

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

June 12, 2025

|                                |   |                             |
|--------------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA,      | ) |                             |
| Complainant,                   | ) |                             |
|                                | ) | 8 U.S.C. § 1324a Proceeding |
| v.                             | ) | OCAHO Case No. 2025A00034   |
|                                | ) |                             |
| PROVEN PERFORMERS, INC., D/B/A | ) |                             |
| HYR-UP SOLUTIONS, INC.,        | ) |                             |
|                                | ) |                             |
| Respondent.                    | ) |                             |
|                                | ) |                             |

Appearances: Trisha Lacey, Esq., for Complainant  
Tejas Shah, Esq., and Michael Palmer, Esq.,<sup>1</sup> for Respondent

ORDER GRANTING JOINT MOTION TO DISMISS

This case arises under the employer sanctions provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324a. Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on March 10, 2025. Complainant alleges that Respondent, Proven Performers, Inc., d/b/a Hyr-Up Solutions, Inc., violated 8 U.S.C. §§ 1324a(a)(1)(A), 1324a(a)(1)(B), and 1324a(a)(2).

On April 17, 2025, the Court granted Respondent's Agreed Motion for Extension of Time, extending the time to file an Answer to May 19, 2025, due to the parties' representation that they were in ongoing settlement negotiations. *United States v. Proven Performers, Inc.*, 21 OCAHO no. 1659 (2025).<sup>2</sup>

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<sup>1</sup> On June 11, 2025, Mr. Palmer, who signed the Notice of Settlement and Joint Motion to Dismiss on behalf of Respondent, submitted a compliant Notice of Appearance. The Court ACCEPTS the Notice of Appearance and Mr. Palmer is now counsel of record for Respondent along with Mr. Shah.

<sup>2</sup> 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

Respondent filed a second Agreed Motion for Extension of Time on May 19, 2025, requesting another 30-day extension, stating that the parties had reached settlement and were finalizing their agreement. Second Agreed Mot. 2. On May 21, 2025, the Court granted the motion. *United States v. Proven Performers*, 21 OCAHO no. 1659a (2025).

On June 10, 2025, the parties filed a Notice of Settlement and Joint Motion to Dismiss, in which they state that “the Parties have reached a full settlement . . . are in agreement to dismiss this action” and request a dismissal with prejudice pursuant to 28 C.F.R. § 68.14(a)(2).<sup>3</sup> Not. Settlement 1. The parties attached a copy of their settlement agreement. *Id.*, Tab A.

Under 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 and agreed to dismissal of the action. Dismissal of the action shall be subject to the approval of the Administrative Law Judge[.]”

The Court has reviewed the parties’ settlement agreement and Notice and finds their request grantable. Because the parties have jointly requested dismissal with prejudice and complied with the regulatory requirements for dismissal, the case is hereby DISMISSED with prejudice.

SO ORDERED.

Dated and entered on June 12, 2025.

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Honorable Jean C. King  
Chief Administrative Law Judge

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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 “FIMOCAGO,” 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>3</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024). The rules are also available through OCAHO’s webpage on the United States Department of Justice’s website. *See* <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-regulations>.

### Appeal Information

This order shall become the final agency order unless modified, vacated, or remanded by the Chief Administrative Hearing Officer (CAHO) or the Attorney General.

Provisions governing administrative reviews by the CAHO are set forth at 8 U.S.C. § 1324a(e)(7) and 28 C.F.R. pt. 68. Note in particular that a request for administrative review must be filed with the CAHO within ten (10) days of the date of this order, pursuant to 28 C.F.R. § 68.54(a)(1).

Provisions governing the Attorney General's review of this order, or any CAHO order modifying or vacating this order, are set forth at 8 U.S.C. § 1324a(e)(7) and 28 C.F.R. pt. 68. Within thirty (30) days of the entry of a final order by the CAHO, or within sixty (60) days of the entry of an Administrative Law Judge's final order if the CAHO does not modify or vacate such order, the Attorney General may direct the CAHO to refer any final order to the Attorney General for review, pursuant to 28 C.F.R. § 68.55.

A petition to review the final agency order may be filed in the United States Court of Appeals for the appropriate circuit within forty-five (45) days after the date of the final agency order pursuant to 8 U.S.C. § 1324a(e)(8) and 28 C.F.R. § 68.56.