

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

In the Matter of:

**Kelvin Randolph,**

Petitioner

Docket No. 23-VH-0061-AG-034

Claim No. 780816952

Date: March 6, 2023

**ORDER GRANTING DISMISSAL**

NOW COMES BEFORE THE COURT on March 3, 2023 the Secretary's *Motion to Dismiss* seeking to dismiss the above-captioned matter because, "On June 23, 2021, Petitioner filed a request for hearing concerning an administrative wage garnishment for the same Claim No. 780816952 in 21-AM-01720AG-091 with a Co-Petitioner Sheila Stokes-Randolph. On July 27, 2021, HUD filed its Secretary Statement, and the case is still pending before Judge Manuel." The Secretary added further that "Both the requests for Hearing in 21-AM-0172-AG-091 and in 23-VH-0061-AG-034, concern an administrative wage garnishment for Claim No. 780816952; accordingly, this latter action should be dismissed as 21-AM-0172-AG-091 is currently pending before the Office of Hearings and Appeals."

Upon due consideration, and for good cause shown, the *Motion to Dismiss* is hereby **GRANTED**.

Because the above-captioned case is the same case currently pending before this Court, this claim shall not proceed herein. The stay of referral shall remain in effect until such time as the pending claim before Judge Manuel in 21-AM-0172-AG-091 is determined.

The matter of HUDOHA # 23-VH-0061-AG-034 is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.



Vanessa L. Mall  
Administrative Judge