

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	[AWG]
	)	Docket No. <b>12-0527</b>
Johnny Bardwell	)	
	)	
Petitioner	)	<b>Dismissal Without Prejudice</b>

1. Petitioner Johnny Bardwell (“Petitioner Bardwell”) represents himself (appears *pro se*).
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 Request dated June 12, 2012 was filed; the Hearing will NOT be held, because Petitioner Bardwell has filed a Chapter 7 bankruptcy petition.
4. Petitioner Bardwell’s Chapter 7 bankruptcy filing has been confirmed by Michelle Tanner, by Request for Dismissal filed on August 1, 2012. The filing shows that Johnny Bardwell, Petitioner, filed for Chapter 7 Bankruptcy on July 17, 2012, in the U.S. Bankruptcy Court, Southern District of Mississippi (Gulfport), Petition #: 12-51480-KMS.
5. As a result of Petitioner Bardwell’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 Bardwell 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.

Done at Washington, D.C.  
this 1<sup>st</sup> day of August 2012

s/ Jill S. Clifton

Jill S. Clifton  
Administrative Law Judge

Michelle Tanner, Appeals Coordinator  
USDA / RD Centralized Servicing Center  
Bldg 105 E, FC-244  
4300 Goodfellow Blvd  
St Louis MO 63120-1703  
[michelle.tanner@stl.usda.gov](mailto:michelle.tanner@stl.usda.gov)

314-457-5775 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