

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	[AWG]
Melanie Gonzalez)	Docket No. 13-0018
)	
Petitioner)	Dismissal Without Prejudice

1. Petitioner Melanie Gonzalez (“Petitioner Gonzalez”) represents herself (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 Giovanna Leopardi.
3. A Hearing by telephone scheduled for December 5, 2012 was not held, because Petitioner Gonzalez filed for Chapter 7 bankruptcy on November 29, 2012, in the U.S. Bankruptcy Court, Eastern District of California (Fresno), Bankruptcy Petition #: 12-19826.
4. As a result of Petitioner Gonzalez’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 is **DISMISSED**, without prejudice to Petitioner Gonzalez 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, **together with** copies of the FAX sent by Ms. Leopardi, with a courtesy copy being sent to Petitioner Gonzalez’s bankruptcy attorney.

Done at Washington, D.C.
this 6th day of December 2012

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

courtesy copy to:

Scott Lyons, Esq.
1010 West Main St.
Visalia CA 93291

scottlyonsoffice@sbcglobal.net

559-636-8132 phone
559-636-0463 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