

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
BOARD OF CONTRACT APPEALS
Washington, D. C.

In the Matter of:	:	
	:	
LEROY BARNES, JR.	:	HUDBCA No. 80-461-D13
	:	(79-677-DB)
Appellant	:	
	:	

Benjamin F. Blake, Esquire
Bolden & Blake, P.C.
2615 Cadillac Tower
Detroit, Michigan 48226 For the Appellant

Steven Horowitz, Esquire
John Kosloske, Esquire
Office of General Counsel
Department of Housing and
Urban Development
Washington, D. C. 20410 For the Government

ORDER

On or about October 19, 1979, Leroy Barnes, Jr., Appellant herein, was notified by the Department of Housing and Urban Development that HUD intended to debar him from participation in Departmental programs for an indefinite period of not less than five years pursuant to 24 C.F.R. §24.6(a)(4), based on his conviction of violation of 18 U.S.C. §2 and 21 U.S.C. §§848, 812, 841(a)(1), and 841(b)(1)(A). Appellant filed a request for hearing on the proposed debarment pursuant to 24 C.F.R. §24.7.

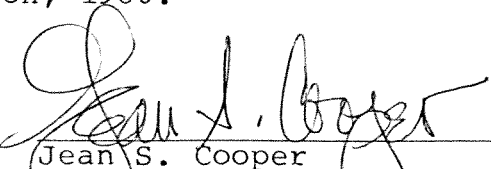
In cases of proposed debarment based on a conviction, hearings are limited to submission of written briefs and documentary evidence. 24 C.F.R. §24.5(c)(2). A brief and documentary evidence were filed on behalf of the Government but Appellant failed to file a submission on his behalf. Thereafter, Appellant was ordered to show cause why the above-captioned case should not be dismissed with prejudice, or in the alternative, a determination should not be issued based on the record as submitted by the Government.

On March 28, 1980, a Consent Agreement was filed in the above case, stating that Appellant consents to the entry of an order debarring him from participation in Departmental programs for an indefinite period of not less than five years from October 19, 1979.

Therefore, it is hereby

ORDERED that Appellant Leroy Barnes, Jr. be debarred from participation in HUD programs for an indefinite period of not less than five years and computation of such period shall date from October 19, 1979.

Dated this 31st day of March, 1980.



Jean S. Cooper
Administrative Judge