

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

February 10, 2025

ZAJI ZAJRADHARA,)	
Complainant,)	
)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2025B00017
)	
ITS CORPORATION,)	
Respondent.)	
)	

ORDER TO SHOW CAUSE

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. On November 19, 2024, Complainant Zaji Zajradhara filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent ITS Corporation. The complaint alleges Respondent discriminated on the basis of national origin and citizenship status, in violation of 8 U.S.C. § 1324b(a)(1).

On December 3, 2024, the Chief Administrative Hearing Officer sent a Notice of Case Assignment for Complaint Alleging Unfair Immigration-Related Employment Practices and a copy of the complaint (the complaint package) by United States Postal Service (USPS) certified mail to an address provided by the Complainant in the complaint. USPS tracking data shows the complaint package was delivered and picked up by an individual at a post office in Saipan, CNMI, on December 18, 2024.

The Complaint package notified Respondent that it “has the right to file an answer to the complaint” and that this answer “must be filed within thirty (30) days after receipt of the attached complaint” Notice Case Assignment 3 (citing 28 C.F.R. §§ 68.3(b), 68.9).¹ The CAHO also warned Respondent that if it “fail[ed] to file an answer within the time provided, the Respondent may be deemed to have waived its right to appear and contest the allegations of the complaint, and the Administrative Law Judge may enter a judgment by default along with any and all appropriate relief.” *Id.* (citing 28 C.F.R. § 68.9(b)).

¹ OCAHO’s Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2025).

Because Respondent received the complaint package on December 18, 2024, its answer was due by January 23, 2025. To date, Respondent has not filed an answer.²

“A party that fails to answer a complaint within the time specified is already in default[.]” *United States v. Quickstuff, LLC*, 11 OCAHO no. 1265, 4 (2015) (citation omitted).³ OCAHO’s regulations then authorize the Administrative Law Judge to enter a judgment by default. 28 C.F.R. § 68.9(b). “If a default judgment is entered . . . judgment is entered for the complainant without a hearing.” *United States v. Cabello Recovery & Auction Servs., Inc.*, 18 OCAHO no. 1514, 2 (2024) (quoting *Nickman v. Mesa Air Grp.*, 9 OCAHO no. 1106, 1 (2004); *United States v. Glen Echo Pharmacy, Inc.*, 18 OCAHO no. 1520, 2 (2024) (same)). Additionally, “a request for hearing may be dismissed upon its abandonment by the party . . . who filed it” if a “party or its representative fails to respond to orders issued by the Administrative Law Judge.” 28 C.F.R. § 68.37.

The Court therefore ORDERS Respondent, ITS Corporation, to file an answer that satisfies 28 C.F.R. § 68.9(c) within twenty-one (21) days of this Order. This answer should include (1) “[a] statement that the respondent admits, denies, or does not have and is unable to obtain sufficient information to admit or deny each allegation” and (2) “[a] statement of facts supporting each affirmative defense.” 28 C.F.R. § 68.9(c)(1)–(2).

The Court FURTHER ORDERS Respondent, ITS Corporation, to demonstrate good cause within twenty-one (21) days of this Order for not timely filing an answer. See *United States v. ALCO Constr., Inc.*, 18 OCAHO no. 1517, 4 (2024) (requiring a showing of good cause for failure to timely file an answer).

² The Court received a filing on January 13, 2025, but rejected it because there was no certificate of service as required by 28 C.F.R. § 68.6(a). The Court has not received a corrected filing. See OCAHO Practice Manual Chapter 3.2(c).

³ 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 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 “FIM-OCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <http://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

If Respondent does not file an answer and show good cause for its initial failure to timely file an answer, the Court may enter a default judgment against Respondent pursuant to 28 C.F.R. §§ 68.9(b) and 68.37.

SO ORDERED.

Dated and entered on February 10, 2025.

Honorable Jean C. King
Administrative Law Judge