

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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A.Q. Docket No. 16-0024

In re:

Sweeny S. Gillette,

Respondent

Order Denying Respondent's Request to Reopen the Hearing

On December 21, 2016, Sweeny S. Gillette filed a request that the Judicial Officer grant him a sixty-day extension of time within which to appeal the "Order Granting Complainant's Motion for Summary Judgment" issued by me, Chief Administrative Law Judge Bobbie J. McCartney, on December 5, 2016. By Order dated the Judicial Officer granted this request extending the time for filing Mr. Gillette's appeal petition to, and including, March 6, 2017.¹

Mr. Gillette also requests reopening of the hearing to take further evidence. The rules of practice applicable to this proceeding² provide that requests to reopen filed prior to the filing of an appeal to the Judicial Officer shall be ruled on by the administrative law judge.³

¹ The Hearing Clerk's Office receives documents from 8:30 a.m. to 4:30 p.m., Eastern Time. To ensure timely filing, Mr. Gillette must ensure that his appeal petition is received by the Hearing Clerk no later than 4:30 p.m., Eastern Time, March 6, 2017.


² The rules of practice applicable to this proceeding are the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary under Various Statutes (7 C.F.R. §§ 1.130-.151) [Rules of Practice].

³ See 7 C.F.R. § 1.146(a) (l).

I have considered Respondent's request to reopen the hearing and find that the request is not supported by good cause; accordingly, Respondent's request to reopen the hearing is hereby **DENIED.**

Copies of this Order shall be served upon parties.

Done at Washington, D.C.
this 5th day of January, 2017


Bobbie J. McCartney
Chief Administrative Law Judge

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