

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)
)
State of Rhode Island,)
Department of Human Services) FNS Docket No. 19-J-0137
)
Petitioner.)

REC'D - USDA/DALJ/DHC
2019 NOV 21 PM 3:05

ORDER GRANTING PETITIONER'S MOTION TO WITHDRAW APPEAL AND
DISMISSING CASE

Appearances:

Iwona Ramian, Esq., Office of Legal Services, Rhode Island Department of Human Services, for Petitioner, State of Rhode Island Department of Human Services; and

Eric Shlifer, Esq., Office of the General Counsel, United States Department of Agriculture, Washington D.C., for Respondent, Food and Nutrition Service.

On August 12, 2019, Petitioner, the State of Rhode Island Department of Human Services, filed a Notice of Appeal pursuant to Section 16(c)(8)(D)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. § 2025(c)(8)(D)(i)). On November 19, 2019, Petitioner filed a Motion to Withdraw Appeal pursuant to 7 C.F.R. § 283.9. In the motion, Petitioner stated that it seeks to “settle the claim pursuant to 7 C.F.R. § 275.23(e).”

Pursuant to 7 C.F.R. § 283.9, Petitioner's motion to withdraw the appeal is hereby **GRANTED** and Docket No. 19-J-0137 is **DISMISSED**. By withdrawing this appeal, the “State agency waives all opportunity to appeal or seek further administrative or judicial review on the claim or related matters.” 7 C.F.R. § 283.9.

Copies of this Order shall be served upon the parties' Counsel by the Hearing Clerk.

Done this 21st day of November 2019, at Washington, D.C.



Channing D. Strother
Chief Administrative Law Judge

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