

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	[AWG]
)	Docket No. 12-0410
Christine Spain)	
)	Hearing Cancellation and
Petitioner)	Dismissal Without Prejudice

1. Petitioner Christine Spain, full name Christine Anne Spain (“Petitioner Spain”) represents herself (appears *pro se*), and on her behalf a Notice of Bankruptcy was filed on May 15, 2012, by John H. Mairose, 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 Giovanna Leopardi, who has confirmed Petitioner Spain’s Chapter 7 bankruptcy filing, by Request for Dismissal filed on May 21, 2012.
3. The filings, by Mr. Mairose and by Ms. Leopardi, show that Christine Spain, Petitioner, filed for Chapter 7 Bankruptcy on April 26, 2012, in the U.S. Bankruptcy Court, District of South Dakota, Petition #: 12-50151.
4. A Hearing by telephone was scheduled for July 10, 2012; the Hearing will NOT be held and is CANCELED, because of Petitioner Spain’s Chapter 7 bankruptcy filing.
5. As a result of Petitioner Spain’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.
6. Accordingly, this case is DISMISSED, without prejudice to Petitioner Spain to request a hearing timely, should garnishment be noticed.

Copies of this Hearing Cancellation and Dismissal Without Prejudice shall be served by the Hearing Clerk upon each of the parties, **TOGETHER WITH copies of the May 15 and May 21 filings**. The Hearing Clerk shall not only serve Petitioner Spain, but will also send a courtesy copy to Petitioner Spain's bankruptcy attorney, shown below.

Done at Washington, D.C.
this 25th day of May 2012

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

John H. Mairose, Esq.
2640 Jackson Blvd, Ste 3
Rapid City SD 57702
mairoselaw@msn.com

605-348-7836 phone
605-348-9802 FAX

Giovanna Leopardi, Appeals Coordinator
USDA / RD Centralized Servicing Center
Bldg 105 E, FC-244
4300 Goodfellow Blvd
St Louis MO 63120-1703
giovanna.leopardi@stl.usda.gov

314-457-5767 phone
314-457-4547 FAX

Hearing Clerk's Office
U.S. Department of Agriculture
South Building Room 1031
1400 Independence Avenue, SW
Washington DC 20250-9203
202-720-4443
Fax: 202-720-9776