

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

In the Matter of:

Darrell Robinson,

Petitioner.

18-VH-0154-AO-048

7-21012574

March 6, 2019

ORDER GRANTING DISMISSAL

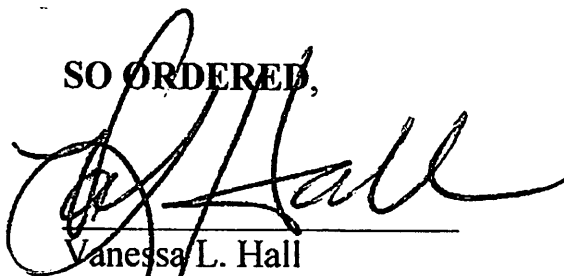
On March 5, 2019, the Secretary filed a *Motion to Dismiss* due to Petitioner's "failure to prosecute his claims." In 24 C.F.R. §§17.69 (b) and 26.4 (c) it provides, in general, that failure by the Petitioner to submit evidence within 60 calendar days from the date of the Department's Notice of Intent will result in a dismissal of Petitioner's request for review by the HUD Office of Hearings and Appeals.

To date, Petitioner has failed to offer any evidence that refutes the Secretary's claim or further supports Petitioner's position that the alleged debt was paid in full or is unenforceable, despite the Court ordering Petitioner to do so multiple times. The *Orders to Show Cause* issued on October 4, 2018 and November 5, 2018 by the Court specifically stated, "**Failure to comply with this Order shall result in sanctions being imposed by the Court pursuant to 24 C.F.R. § 26.4 (c) and (d), including judgment being entered on behalf of the opposing party or dismissal of this action.**" (Emphasis added). Petitioner, on multiple occasions, failed to comply with the Court's Orders as required.

Consistent with the provisions of 24 C.F.R. §§ 17.69 (b) and 26.4 (c), Petitioner's appeal is **DISMISSED WITH PREJUDICE** because of Petitioner's non-compliance with the Court's *Orders* to produce the necessary evidence for review.

The stay of proceeding issued on April 6, 2018 is hereby **VACATED**.

SO ORDERED,



Vanessa L. Hall

Administrative Judge