



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

In the Matter of:

Juan and Suzzanna Rodriguez,

Petitioner

HUDOA No. 11-M-CH-LL55
Claim No. 7-210001500A

RULING AND ORDER OF DISMISSAL

On October 3, 2011, the Secretary filed the Secretary's Motion to Dismiss in this case. The Secretary states that "[t]he Secretary has determined that Petitioner's discharge in Chapter 7 bankruptcy is pending and the automatic stay prevents collection. However, the Secretary seeks to retain the right to collect in the future if Petitioner's debt to the Department then exists." Secretary's Motion to Dismiss with Prejudice.

Upon consideration, and without objection, the Secretary's Motion to Dismiss is GRANTED. It is

ORDERED that this case is DISMISSED, without prejudice, and the Stay of Referral of this administrative offset claim to the U.S. Department of the Treasury shall remain in place INDEFINITELY.

October 4, 2011

H. Alexander Manuel
Administrative Judge