

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWG Docket No. 10-0329
)
Pamela Fields,)
)
Petitioner)

Dismissal of Petition for Oral Hearing

This matter is before me upon the request of the Petitioner, Pamela Fields, for a hearing in response to efforts of Respondent to institute a federal administrative wage garnishment against her. On September 3, 2010, I issued a Pre-hearing Order requiring the parties to exchange information concerning the amount of the debt.

On October 19, 2010 at the scheduled time, RD was available for the conference call however; Ms. Fields was called at the two phone numbers listed on her Request for Hearing but was not available. Ms. Kennedy of my office left a voice message to return her call with a male who stated he was a relative of Ms. Fields.

I have received no calls from Ms. Fields proffering reasons why she was not available for the telephone hearing that she requested.

RD had previously submitted its Narrative and Exhibits pursuant to my Pre-Hearing order.

Not having any testimony or exhibits from Ms. Fields and since she was not available for the Oral hearing that she requested, I will DISMISS her petition as “not timely filed” pursuant to the rules at 31 CFR §285.11(f) (13) *Failure to appear*.

Conclusions of Law

1. Petitioner, Pamela J. Fields, is indebted to USDA's Rural Development program.
2. In addition, Petitioner is indebted for potential fees to the US Treasury.
3. All procedural requirements for administrative wage garnishment set forth in 31 C.F.R. ¶ 285.11 have been met.
4. Petitioner is under a duty to inform USDA's Rural Development of her current address, employment circumstances, and living expenses.
5. RD may administratively garnish Petitioner's wages at this time.

Order

1. The Administrative Wage Garnishment may proceed against this debtor pursuant to 31 C.F.R. §285.11(i) and (j).
2. Copies of this Decision and Order shall be served upon the parties by the Hearing Clerk's office.

JAMES P. HURT

Hearing Official

October 20, 2010