

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

In the Matter of:

Duane Alanko

Petitioner.

19-AM-0051-AO-020

7-210142120A

September 18, 2019

RULING AND ORDER OF DISMISSAL

On February 6, 2019, this Court ordered Petitioner to file documentary evidence on or before March 6, 2019, in support of Petitioner's appeal. *Notice of Docketing, Order, and Stay of Referral*, dated February 6, 2019. In his *Hearing Request*, Petitioner stated that "[o]nce Mr. Alanko receives copies of [HUD records related to the asserted obligation,] he will be in a position to present evidence relating to the matter." *Correspondence* from James D. Brown, Esq., dated December 28, 2018. The *Notice of Docketing* specifically informed Petitioner that the Court is not in possession of documents relating to the alleged debt in this case, and that Petitioner may request copies of such documents by writing to "Cheryl Dobert, U.S. Department of Housing and Urban Development, Financial Operations Center, 52 Corporate Circle, Albany, NY 12203." Petitioner failed to comply with the *Notice of Docketing*, and has failed to come forward with any evidence to support Petitioner's appeal.

UPON CONSIDERATION of the record in this case, and for want of prosecution, Petitioner's appeal is **DISMISSED**, *sua sponte*. It is

ORDERED that Petitioner's appeal is hereby **DISMISSED**, *without prejudice*. The Stay of Referral to the U.S. Department of the Treasury entered on February 6, 2019, is **VACATED**.

SO ORDERED,



H. ALEXANDER MANUEL
Administrative Judge

APPEAL NOTICE: You have the right to move for reconsideration of this case before the HUD Office of Hearings and Appeals within 20 days of the date of this ruling or decision; or, thereafter, to reopen this case. Ordinarily, such motions will not be granted unless you can demonstrate that you have new evidence to present that could not have been previously presented. You may also appeal this decision to the appropriate United States District Court. For wage garnishments cases, See 24 C.F.R. § 17.81, 31 C.F.R. § 285.119f, and 5 U.S.C. 701, *et seq.* For administrative offset cases, See 24 C.F.R. § 17.73(a), and 5 U.S.C. § 701, *et seq.*