

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

February 13, 2025

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

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NOTICE & ORDER – PROVIDING CLARIFICATION TO COMPLAINANT & DENYING  
OMNIBUS MOTION

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> Specifically, the Court granted Complainant leave to amend his national origin allegation. *Costa World Corp.*, 19 OCAHO no. 1546b at 2.

On December 24, 2024, Complainant timely 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.” For reasons outlined in the prior Court Order,<sup>2</sup> the Court dismissed Complainant’s national origin claim without prejudice. It then set an answer deadline of April 18, 2025.

On February 12, 2025, Complainant filed a Motion for Extension of Time to File Amended Complaint, and Opposition to Dismissal of Case. In the Motion, Complainant incorrectly states that the Order Dismissing National Origin Allegation “requires the Complainant to file an Amended Complaint by April 18, 2025 [for which Complainant] requests an extension of thirty (30) days, until May 18, 2025, to file [his] Amended Complaint.” Mot. Extension 1. Complainant also includes a section labeled “Request for Subpoena and

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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>.

<sup>2</sup> On February 6, 2025, the Court issued its Order Dismissing National Origin Allegation.

Argument Against Dismissal,” in which he “requests the Court subpoena” the CNMI Department of Labor. *Id.* at 2. Finally, Complainant requests that the Court grant him summary judgment. *Id.*

Complainant’s most recent filing demonstrates he may not understand the current procedural posture of his case. Because he is pro se, the Court now provides this Notice and Order to ensure he can meaningfully participate in his case.

First, Complainant’s filing references a deadline and a request for more time; however, that deadline is for Respondent’s Answer. There is no deadline for Complainant to provide a filing.

Second, Complainant makes a fleeting reference to a subpoena (seeking information from the CNMI Department of Labor). Complainant has not followed the process for requesting a subpoena. Complainant may certainly request a subpoena; however, he must follow the proper process, and bear in mind the limits of the forum’s jurisdiction and subpoena authority.<sup>3</sup>

Third, Complainant requests “summary judgment.” Such a request is procedurally premature (Respondent has yet to file an answer), and Complainant puts forth no evidence or argument demonstrating entitlement to summary decision. Summary decision is appropriate when there are no genuine issues of material fact, and the moving party is entitled to judgment as a matter of law. Summary decision is often sought following the close of discovery. Complainant should be mindful that seeking summary decision before the opposing party has access to discovery is disfavored. *See generally United States v. Zarco Hotels, Inc.*, 18 OCAHO no. 1518a (2024).

Finally, the Court dismissed the national origin allegation, which means it is no longer part of the case. That dismissal, however, was without prejudice. For a helpful discussion of this distinction, Complainant may review *US Tech Workers v. Slalom, Inc.*, 21 OCAHO no. 1617, 6-10 (2024) (CAHO Order). For clarity, Complainant’s “case” was not dismissed, he still has a viable citizenship discrimination allegation presently before the Court.

To the extent Complainant’s filing is a motion, it is DENIED for the reasons outlined above.

SO ORDERED.

Dated and entered on February 13, 2025.

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Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge

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<sup>3</sup> Complainant can consult OCAHO’s published decisions and Topical Index. *See* <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.