April 8th Order*. This appeal fails for want of prosecution, and is DISMISSED, *sua sponte*. It is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *without prejudice*. The Stay of Referral to the U.S. Department of the Treasury entered on February 11, 2019, is **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