

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWG Docket No. 11-0043
)
Donald G. McMillian,)
)
Petitioner)

Dismissal of Petition for Oral Hearing

This matter is before me upon the request of the Petitioner, Donald G. McMillian, 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 December 17, 2010, I issued a Pre-hearing Order requiring the parties to exchange information concerning the amount of the debt.

On April 17, 2011, Ms. Mary Kimball representing RD advised that RD has received a payment(s) on this debt and that RD has agreed to settle this debt. RD advises that Mr. Millian no longer owes this debt.

Conclusions of Law

1. Petitioner Donald G. McMillian was 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.
3. RD has received payments and has settled this debt with Mr. McMillian.

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

May 2, 2011