

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	AWG Docket No. 11-0339
Johnny Whitfield)	
)	Order Dismissing Garnishment
Petitioner)	Proceeding and This Case

The Petitioner is Johnny Whitfield (“Petitioner Whitfield”), who represents himself (appears *pro se*). The Respondent Agency is Rural Development, United States Department of Agriculture (“USDA Rural Development”). USDA Rural Development is represented by Mary E. Kimball.

A telephone hearing was scheduled for September 15, 2011 but was **CANCELED**, because the Narrative filed by Ms. Kimball on September 1, 2011, reported that USDA Rural Development had been repaid IN FULL. Ms. Kimball’s Narrative includes the following:

While preparing the documents for this hearing, it was discovered that the fees were charged after the sale of the property and should be removed. This left the remaining balance owed by the Borrowers as \$4,618.23.

Since the sale, we have received \$5,617.90 from Treasury (Exhibit RX-5). This made the account overpaid by \$999.67, which was refunded to Mr. Whitfield by mail on August 24, 2011.

USDA Rural Development recalled the debt from Treasury. Since the account is paid in full, USDA Rural Development requested that the hearing be dismissed. Accordingly, the Garnishment Proceeding and this case are **DISMISSED**.

Copies of this “Order Dismissing Garnishment Proceeding and This Case” shall be served by the Hearing Clerk upon each of the parties.

Done at Washington, D.C.
this 27th day of September 2011

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

Mary E. Kimball, Branch Accountant
USDA / RD New Program Initiatives Branch
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