

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) [AWG]
) Docket No. **13-0102**
Seth Wynkoop)
)
Petitioner) **Hearing Cancellation and**
) **Dismissal Without Prejudice**

1. Petitioner Seth Wynkoop 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 Giovanna Leopardi.
3. A Hearing by telephone scheduled for **January 23, 2013** will not be held and is CANCELED, because Petitioner Seth Wynkoop, also known as Seth L. Wynkoop, filed for Chapter 7 bankruptcy on November 21, 2012, in the U.S. Bankruptcy Court, Western District of Michigan (Grand Rapids), Bankruptcy Petition #: 12-10172-jdg.
4. As a result of Petitioner Seth Wynkoop’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 Seth Wynkoop 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 FAX sent by Ms. Leopardi, with a courtesy copy of each also being sent to Petitioner Seth Wynkoop’s bankruptcy attorney.

Done at Washington, D.C.
this 20th day of December 2012

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

courtesy copy to:

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