

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

HUBZone APPEAL OF:

Le Centre Evangeline Corporation,

Appellant

SBA No. HUB-103

Decided: July 31, 2024

ORDER DISMISSING APPEAL

On July 11, 2024, Le Centre Evangeline Corporation (Appellant) filed the above-captioned appeal with the U.S. Small Business Administration (SBA) Office of Hearings and Appeals (OHA). The appeal attempts to challenge an e-mail notifying Appellant of its Historically Underutilized Business Zone (HUBZone) application close out. (E-mail from A. Wells (Jul. 1, 2024).)

Because the appeal appeared deficient, OHA ordered Appellant to show cause why the appeal should not be dismissed. OHA explained that the appeal did not appear to pertain to a HUBZone status protest, nor was the appeal accompanied by a copy of any formal protest determination made by the Director of SBA's Office of HUBZone (D/HUB) in connection with a HUBZone status protest. Furthermore, Appellant did not represent itself as either the protested concern or the protestor for a HUBZone procurement affected by a HUBZone protest. As a result, OHA apparently lacks subject matter jurisdiction over this dispute. (OHA's Order at 1, citing 13 C.F.R. §§ 134.102(x), 134.1301(a), 134.1305(a), and 126.805.) Apart from the jurisdictional issue, OHA explained that Appellant's "appeal" was not served to the D/HUB and other required parties and did not allege error(s) on the part of the D/HUB. (*Id.*, citing 13 C.F.R. §§ 134.1305(a), (b), and 134.1308.) Appellant failed to respond to OHA's Order.

By failing to respond to OHA's Order to Show Cause, Appellant essentially concedes that its appeal is deficient. 13 C.F.R. § 134.1305(d). Furthermore, a party's failure to comply with an OHA order may, by itself, be grounds for dismissal. 13 C.F.R. § 134.219. Accordingly, the appeal is DISMISSED. This is the final decision of the U.S. Small Business Administration. 13 C.F.R. § 134.1315.

CHRISTOPHER HOLLEMAN
Administrative Judge