

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

In the Matter of:

WENSTON B. DESUE,

Respondent.

HUDOA No. 14-AM-0129-DB-001

OGC Case No. 14-0049-DB(LDP)

September 17, 2014

RULING AND ORDER OF DISMISSAL

On or about September 10, 2014, Respondent filed a "Request to Rescind Notice of Hearing and Order," dated September 5, 2014 ("Respondent's Request".) Respondent's Request is hereby deemed to be a motion to dismiss. Respondent states that he is:

requesting to rescind the request for an administrative proceeding on the record of HUDOA No. 14-0129-DB-001 / OGC Case No. 14-0049-DB (LDP) dated August 28, 2014, due to the cost associated in appealing the Limited Denial of Participation. Due to the financial constraints of appealing such an action by the U.S. Department of Housing and Urban Development office located in Atlanta, GA., I will not be financially able to appeal the affirmation on the imposed LDP.

I therefore respectfully request the termination of the request for hearing. Although the request of rescinding allows the LDP to stay in place until termination, I am notifying the court in respect of its processes.

Respondent's Request. UPON CONSIDERATION, and without objection, Respondent's Motion to Dismiss is hereby GRANTED. It is

ORDERED that Respondent's request for hearing, and this case, are hereby DISMISSED, with prejudice.

So **ORDERED**



H. Alexander Manuel
Administrative Judge