

UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

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P & S Docket No. D-04-0018

In re: BERT L. HOOSE, JR., d/b/a HOOSE LIVESTOCK,

Respondent

ORDER

On January 31, 2007 following a review of the docket, the Complainant was ordered to show cause why this action should not be dismissed for failure to effect service upon the Respondent. On February 28, 2007, counsel for the Complainant filed a Status Update and Response to the Order to Show Cause. As noted in the Order, this is a disciplinary case which was initiated by the filing of a Complaint on September 29, 2004. The Status Update filed by the Complainant acknowledges that all prior service efforts have been unsuccessful, but indicates that efforts are now being made to obtain a current address through the Financial Crimes Information Network in the Department of the Treasury and advise that 2-3 months might be required and that it is possible that additional requests for more time might be required if circumstances beyond counsel's control preclude service before the currently projected target date.

Being sufficiently advised, given the length of time which has passed since the filing of this action and the lack of certainty in obtaining a more current address at which the Respondent might be served, it is **ORDERED** this action is **DISMISSED**, without prejudice, in the event the Complainant is able to obtain sufficient information in the future to effectuate service upon the Respondent.

Copies of this Order will be served upon the Complainant by the Hearing Clerk.

Done at Washington, D.C.
March 6, 2007



PETER M. DAVENPORT
Administrative Law Judge

Copy to: Christopher Young-Morales, Esquire

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