

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

AWG Docket No. 10-0157

In re: Stephen H. Farrar,  
  
                    Petitioner

**ORDER OF DISMISSAL**

This matter is before me upon the request of Petitioner, Stephen H. Farrar, for a hearing to address the existence or amount of a debt alleged to be due, and if established, the terms of any repayment prior to imposition of an administrative wage garnishment. On March 18, 2010, a Prehearing Order was entered to facilitate a meaningful conference with the parties as to how the case would be resolved, to direct the exchange of information and documentation concerning the existence of the debt, and setting the matter for a telephonic hearing on October 6, 2010.

The Respondent complied with that Order and a Narrative was filed, together with supporting documentation on May 14, 2010, June 3, 2010. Mr. Farrar filed his documentation including his Narrative and exhibits on September 29, 2010<sup>1</sup> and on October 5, 2010 with Rural Development and to the Hearing Clerk.

RD was represented by Mary Kimball and Ms. Gene Elkin.

The parties were sworn in.

Mr. Farrar stated that he is retired, does not work and receives regular pension from the Connecticut Department of Transportation. This case has been mis-docketed and needs to proceed under other Federal offset rules.

### **Conclusions of Law**

1. Steven Farrar is not employed and receives regular monthly payments from the State of Connecticut Department of Transportation.
2. Steven Farrar does not currently receive “wages” and garnishment is not appropriate under 31 CFR 285.11.
3. This Order does not preclude offset of Federal payments to Mr. Farrar or other actions by the Treasury under 31 CFR 285.12.
4. The amount of the debt due needs to be determined under other Federal debt collection rules.

### **Order**

For the foregoing reasons, this case is dismissed without prejudice.

Copies of this Decision and Order shall be served upon the parties by the Hearing Clerk’s Office.

Done at Washington, D.C.  
October 19, 2010

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**James P. Hurt**  
**Hearing Officer**

Copies to:

Mary Kimball  
Dale Theurer

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