



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

In the Matter of:

**KACY D. BLAKENEY,**

Petitioner

HUDOA No. 12-M-NY-PP05  
Claim No. 7-210061960A

**RULING AND ORDER OF DISMISSAL**

On November 22, 2011, the Secretary filed a motion to dismiss this action against Petitioner. The Secretary states that he:

submits this motion to dismiss the instant offset action, and respectfully requests the docketing of Petitioner's request for a hearing in HUD's proposed administrative wage garnishment action . . . it is respectfully requested that the current administrative offset appeal be dismissed without prejudice, and the stay imposed lifted.

Secretary's Motion to Dismiss ¶¶1,6.

The Secretary further requests that "this matter should be docketed as an appeal of the Secretary's federal salary offset action against Kacy D. Blakeney." *Id.*, ¶5. However, this Office has no record of any request for hearing having been filed in any federal salary offset action against Kacy D. Blakeney, and therefore, is unable to docket such action. Similarly, the Office of Hearings and Appeals has no record of a request for hearing having been filed in any Administrative Wage Garnishment proceeding against Petitioner. Accordingly, and without objection, the Secretary's Motion to Dismiss is GRANTED, IN PART, and DENIED, IN PART. It is

**ORDERED** that this case is DISMISSED, without prejudice. It is

**FURTHER ORDERED** that the Stay of Referral of this debt to the U.S. Department of the Treasury imposed on November 2, 2011, SHALL REMAIN IN PLACE, INDEFINITELY. It is

**FURTHER ORDERED** that the Secretary is permitted to file the respective Notices of Intent, together with evidence that they were properly sent and not responded to within the requisite time period permitted under the regulation, or Petitioner's timely-filed request(s) for hearing if he so chooses.



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H. Alexander Manuel  
Administrative Judge

January 20, 2012