

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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| In re: |) | AWG Docket No. 10-0364 |
| |) | |
| Sandra Prine, a/k/a Sandra Flores |) | |
| |) | |
| Petitioner |) | Decision and Order |

Pursuant to a Hearing Notice, I attempted to hold a hearing by telephone, on October 19, 2010, at 2:30 PM Eastern Time, in consideration of a Petition seeking to dispute Petitioner’s obligation to pay a debt that Petitioner incurred under a single family mortgage loan that was given to Petitioner, Sandra Prine, a/k/a Sandra Flores, and to her husband, Wayne Prine, by Respondent, USDA, Rural Development, which, after a foreclosure sale and offsets from her income tax refunds, has not been fully repaid. Respondent has initiated administrative garnishment of Petitioner’s wages for the nonpayment of the amount still owed.

Petitioner did not participate in the hearing. Petitioner was instructed by the Hearing Notice to file: 1. completed forms respecting her current employment, general financial information, assets and liabilities, and monthly income and expenses; 2. a narrative of events or reasons concerning the existence of the alleged debt and her ability to repay all or part of it; 3. supporting exhibits with a list of the exhibits and a list of witnesses who would testify in support of her petition.. She was further instructed to contact my secretary, Ms. Marilyn Kennedy, and give Ms. Kennedy a telephone number where Petitioner could be reached at the time of the scheduled hearing to participate in the hearing. Petitioner did not supply a telephone number and also failed to comply with

the other instructions to file forms in support of her assertion that she does not owe the full amount of the debt that is the subject of the wage garnishment proceeding.

Respondent participated in the hearing through its representative, Mary Kimball, Accountant for the New Initiatives Branch, USDA Rural Development who advised that the debt owed to it by Petitioner has a present balance of \$2,903.84 plus potential fees of \$813.08 that are being assessed by Treasury for its collection efforts. However, in light of the petition's assertions that Petitioner is being treated for breast cancer and is presently unable to work, Respondent stated it does not object to all garnishment activities being suspended for one year.

Under these circumstances, the proceedings to garnish Petitioner's wages are hereby suspended and shall not be resumed for one (1) year from the date of this Order.

Dated: _____

Victor W. Palmer
Administrative Law Judge