

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 11-0340

In re: Theresa A. Burks,

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 Theresa A. Burks (“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, maintaining that she did not owe the debt due to filing a petition in bankruptcy under Chapter 7 of 11 U.S.C. A hearing is scheduled in this matter for September 28, 2011.

On August 29, 2011, Petitioner filed a copy of the notice of her bankruptcy case, No. 11-10616, filed in the United States Bankruptcy Court for the Middle District of Georgia. There being no evidence that Petitioner reaffirmed her alleged debt with RD-USDA, I find it appropriate to terminate the administrative wage garnishment and **DISMISS** the instant action, with prejudice. The hearing is **CANCELED**.

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

So ORDERED this \_\_\_\_\_ date of August, 2011 in Washington, D.C.

---

Janice K. Bullard  
Administrative Law Judge