

**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**BEFORE THE SECRETARY OF AGRICULTURE**

AWG Docket No. 09-0059

In re: PAULA MORRISON,

Petitioner

**ORDER**

This matter was before the Administrative Law Judge upon the request of the Petitioner for a hearing concerning the existence or amount of the debt alleged, and if established, the terms of any repayment. A Prehearing Order was entered on February 9, 2009 directing the parties to exchange information prior to the scheduling of a teleconference to set a hearing date.

On February 24, 2009, the Respondent filed their Narrative and supporting documentation. By letter dated April 20, 2009, the Petitioner's attorney advised that the Petitioner filed a petition for relief under Chapter 7 of the Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Texas (Case No. 09-40649) and that USDA has been listed as a creditor in that action.

As the automatic stay mandated by 11 U.S.C. §362 precludes garnishment of wages, absent relief from the stay or dismissal of the petition, this action will be **DISMISSED**, without prejudice at this time. The matter may be reinstated upon Motion should the Bankruptcy action be dismissed or upon obtaining relief from the stay.

Copies of this Order will be served upon the parties by the Hearing Clerk.

Done at Washington, D.C.  
May 6, 2009

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**PETER M. DAVENPORT**  
Administrative Law Judge

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