

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

In the Matter of:

ALFREDO ALVAREZ,

Petitioner.

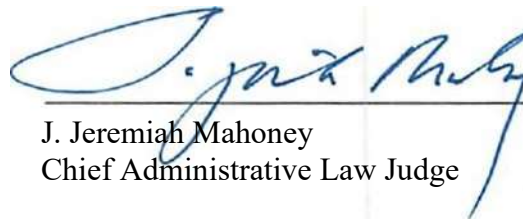
Docket No. 22-AM-0102-AG-074
(Claim No. 721016819)

September 15, 2023

NOTICE OF TRANSFER

Due to the retirement of Administrative Judge H. Alexander Manuel, the above-captioned matter is reassigned to Administrative Law Judge Alexander Fernández-Pons for adjudication in accord with applicable statutes and regulations.

So **ORDERED**,



J. Jeremiah Mahoney
Chief Administrative Law Judge

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Docket No. 22-AM-0102-AG-074
(Claim No. 721016819)

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ORDER OF DISMISSAL

On January 12, 2022, the Court received Petitioner's *Hearing Request* wherein Petitioner disputed the existence and amount of the debt claimed by the Secretary of the U.S. Department of Housing and Urban Development ("HUD"). Thereafter, the Court ordered the Secretary and Petitioner to file documentary evidence in support of their respective positions.

In response, the Secretary filed a *Motion to Dismiss* stating that the legal enforceability of the debt was previously litigated, and Petitioner's previous hearing request was dismissed with prejudice. Petitioner did not comply with the Court's order or respond to the Secretary's *Motion to Dismiss*.

Having not received a timely filing or response from Petitioner, the Court ordered Petitioner to show cause as to why his appeal should not be dismissed. Again, Petitioner did not comply or respond.

When a party fails to comply with an order of the Court, the Court may impose a sanction that reasonably relates to the severity and nature of the failure. 24 C.F.R. § 26.4. If a party fails to prosecute or defend an action, dismissal of the matter or a decision against that party may also be imposed. *Id.* at § 26.4(d).

To date, Petitioner has not complied with the Court's orders or otherwise produced evidence in support of his position that he does not owe the alleged debt. Accordingly, this matter is **DISMISSED** and the stay of proceedings issued on February 2, 2022 is hereby **VACATED**.

SO ORDERED,

**ALEXANDER
FERNANDEZ-
PONS**

Digitally signed by: ALEXANDER
FERNANDEZ-PONS
DN: CN = ALEXANDER FERNANDEZ-
PONS C = US O = U.S. Government OU =
Department of Housing and Urban
Development, Office of the Secretary
Date: 2023.09.15 13:53:00 -04'00'

Alexander Fernández-Pons
Administrative Law Judge