

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

In the Matter of:

Rocky Goforth

Petitioner.

19-VH-0214-AO-055

7-210155170A

March 13, 2020

ORDER OF DISMISSAL

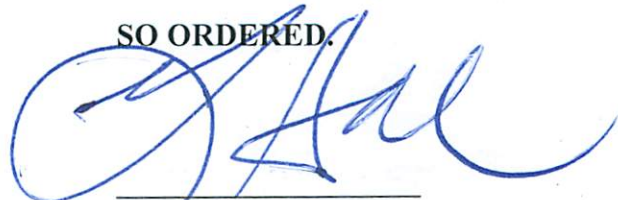
In 24 C.F.R. §§17.69 (b) and 26.4 (c) it provides, in general, that failure by the Petitioners to submit evidence within 60 calendar days from the date of the Department's Notice of Intent will result in a dismissal of Petitioners' request for review by the HUD Office of Hearings and Appeals.

On September 19, 2019, Petitioner alleged in his *Request for Hearing* that "I am disputing the validity of this debt and request detailed and strict proof thereof. I am requesting a review and appeal of this debt. [I] challenge this debt because all of **this debt is not** past due or is not legally enforceable and that I intend to present evidence. This **debt** was paid by the original mortgage from Mortgage Clearing Corp listed below on November 2014. Enclosed is a copy of the lien release. Please provide the determination that I owe a delinquent debt, The original FHA mortgage from Mortgage Clearing Corp. was refinanced with a new FHA mortgage with Quicken Mortgage."

To date, Petitioner has failed to comply with any of the Court's subsequent *Orders* to produce such evidence. See *Order for Documentary Evidence* dated November 19, 2019; *Order to Show Cause* dated January 8, 2020. The *Order to Show Cause* last issued 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.** (Emphasis added).

Consistent with the provisions of 24 C.F.R. §§ 17.69 (b) and 26.4 (c), Petitioner's appeal is **DISMISSED WITH PREJUDICE** *sua sponte* because of Petitioner's failure to produce evidence for the Court's review and because of Petitioner's non-compliance with the Court's *Orders*. The stay of proceeding issued on October 3, 2019 is hereby **VACATED**.

SO ORDERED.



Vanessa L. Hall
Administrative Judge