

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)
) [AWG]
 Jason Francis) **Docket No. 12-0022**
)
 Petitioner) **Dismissal Without Prejudice**

1. Petitioner Jason Francis (“Petitioner Francis”) is represented by Aaron Garcia, Esq.
2. Rural Development, an agency of the United States Department of Agriculture (USDA), is the Respondent (“USDA Rural Development”). USDA Rural Development is represented by Michelle Tanner.
3. A Hearing by telephone was scheduled for January 24, 2012. The hearing will not be held and is CANCELED, because Petitioner Francis filed for Chapter 7 bankruptcy on January 20, 2012, in the U.S. Bankruptcy Court, Central District of California (Riverside), Petition #: 6:12-bk- 11538-WJ.
4. As a result of Mr. Francis’s Chapter 7 bankruptcy filing, USDA Rural Development will not at this time pursue any type of collection on the debt owed to USDA. USDA Rural Development will recall the debt from Treasury and will monitor the bankruptcy to determine the outcome. If the debt is discharged in bankruptcy, USDA Rural Development will not pursue any collection effort; if the debt is not discharged in bankruptcy, USDA Rural Development may return the debt to Treasury for future collection efforts such as wage garnishment.
5. Accordingly, this case DISMISSED, without prejudice to Petitioner Francis to request a hearing timely, should garnishment be noticed.

Copies of this Dismissal Without Prejudice shall be served by the Hearing Clerk upon each of the parties. The Hearing Clerk shall not only serve Aaron Garcia, Esq., but will also send a courtesy copy to Petitioner Francis’s bankruptcy attorney (see next page).

Done at Washington, D.C.
this 23rd day of January 2012

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

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