

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**BEFORE THE SECRETARY OF AGRICULTURE**

In re: ) AWG Docket No. 13-0095  
 )  
Matthew Armstrong,  
fka Matthew Hart )  
 )  
Petitioner )

**Order to Suspend Wage Garnishment**

This matter is before me upon the request of the Petitioner, Matthew (Hart) Armstrong, for a hearing in response to efforts of Respondent to institute a federal administrative wage garnishment against him. On January 17, 2013, I held an oral hearing at Petitioner’s request and received oral testimony under oath.

Petitioner is currently under a wage garnishment order by US Treasury. The amount of garnishment does not appear of its face to consider the expenses allowed by the Financial Hardship Calculation that I am required to use.

Petitioner will promptly file his financial statements subsequent to the oral hearing for use in a financial hardship calculation.

During the hearing, I determined that Mr. Armstrong is currently employed and that his request for hearing was a “late filing,” but is in the middle of a two-week pay cycle.

In anticipation that the amount of permitted garnishment may change, I will sua sponte issue a stay order lasting no more than two bi-weekly pay cycles.

### Conclusions of Law

1. The garnishment of Petitioner, Matthew (Hart) Armstrong's wages are suspended until February 14, 2013.
2. All procedural requirements for administrative wage garnishment set forth in 31 C.F.R. ¶ 285.11 have been met.
4. Petitioner is under a duty to inform USDA's Rural Development of his current address, employment circumstances, and living expenses.

### Order

1. The Administrative Wage Garnishment against this debtor is suspended until February 14, 2013.
2. Copies of this Decision and Order shall be served upon the parties by the Hearing Clerk's office.

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**JAMES P. HURT**

Hearing Official

January 17, 2013

Matthew (Hart) Armstrong

Michelle Tanner

Dale Thurer