

UNITED STATES OF AMERICA  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF HEARINGS AND APPEALS

In the Matter of:

JAMES PARKER, III,

Petitioner.

23-AM-0106-AG-058  
(Claim No. 721018862)

November 15, 2023

**ORDER OF DISMISSAL**

On May 24, 2023, the Court received Petitioner's *Hearing Request* wherein Petitioner requested review of a debt claimed by the Secretary of the U.S. Department of Housing and Urban Development ("HUD"). Thereafter, the Court ordered the Secretary and Petitioner to file documentary evidence in support of their respective positions. The Secretary complied with the Court's order and filed a Secretary's Statement and supporting evidence on June 27, 2023. Petitioner did not comply or otherwise respond.

Having not received a timely filing from Petitioner, the Court ordered Petitioner to show cause as to why this appeal should not be dismissed. Again, Petitioner did not comply or respond.

When a party fails to comply with an order of the Court, the Court may impose a sanction that reasonably relates to the severity and nature of the failure. 24 C.F.R. § 26.4. If a party fails to prosecute or defend an action, dismissal of the matter or a decision against that party may also be imposed. *Id.* at § 26.4(d).

To date, Petitioner has not complied with the Court's orders or otherwise produced evidence in support of his position that the debt is not enforceable against him. Accordingly, this matter is **DISMISSED**, and the stay of proceedings issued on May 31, 2023, is hereby **VACATED**.

So **ORDERED**,

**ALEXANDER  
FERNANDEZ-  
PONS**

Digitally signed by: ALEXANDER  
FERNANDEZ-PONS  
DN: CN = ALEXANDER FERNANDEZ-  
PONS C = US O = U.S. Government  
OU = Department of Housing and  
Urban Development, Office of the  
Secretary  
Date: 2023.11.15 15:09:58 -05'00'

Alexander Fernández-Pons  
Administrative Law Judge