

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

In the Matter of:

Joseph Butcher

Petitioner,

21-AM-0093-AG-054

721015479

April 20, 2022

RULING AND ORDER OF DISMISSAL

On or about March 16, 2021, Petitioner was ordered to file documentary evidence, on or before April 30, 2021, to prove that Petitioner is not indebted to the Department in the amounts claimed by the Secretary. *Notice of Docketing, Order, and Stay of Referral*, dated March 16, 2021. Petitioner failed to comply with that *Order*. Even taking into account the delays caused by the Covid pandemic, Petitioner has had more than ample time to come forward with documentary evidence. The statement filed by Petitioner [undated] contains no documentary evidence proving that the debt is not owed. Instead, Petitioner states that he "did not ask for a hearing or send in an appeal." These statements do not amount to documentary evidence. Thus, Petitioner has failed to provide documentary evidence to prove that he does not owe the debt. *See Secretary's Statement*, ¶ 10. Petitioner's failure to comply with the *March 16th Order* also prevents the Court from being able to fully evaluate any claim of financial hardship. Accordingly, it is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *sua sponte*, and *without prejudice*. The Stay of Referral to the U.S. Department of the Treasury entered on March 16, 2021, 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.*