

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

In the Matter of:

JACK E. LINGERFELT,

Petitioner.

Docket No. 24-AF-0020-AG-014
(Claim No. 52-0883319VN)

May 14, 2024

ORDER OF DISMISSAL

On November 7, 2023, the Tribunal received Petitioner's request for a hearing wherein Petitioner disputed the existence of the debt claimed by the Secretary of the U.S. Department of Housing and Urban Development ("HUD"). Thereafter, the Tribunal ordered the Secretary and Petitioner to file documentary evidence in support of their respective positions. The Secretary complied with the Tribunal's order and filed a Secretary's Statement and supporting evidence on December 11, 2023. Petitioner did not comply or otherwise respond.

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

When a party fails to comply with an order of the Tribunal, the Tribunal 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 Tribunal's orders or otherwise produced evidence in support of her position that she does not owe the alleged debt. Accordingly, this matter is **DISMISSED** and the stay of proceedings issued on November 14, 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: 2024.05.14 09:53:48 -0400

Alexander Fernández-Pons
Administrative Law Judge