

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWG Docket No. 11-0247
)	
Lisa Heiber,)	
)	
Petitioner)	Dismissal of Petition

Pursuant to a Hearing Notice and Prehearing Order, I scheduled a hearing by telephone for July 27, 2011, 3:30 P.M. Eastern Time. Respondent's representative, Mary Kimball, made herself available to participate, but Petitioner did not. The Prehearing Order instructed Petitioner to immediately contact my secretary and provide a telephone number where she could be reached for the scheduled July 27, 2011 hearing by telephone. Petitioner was also instructed to file a written statement of the reasons, with corroborating evidence, if any, why she is not indebted to USDA-Rural Development, or otherwise not subject to the pending administrative wage garnishment proceeding that she seeks dismissed. In addition, Petitioner was directed to file financial information showing the financial hardship that garnishment would cause her. Petitioner did not respond to the Hearing Order; did not provide a different telephone number from the one shown on the Petition; and she did not provide any of the financial information or other data that she was directed by the Notice to provide. On the day of the scheduled hearing, my secretary called Petitioner at the telephone number listed in her Petition before the 3:30 PM hearing and the call was unanswered. In sum, Petitioner did not make herself available at the time of the hearing; nor did she call to explain why she was unavailable.

Accordingly, the petition is hereby **DISMISSED**, and the proceeding to garnish Petitioner's wages may be resumed at the applicable percentage rate of her disposable income allowed by Federal regulations.

Dated: _____

Victor W. Palmer
Administrative Law Judge