

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

U.S. Department of Housing and Urban
Development,

Plaintiff,

v.

CARL MARTIN JR., AND DENISE MARTIN,

Respondents.

14-JM-0038-PF-001

March 14, 2014

**ORDER GRANTING MOTION TO DISMISS PROCEEDING AGAINST
CARL MARTIN JR.**

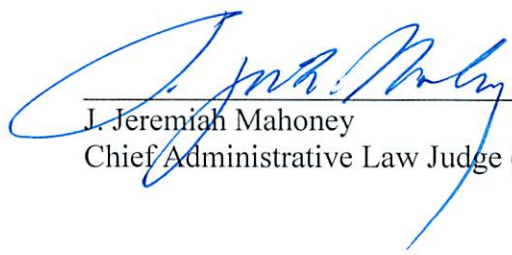
On January 27, 2014, the undersigned issued an *Order Granting Stay of Proceedings* (“Stay Order”) to allow the U.S. Department of Housing and Urban Development (“HUD”) and Respondent Carl Martin Jr. to continue working towards a settlement agreement. The Stay Order extended through March 17, 2014, and noted that it applied to Respondent Denise Martin as well, although HUD she was not part of the settlement discussions with HUD.

On February 4, 2014, HUD and Respondent Carl filed a *Joint Motion to Dismiss with Prejudice* (“Motion to Dismiss”) as to Respondent Carl with whom HUD had finalized a settlement agreement. The settlement did not apply to Respondent Denise Martin.

Any response to the *Motion to Dismiss* by or on behalf of Denise Martin was due on or before February 14, 2014. 24 C.F.R. § 26.40(b). None has been received. Accordingly, the *Motion to Dismiss* with prejudice is **GRANTED**.

Accordingly, this proceeding will continue only against Respondent Denise Martin. The case caption shall be modified accordingly in future filings. As above indicated, the current stay of proceedings expires on March 17, 2014. A revised *Notice of Hearing and Order* will follow.

So **ORDERED**,



J. Jeremiah Mahoney
Chief Administrative Law Judge (Acting)