

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

November 17, 2022

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
v.	)	8 U.S.C. § 1324a Proceeding
	)	OCAHO Case No. 2021A00053
	)	
TUESDAY LINE, INC. D/B/A	)	
CAPTAIN JACK’S,	)	
	)	
Respondent.	)	
_____	)	

Appearances: Steve J. Kim, Esq., for Complainant  
Robert A. Hufnagel, Esq., for Respondent

ORDER OF DISMISSAL

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. On August 23, 2021, Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO). Complainant alleges that Respondent, Tuesday Line, Inc. d/b/a Captain Jack’s, failed to prepare and/or present Forms I-9 for twenty-five individuals, in violation of § 1324a. On September 29, 2021, Respondent, through counsel, filed an answer.

On November 14, 2022, the parties filed a Notice of Settlement and Joint Motion to Dismiss. The parties informed the Court that they reached a full settlement and seek dismissal of this matter without prejudice, pursuant to 28 C.F.R. § 68.14(a)(2).<sup>1</sup> The parties attached a copy of their signed settlement agreement in support.

Per 28 C.F.R. § 68.14(a)(2), when the parties have entered into a settlement agreement, they shall “[n]otify the Administrative Law Judge that the parties have reached a full settlement agreement

<sup>1</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

and 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.”

The Court finds that the parties’ Notice of Settlement and Joint Motion to Dismiss complies with the requirements of 28 C.F.R. § 68.14(a)(2). Accordingly, because the parties have jointly requested dismissal and complied with the regulatory requirements for dismissal, the Joint Motion to Dismiss is GRANTED, and the case is hereby DISMISSED without prejudice,

SO ORDERED.

Dated and entered on November 17, 2022.

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Honorable Jean C. King  
Chief Administrative Law Judge