

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWG Docket No. 10-0336
)
Michael Golden,)
)
Petitioner)

Dismissal of Petition for Oral Hearing

This matter is before me upon the request of the Petitioner, Michael Golden, for a hearing in response to efforts of the United States Department of Agriculture – Rural Development (RD) to institute a federal administrative wage garnishment against him. On September 3, 2010, I issued a Pre-hearing Order requiring the parties to exchange information concerning the amount of the debt.

Prior to the scheduled hearing on October 19, 2010, RD filed a document which advised “Mr. Golden does not owe USDA any debt. His debt with USDA was cancelled in 2005. ..we request[] that his case be dismissed.”

Consequently, the Administrative Wage Garnishment shall not proceed.

Conclusions of Law

1. Petitioner Michael Golden is no longer indebted to USDA’s Rural Development program.
2. All procedural requirements for administrative wage garnishment set forth in 31 C.F.R. ¶ 285.11 have been met.

4. RD has advised that the debt with USDA/RD has been cancelled in 2005.

Order

1. The Administrative Wage Garnishment may NOT proceed against this debtor.
2. Copies of this Decision and Order shall be served upon the parties by the Hearing Clerk's office.

JAMES P. HURT

Hearing Official

November 29, 2010