

UNITED STATES DEPARTMENT OF EDUCATION  
WASHINGTON, D.C. 20202

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In the Matter of

**Docket No. 96-163-SP**

**BRUNO ACADEMY OF BEAUTY,**  
Respondent.

Student Financial Assistance Proceeding

PRCN: 199420500044

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Appearances:

Mr. Bruno Castelvetero, Owner, Bruno Academy of Beauty, Dearborn, Michigan, for Respondent.

Kelly J. Andrews, Esq., Office of the General Counsel, U.S. Department of Education, Washington, D.C., for the Student Financial Assistance Programs.

Before:

Frank K. Krueger, Jr., Administrative Judge

**DECISION**

On October 25, 1996, the Student Financial Assistance Programs (SFAP), U.S. Department of Education, issued a final program review determination in this case. By letter signed by Mr. Bruno Castelvetero, Owner, the Respondent appealed that determination. On January 6, 1997, I issued an Order Governing Proceeding wherein Respondent, as the party with the burden of proof, *see* 34 C.F.R. § 668.116(d) (1996), was ordered to file its initial brief and exhibits on or before February 6, 1997. No documents were filed by Respondent in response to that order. On February 25, 1997, SFAP, through counsel, filed a Motion for Termination of Proceedings and Entry of Judgment Against Respondent. On February 26, 1997, I issued an order for Respondent to show cause by March 17, 1997, why SFAP's motion should not be granted. The Order to Show Cause was sent to Respondent by certified mail, return receipt requested, addressed to Mr. Bruno Castelvetero, Owner, Bruno Academy of Beauty, 22065 Michigan Ave., Dearborn, MI 48124. The return receipt indicates that Respondent received the Order to Show Cause on March 1, 1997. Respondent has filed no documents or otherwise responded to the Order to Show Cause.

In accordance with my obligation to regulate the course of this proceeding and the conduct of the parties, I have the authority to terminate the hearing process and to issue a decision against a party if that party does not meet time limits established pursuant to my orders. 34 C.F.R. § 668.117(c)(3) (1996). As such, I find that Respondent's failure to file submissions in compliance with my orders warrants the termination of this proceeding. In addition, I have examined the final program review determination and conclude that the findings contained therein sufficiently state allegations that require Respondent to carry its burden of proof in this proceeding. *See In re Sinclair Community College*, 75 Educ. L. Rep. 1296 (U.S. Dept. of Educ., 1991). Respondent's failure to submit any evidence to rebut the SFAP findings leaves me with no alternative but to find that Respondent has failed to carry its burden of proof establishing that the expenditures questioned by SFAP were proper and that it complied with all program requirements.

**ORDER**

ORDERED, that the final program review determination issued by SFAP on October 25, 1996, is affirmed.

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Frank K. Krueger, Jr.  
Administrative Judge

Dated: March 24, 1997

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SERVICE

A copy of the attached initial decision was sent by registered mail, return receipt requested, to the following:

Mr. Bruno Castelvetero, Owner  
Bruno Academy of Beauty  
22065 Michigan Avenue  
Dearborn, MI 48124

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