

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

ADITYA SINGH,)	
Complainant,)	
)	
)	8 U.S.C. § 1324b Proceeding
)	
v.)	OCAHO Case No. 2025B00026
)	
)	
HANNAFORD BROS., CO., LLC D/B/A,)	
HANNAFORD STORE 8361,)	
Respondent.)	
)	

Appearances: Vikram Angurala, for Complainant
Kendall Hoechst, Esq., for Respondent

ORDER GRANTING MOTION FOR APPROVAL OF NON-ATTORNEY
REPRESENTATIVE AND EXTENSION OF TIME TO FILE NOTICE OF APPEARANCE

On December 23, 2024, Complainant, Aditya Singh, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent, Hannaford Bros. The complaint alleges violations of 8 U.S.C. §§ 1324b(a)(1), (a)(5), and (a)(6).

On April 2, 2025, Vikram Angurala, Complainant’s father, filed a Motion for Approval of Non-Attorney Representative. The motion also included Mr. Angurala’s notice of appearance as Complainant’s representative, a request for extension of time to file the notice of appearance, and his e-filing form.

Mr. Angurala seeks to be recognized as Complainant’s non-attorney representative. He states that Complainant has limited access to counsel, and he seeks to be the representative because it would “allow the Complainant to have a representative intimately familiar with his situation [to] assist him in presenting his case.”

The court notes that Complainant self-identified as a minor on his Complaint form at the time of the alleged discrimination. Compl. 9.

The relevant rule concerning admission of a non-attorney representative, 28 C.F.R. § 68.33(c)(3),¹ provides:

¹ OCAHO’s Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024).

An individual who is neither an attorney nor a law student may be allowed to provide representation to a party upon a written order from the Administrative Law Judge assigned to the case granting approval of the representation. The individual must file a written application with the Administrative Law Judge demonstrating that the individual possesses the knowledge of administrative procedures, technical expertise, or other qualifications necessary to render valuable service in the proceedings and is otherwise competent to advise and assist in the presentation of matters in the proceedings.

The Court recently commented on this rule's application, observing that when compared with Title 8's rules for accreditation of representatives (which govern proceedings in immigration court, as opposed to this forum), Title 28's rule is narrower and "functionally requires the Administrative Law Judge to 'accredit' on a case-by-case and representative-by-representative basis." Hussain v. Developlus, Inc., 21 OCAHO no. 1649b, 4 (2025) (citing 28 C.F.R. §§ 68.33(c)(3)(i)–(iii)).² Critical to the Court's determination of whether to accredit an individual is the detail with which the applicant describes their qualifications to represent the party. Id. (quoting 28 C.F.R. § 68.33(c)(3)(i)). In that case, as with the case presently before this Court, the potential representative did not describe the nature of their knowledge of administrative procedures or their technical expertise in this field beyond that he understands "the responsibilities associated with representing the Complainant before this tribunal and will adhere to the rules of practice and the Orders of the Court." Mot. Approval Non Atty Rep. 2.

Importantly, the undersigned notes that 28 C.F.R. § 68.33(c)(3)'s requirements are disjunctive, meaning that an applicant may be permitted to appear before OCAHO if they demonstrate they possess any one of the three capabilities outlined in the rule.

The regulations offer no guidance for the third category, "other qualifications necessary to render valuable service in the proceedings[.]" In light of the other two requirements, which focus on legal knowledge or some competency in civil procedure, the Court considers other analogues to the services attorneys provide to their clients. Among those are the fiduciary relationship between counsel and client, by which counsel places their client's interests above their own. *See, e.g. In re Hayes*, 183 F.3d 162, 168 (2d Cir. 1999) ("Of course, the attorney-client relationship entails one of the highest fiduciary duties imposed by law . . . [t]he duty to deal fairly, honestly, and with undivided loyalty superimposes onto the attorney-client relationship a set of special and

² Citations to OCAHO precedents in bound volumes one through eight include the volume and case number of the particular decision followed by the specific page in the bound volume where the decision begins; the pinpoint citations which follow are to the pages, *seriatim*, of the specific entire volume. Pinpoint citations to OCAHO precedents after volume eight, 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 through the Westlaw database "FIM OCAHO," the LexisNexis database "OCAHO," and on the United States Department of Justice's website: <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

unique duties, including maintaining confidentiality, avoiding conflicts of interest, operating competently, safeguarding client property and honoring the clients’ interests over the lawyer’s”) (internal citations omitted); Lan Sang v. Ming Hai, 951 F. Supp. 2d 504, 529 (S.D. N.Y. 2013) (discussing attorney-client relationship in the context of New York state law); Staton Techiya, LLC v. Samsung Electronics, Ltd., 742 F.Supp.3d 602, 655 (E.D. Tex. 2024) (“Among attorneys’ fiduciary duties owed to their clients are ‘the duties of loyalty and confidentiality,’ which form the ‘essential basis for trust and security in the attorney-client relationship’”); Restatement (Third) of Law Governing Lawyers: A Lawyer’s Duties to a Client – General § 16 cmt. b (Am. L. Inst. 2000) (“A lawyer is a fiduciary, that is, a person to whom another person’s affairs are entrusted in circumstances that often make it difficult or undesirable for that other person to supervise closely the performance of the fiduciary.”).

In this matter, the Court considers Mr. Angurala’s familial relationship with his son, in addition to Complainant’s relative youth, to be sufficient “other qualifications necessary to render valuable service” to grant the motion. Mr. Angurala’s relationship is analogous to the fiduciary relationship explored above in the context of the attorney-client relationship. The Court understands Mr. Angurala’s request for representation to mean that he intends to place his son’s interests above his own with regard to these proceedings, and that he intends to be a zealous and loyal advocate for his son.

The Court therefore concludes that Mr. Angurala’s representation in these proceedings will be valuable and that he is otherwise competent to advise and assist his son in presenting his case.

Finally, addressing the motion for leave to file the application out of time, 28 C.F.R. § 68.33(c)(3)(i) requires that a representative’s application be submitted “within ten (10) days from the receipt of the . . . complaint by the party on whose behalf the individual wishes to file the application,” but that “[t]his period of time . . . may be extended upon approval by the Administrative Law Judge.”

Here, the application was filed more than three months after Complainant filed his complaint, and so the application is untimely. However, Mr. Angurala has filed an unopposed motion for an extension of time to file the application, and the Court otherwise finds the extension appropriate. Accordingly, the motion is GRANTED, and Mr. Angurala is permitted to proceed as Complainant’s representative in this matter.

SO ORDERED.

Dated and entered on April 28, 2025.

Honorable John A. Henderson
Administrative Law Judge