

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 10-0362

Texas Health and Human Services Commission,
Appellant

v.

United States Department of Agriculture,
Food and Nutrition Service,
Appellee

ORDER

This matter is before the Administrative Law Judge upon the Notice of Withdrawal of Appeal filed by the Appellant Texas Department of Health and Human Services. The Notice of Withdrawal indicates that the parties entered into an agreement whereby the Appellee waived the penalty originally sought and the Appellant agreed to invest funds in certain projects approved by the Appellee.

The Appellant having withdrawn its appeal in this action, there are no issues to be resolved and this action is **DISMISSED**.

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

Peter M. Davenport
Chief Administrative Law Judge

Date: October 21, 2010

Copies to: Beverly Luna, Esquire
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