

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

In the Matter of:

Joseph Erivez ,

Petitioner,

20-AM-0120-AG-068

721014396

December 10, 2020

RULING AND ORDER OF DISMISSAL

On March 11, 2020, Petitioner was ordered to file documentary evidence, on or before April 24, 2020, in support of his appeal. *Notice of Docketing, Order, and Stay of Referral*. Petitioner failed to comply with that *Order*. The Court notes that the indebtedness in this case was previously adjudicated before the Office of Hearings and Appeals in Case No.19-VH-0042-AO-011, on December 20, 2019. On March 3, 2020, Petitioner filed a letter attached to his *Request for Hearing* seeking reconsideration of the December 20, 2019 decision. But that letter provided no additional documentation or legal argument to prove that Petitioner is not indebted to the Department in the amounts claimed by the Secretary. Therefore, 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 or about March 11, 2020, 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 unless you can demonstrate that you have new evidence to present that could not have been previously presented. You may also appeal this decision to the appropriate United States District Court. For wage garnishments cases, See 24 C.F.R. § 17.81, 31 C.F.R. § 285.119f), 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.*