

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

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	OCAHO Case No. 2022A00053
	)	
BLACK BELT SECURITY &	)	
INVESTIGATIONS, LLC,	)	
Respondent.	)	
	)	

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Appearances: Janelle Cleary, Esq., for Complainant  
Eldridge Hawkins, II, pro se Respondent

## FINAL ORDER OF DISMISSAL

### I. PROCEDURAL HISTORY

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on August 18, 2022. Complainant alleges that Respondent Black Belt Security & Investigations, LLC failed to prepare and/or present Forms I-9 for 50 individuals, in violation of 8 U.S.C. § 1324a(a)(1)(B).

On December 11, 2024, the parties submitted a Notice of Settlement and Joint Motion to Dismiss.

### II. LAW AND ANALYSIS

Under 28 C.F.R. § 68.14(a)(1)-(2), when “the parties . . . have entered into a settlement agreement” they have the option to “[s]ubmit to the presiding Administrative Law Judge: [t]he agreement containing consent findings; and [a] proposed decision and order,” or “[n]otify the Administrative Law Judge that the parties have reached a full settlement and have agreed to dismissal of the action.”<sup>1</sup>

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<sup>1</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024). The rules are also available through OCAHO’s webpage on the United States Department of Justice’s website. See <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-regulations>.

Here, the parties request dismissal pursuant to 28 C.F.R. § 68.14(a)(2) and state that they “have reached a full settlement of this case and are in agreement to dismiss this action.” Joint Mot. Dismiss 2. The parties request dismissal with prejudice. Id. The parties did not attach the settlement agreement.

Although the Court “may require the filing of the settlement agreement,” the Court declines to require such a filing in this case. Symplice v. New York City Health and Hosp. Corp., 18 OCAHO no. 1493b, 2 (2024).<sup>2</sup> Both parties have actively participated in this matter over the case’s extensive history, including multiple prehearing conferences with the undersigned.

Because the parties jointly seek a dismissal with prejudice and the court finds the parties have complied with the regulatory requirements of 28 C.F.R. § 68.14(a)(2), the case is DISMISSED WITH PREJUDICE.

SO ORDERED.

Dated and entered on January 3, 2025.

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Honorable John A. Henderson  
Administrative Law Judge

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<sup>2</sup> Citations to OCAHO precedents reprinted in bound Volumes 1 through 8 reflect the volume number and the case number of the particular decision, followed by the specific page in that volume where the decision begins; the pinpoint citations which follow are thus to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents subsequent to Volume 8, where the decision has not yet been reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1, and is accordingly omitted from the citation. Published decisions may be accessed in the Westlaw database “FIMOCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

### 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.