



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

In the Matter of:

**LISA K. WINDLAND,**  
Petitioner

HUDOA No. 10-M-CH-LL56  
Claim No. 7-80160708OA

**RULING AND ORDER OF DISMISSAL**

On March 8, 2010, the Secretary filed the Secretary's Statement and Motion to Dismiss in this case. The Secretary seeks to dismiss Petitioner's Request for Hearing on *res judicata* grounds, asserting that this case presents no issue that has not already been heard and decided by the Office of Appeals In Re: *Lisa K. Windland*, Case No. 08-H-CH-JJ64 (October 6, 2008). Specifically, the Secretary states that "Petitioner has already previously appealed this debt . . . [that] the facts and parties are identical [in both cases, and] a decision [h]as been made on the merits of the case." Secretary's Statement and Motion to Dismiss, ¶9.

On March 8, 2010, this Office issued an Order to Show Cause why Petitioner's Request for Hearing should not be dismissed forthwith, on the grounds that Petitioner's appeal presents no new issues that have not been previously adjudicated in this case, and is therefore subject to dismissal by operation of *res judicata*. Petitioner was ordered to file her response to that Order no later than March 31, 2010. Petitioner failed to comply with that Order. The Government's Motion to Dismiss is therefore GRANTED. Accordingly, it is

**ORDERED**, that Petitioner's appeal is dismissed with prejudice.

H. Alexander Manuel  
Administrative Judge

July 2, 2010