

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

In the Matter of:

**Brenda L. Hudgens**

Petitioner,

20-AM-0187-AG-108

2008193605A

April 26, 2023

**RULING AND ORDER OF DISMISSAL**

On April 6, 2023, Petitioner was ordered to show cause, on or before April 17, 2023, why her appeal should not be dismissed for failure to file documentary evidence to prove that Petitioner is not indebted to the Department in the amounts claimed by the Secretary. Petitioner was warned that:

**Failure to comply with this *Order to Show Cause* may result in dismissal of this appeal, judgment being entered in favor of the opposing party, or such other sanctions as this court finds necessary and proper in accordance with 24 CFR § 26.4.**

*April 6, 2023 Order to Show Cause* (emphasis in original). Petitioner failed to comply with the *Order to Show Cause*. Petitioner previously failed to comply with an order to file documentary evidence, on or before July 24, 2020, to prove that Petitioner is not indebted to the Department in the amounts claimed by the Secretary. *See Notice of Docketing, Order, and Stay of Referral*, dated June 10, 2020.

For the record, and this Court so finds, that the Court's prior dismissal, *without prejudice*, in an entirely different case, (that of *In re: Brenda L. Hudgens*, Case No. 18-AM-0111-AG-056, on April 26, 2018), has no connection to the instant case. *See Secretary's Statement that Petitioner's Debt is Past Due and Legally Enforceable*, dated July 9, 2020, ¶ 8. Petitioner's failure to respond to the Court's orders prevents the Court from being able to fully evaluate any claim that the debt is not owed, or of any financial hardship that Petitioner may assert. Upon consideration, Petitioner's appeal is therefore **DISMISSED**, *sua sponte*, and *without prejudice*. Accordingly, it is

**ORDERED** that the Secretary is authorized to seek collection of the debt in this case in the amounts claimed by the Secretary, and at the rate of 15% of Petitioner's disposable pay for each pay period, or to the maximum extent allowed by law. It is

**FURTHER ORDERED** that the *Stay of Referral* of this matter to the U.S. Department of the Treasury for collection, previously entered in this case, is hereby **VACATED**.

**SO ORDERED,**



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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.*