

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

February 6, 2025

ZAJI OBATALA ZAJRADHARA,	)	
Complainant,	)	
	)	8 U.S.C. § 1324b Proceeding
v.	)	OCAHO Case No. 2024B00011
	)	
COSTA WORLD CORPORATION,	)	
Respondent.	)	
	)	

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ORDER DISMISSING NATIONAL ORIGIN ALLEGATION

This case arises under the employment discrimination provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b.

On December 12, 2024, the Court issued an Order Granting Complainant Leave to Amend His Complaint & Dismissing Retaliation Claim. *Zajradhara v. Costa World Corp.*, 19 OCAHO no. 1546b (2024).<sup>1</sup> In that Order, the Court considered Complainant's response to its order to show cause. The Court then elected to grant Complainant leave to amend his national origin allegation to provide the number of employees employed by Respondent business ("[I]t is unclear based on Complainant's filing how many employees he is alleging Respondent employs, [however] Complainant may be able to cure the pleading deficienc[y]...." *Costa World Corp.*, 19 OCAHO no. 1546b at 2.

In contrast, the Court dismissed Complainant's retaliation allegation without prejudice after review of his submission, as the submission failed to clarify that Complainant engaged in a covered protected activity. *Costa World*, 19 OCAHO no. 1546b, at 3.

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<sup>1</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>.

On December 24, 2024, Complainant submitted a filing titled “Amended Response to Court Order, and Amended Claim for Employment Discrimination Under 8 U.S.C. § 1324b, Title VII, 20 CFR 655 et al. and Northern Mariana Workforce Act.” The Complainant states his filing “serves as an Amended Response to the Court’s order to file a formal amendment...” Amended Resp. Order 1. Complainant acknowledges the Court provided him an opportunity to “amend the Complaint to correct a deficiency.” *Id.* A careful review of the filing reveals that Complainant did not provide the number of employees employed by Respondent. Complainant addresses national origin discrimination; however, he references “Title VII of the Civil Rights Act” and not 8 U.S.C. § 1324b. *Id.* at 6. Separately, he attaches an Administrative Order from the Commonwealth of the Northern Marianas Islands Department of Labor Administrative Hearing Office; however, this document is from 2017, and involves a different entity (Karis Company, Ltd.) *Id.* at 15-24. In sum, Complainant’s filing does not cure the deficiency identified by the Court.

For the reasons outlined in the Court’s December 12, 2024 Order, Complainant’s national origin allegation is DISMISSED WITHOUT PREJUDICE.

This case will now proceed with Complainant’s citizenship discrimination allegation. Respondent must file an answer by April 18, 2025. Respondent has previously been placed on notice that failure to file an answer may result in default judgment against Respondent.

SO ORDERED.

Dated and entered on February 6, 2025.

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Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge