

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**BEFORE THE SECRETARY OF AGRICULTURE**

In re:	)	
	)	<b>AWG Docket No. 09-0099</b>
Heather E.J. Preslar, a/k/a	)	
Heather E.J. Reames,	)	
	)	<b>Order Dismissing Case</b>
Petitioner	)	<b>Without Prejudice</b>

The Petitioner is Heather E.J. Preslar, a/k/a Heather E.J. Reames (“Ms. Preslar”). The Respondent Agency is Rural Development, United States Department of Agriculture (“USDA Rural Development”). USDA Rural Development is represented by Mary E. Kimball.

Ms. Preslar reported to Ms. Kimball that Ms. Preslar had filed for Chapter 7 bankruptcy. Ms. Kimball’s filing dated November 6, 2009, confirms that Ms. Preslar’s Chapter 7 proceeding was filed on October 30, 2009, in the U.S. Bankruptcy Court, Western District of North Carolina (Shelby), Bankruptcy Petition #: 09-40898.

Ms. Kimball’s filing includes the following statement on behalf of USDA Rural Development:

Ms. Preslar filed a Chapter 7 Bankruptcy in the Western District of North Carolina on 10/30/09, Petition # 40898.

At this time, we are unable to pursue any type of collection on the debt owed to USDA. Please issue a dismissal of petition. If Ms. Preslar is discharged in bankruptcy, USDA will not be able to pursue any collection effort. However, if Ms. Preslar is not discharged in bankruptcy, we will return debt to Treasury for future collection efforts such as wage garnishment.

Debt will be recalled from Treasury due to bankruptcy. USDA will monitor the bankruptcy to determine outcome.

Accordingly, this case is DISMISSED, without prejudice to Ms. Preslar to request a hearing timely, should garnishment be noticed.

Copies of this Order Dismissing Case, together with copies of **all filings received November 6, 2009**, shall be served by the Hearing Clerk upon each of the parties. (**Ms. Preslar shall receive her own copy**, even though **a courtesy copy shall be sent to her attorney** in the bankruptcy case at the address shown below.)

Done at Washington, D.C.  
this 9<sup>th</sup> day of November 2009

s/ Jill S. Clifton

Jill S. Clifton  
Administrative Law Judge

**Attachment**

Mary E. Kimball, Branch Accountant  
USDA / RD New Program Initiatives Branch  
Bldg 105 E, FC-22, Post D-2  
4300 Goodfellow Blvd  
St Louis MO 63120-1703

Deirdre H. Nachamie, Esq.  
Nachamie and Whitley, PLLC  
P.O. Box 853  
Lincolnton NC 28093

Hearing Clerk's Office  
U.S. Department of Agriculture  
South Building Room 1031  
1400 Independence Avenue, SW  
Washington DC 20250-9203  
202-720-4443  
Fax: 202-720-9776