

**United States Small Business Administration
Office of Hearings and Appeals**

IN THE MATTER OF:

UTECH, LLC

Petitioner

SBA No. BDP-311

Decided: January 26, 2009

ORDER DISMISSING APPEAL

On December 19, 2008, Petitioner UTECH, LLC (Petitioner), appealed a December 17, 2008 determination issued by Respondent Small Business Administration (SBA), terminating Petitioner from the 8(a) Business Development program. *See* 13 C.F.R. Parts 124 & 134.

On January 12, 2009, the SBA moved to dismiss the appeal for lack of jurisdiction because the SBA had withdrawn its December 17, 2008 termination letter.

On January 9, 2009, the SBA issued a revised termination letter, which states with further specificity the reasons for the SBA's decision to terminate Petitioner from the 8(a) program. The revised termination letter was delivered to Petitioner on January 12, 2009.

As of today's date, Petitioner has not responded to the SBA's motion to dismiss.

Because Petitioner's appeal relates to a withdrawn termination letter, I lack jurisdiction to hear the appeal. Accordingly, the SBA's Motion to Dismiss is GRANTED, and the appeal is DISMISSED.

Subject to 13 C.F.R. § 134.409(c), this is the final decision of the Small Business Administration. *See* Small Business Act, § 8(a)(9)(D), 15 U.S.C. § 637(a)(9)(D); 13 C.F.R. § 134.409(a).

RICHARD S. ARKOW
Administrative Law Judge