



Office of Appeals
U.S. Department of Housing and Urban Development
Washington, D.C. 20410-0001

In the Matter of:

William McReynolds,

Petitioner

HUDOA No. 10-H-NY-LL46
Claim No. 7710674660A

William McReynolds
3211 Harlin Drive
Nashville, TN 37211

Pro se

Julia Murray, Esq.
U.S. Department of Housing and
Urban Development
Office of Regional Counsel
for New York/New Jersey Field Offices
26 Federal Plaza, Room 3237
New York, NY 10278

For the Secretary

ORDER OF DISMISSAL

In 24 C.F.R. § 17.152(b) it provides that failure by the Petitioner to submit evidence within 65 calendar days from the date of the Department's Notice of Intent, will result in a dismissal of Petitioner's request for review by the HUD Office of Appeals. Petitioner alleged "I received a letter demanding funds that I do not owe and that are not legally enforceable and I intend to present evidence." (Petitioner's Request for Hearing, filed February 17, 2010). Petitioner also states "I hereby request all copies of documents concerning any and all findings, rulings, and or items used in this determination concerning #7-710674660A." (Petitioner's Letter, filed May 7, 2010.)

Petitioner was issued a Notice of Docketing, Order, and Stay of Referral on February 24, 2010 in which Petitioner was informed that:

Documents relating to this alleged debt are not in the possession of this Office. Petitioner may request copies of these documents by writing to: Kim McManus, U.S. Department of Housing and Urban Development, Financial Operations Center, 52 Corporate Circle, Albany, NY 12203.

Petitioner thereafter was twice ordered to submit documentary evidence in support of his claim, but again failed to comply with both Orders. (Order, dated March 31, 2010; and Order to Show Cause, dated May 7, 2010.)

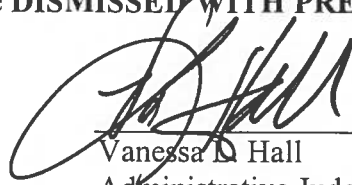
Furthermore, Rule 26.3 of Title 24 of the Code of Federal Regulations provides:

If a party refuses or fails to comply with an Order of the hearing officer, the hearing officer may enter any appropriate order necessary to the disposition of the hearing including *a determination against a noncomplying party*. (emphasis added).

Accordingly, because Petitioner has also failed to comply with any of the Orders issued by this Office, I find that Petitioner's non-compliance to the Orders issued by this Office provides a basis for rendering a decision against Petitioner pursuant to Rule 26.3 of Title 24 of the Code of Federal Regulations.

Upon due consideration of Petitioner's failure to comply with 24 C.F.R. § 17.152(b) and pursuant to Rule 26.3 of Title 24 of the Code of Federal Regulations, Petitioner's appeal is **DISMISSED** *sua sponte*. It is hereby

ORDERED that this matter be **DISMISSED WITH PREJUDICE**.



Vanessa D. Hall
Administrative Judge

July 29, 2010