

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

In the Matter of:

Holly Yeary,

Petitioner.

16-VH-0108-AO-017

7-210082440B

January 30, 2017

ORDER OF DISMISSAL

Title 24 of the Code of Federal Regulations, Section 17.69 (b) provides that failure by the Petitioner to submit evidence within 60 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 Court.

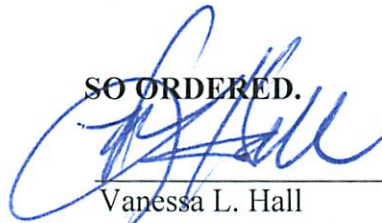
Upon filing her *Request for Hearing*, Petitioner was ordered to submit documentary evidence in support of her position. *See Notice of Docketing*, dated June 15, 2016. Petitioner failed to respond to the Court's order. To date, Petitioner also has failed to comply with subsequent Orders issued by the Court on July 18, 2016, August 31, 2016, and November 7, 2016 to submit documentary evidence that would prove that the alleged debt was unenforceable or not past due.

Without evidence from Petitioner to refute the allegation that Petitioner owes the subject debt, or otherwise prove that the subject debt is unenforceable, Petitioner remains contractually obligated to pay the subject debt in the amount so claimed by the Secretary.

In addition, Petitioner's failure to show cause why this Court should not enter a judgment in favor of the Secretary results in this finding.

Therefore, consistent with the provisions of 24 C.F.R. § 17.69 (b), Petitioner's appeal is now **DISMISSED WITH PREJUDICE** *sua sponte*.

SO ORDERED.



Vanessa L. Hall
Administrative Judge