

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 11-0206

In re: MARIVEL MARTINEZ,

Petitioner

**DECISION AND ORDER DISMISSING CASE
AND CANCELING HEARING**

The instant matter involves a petition for a hearing to determine the validity of an alleged indebtedness of Marivel Martinez (“Petitioner”) to the Rural Development Agency of the United States Department of Agriculture (“RD-USDA”). A request for wage garnishment had been filed, and Petitioner challenged that action. A hearing is scheduled in this matter for June 9, 2011. On May 19, 2011, RD-USDA advised that notice of Petitioner’s discharge under Chapter 7 of 11 U.S.C. §727 was filed with the United States Department of Agriculture’s Office of Administrative Law Judges’ Hearing Clerk. It appearing that the Petitioner was issued a discharge of indebtedness¹ under voluntary bankruptcy proceedings, the administrative wage garnishment proceeding is terminated and this action is **DISMISSED**, with prejudice. The hearing is **anceled**.

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

So ORDERED this _____ date of May, 2011 in Washington, D.C.

Janice K. Bullard
Administrative Law Judge

¹ Although the discharge preceded acceleration of the loan, Petitioner did not reaffirm the RD debt during the pendency of her bankruptcy case.