

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

In the Matter of:

ROXANN PINGUELLO

Petitioner,

23-AM-0026-AG-016

721018361

January 17, 2023

RULING AND ORDER OF DISMISSAL

On or about January 13, 2023, the Secretary filed the *Secretary's Motion to Dismiss* seeking to dismiss Petitioner's appeal in this case. The Secretary states that a settlement agreement has been reached with Petitioner that meets with the Secretary's approval. *Secretary's Motion to Dismiss*, ¶¶ 2 – 3. However, the Secretary reserves the right to reinstitute these proceedings should Petitioner fail to comply with the terms of the settlement agreement. *Id.* Upon consideration of the *Secretary's Motion to Dismiss*, and without objection, the motion is GRANTED. Accordingly, 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 December 14, 2022, is hereby 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.*