

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

July 9, 2024

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	OCAHO Case No. 2023A00076
)	
TX POLLO FELIZ LLC,)	
Respondent.)	
_____)	

Appearances: Carlos Rodriguez, Jr., Esq., for Complainant
Jodi Goodwin, Esq., for Respondent

FINAL ORDER¹ - ORDER GRANTING JOINT MOTION TO DISMISS

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. On July 12, 2023, Complainant, the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO). Complainant alleges that Respondent violated § 1324a(a)(1)(B). On September 13, 2023, Respondent filed an answer.

On July 8, 2024, the parties filed a Joint Motion to Dismiss, stating they “reached a full settlement of this case and are in agreement to dismiss this action,” and they “respectfully request that the Court dismiss this action without prejudice.”

Parties shall “[n]otify the Administrative Law Judge [when they] have reached a full settlement and have agreed to dismissal of the action. Dismissal of the action shall be subject to the approval of the Administrative Law Judge, who may require the filing of the settlement agreement.” 28 C.F.R. § 68.14(a)(2). Parties’ filing meets the regulatory requirements. The case is DISMISSED without prejudice.

¹ 28 C.F.R. § 68.2 (“Final order is an order by an Administrative Law Judge that disposes of a particular proceeding . . . thereby concluding the jurisdiction of the Administrative Law Judge.”).

SO ORDERED.

Dated and entered on July 9, 2024.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

Appeal Information

This order shall become the final agency order unless modified, vacated, or remanded by the Chief Administrative Hearing Officer (CAHO) or the Attorney General.

Provisions governing administrative reviews by the CAHO are set forth at 8 U.S.C. § 1324a(e)(7) and 28 C.F.R. pt. 68. Note in particular that a request for administrative review must be filed with the CAHO within ten (10) days of the date of this order, pursuant to 28 C.F.R. § 68.54(a)(1).

Provisions governing the Attorney General's review of this order, or any CAHO order modifying or vacating this order, are set forth at 8 U.S.C. § 1324a(e)(7) and 28 C.F.R. pt. 68. Within thirty (30) days of the entry of a final order by the CAHO, or within sixty (60) days of the entry of an Administrative Law Judge's final order if the CAHO does not modify or vacate such order, the Attorney General may direct the CAHO to refer any final order to the Attorney General for review, pursuant to 28 C.F.R. § 68.55.

A petition to review the final agency order may be filed in the United States Court of Appeals for the appropriate circuit within forty-five (45) days after the date of the final agency order pursuant to 8 U.S.C. § 1324a(e)(8) and 28 C.F.R. § 68.56.