

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

July 17, 2025

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	OCAHO Case No. 2024A00108
	)	
	)	
JIN'S FARM, LLC,	)	
Respondent.	)	
	)	

Appearances: Spencer D. Taylor, Esq., for Complainant  
D. Benjamin Lee, Esq., for Respondent

FINAL ORDER OF DISMISSAL

On May 19, 2025, the Court set a prehearing conference with the parties to discuss a revised case schedule following the parties' participation in OCAHO's Settlement Officer Program. *United States v. Jin's Farm, LLC*, 21 OCAHO no. 1623a (2025). The prehearing conference was set for July 14, 2025, via an Order which informed the parties they "shall attend" the conference. May 19, 2025 Order Scheduling Prehr'g Conf. 1. No one attended the prehearing conference.

On July 14, 2025 the Court issued an Order to Show Cause – Failure to Appear at Prehearing Conference requesting written filings from each attorney explaining why each failed to appear at the conference. July 14, 2025 Order to Show Cause 2.

Later that evening, parties filed their Joint Motion to Dismiss.<sup>1</sup>

OCAHO's Rules provide for two avenues of dismissal in the event the parties enter into a settlement agreement. 28 C.F.R. § 68.14(a). Relevant here, 28 C.F.R. § 68.14(a)(2) provides for a complaint's dismissal where the parties "[n]otify the Administrative Law Judge that [they] have

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<sup>1</sup> The Court will accept this improvidently-filed motion (It was submitted electronically even though the parties did not elect to register for e-filing, and it was submitted by a Respondent counsel who had not filed a notice of appearance).

reached a full settlement and have agreed to dismissal of the action.” Should the parties opt for this method of dismissal, the dismissal “shall be subject to the approval of the Administrative Law Judge, who may require the filing of the settlement agreement.” *Id.*

The parties complied with 28 C.F.R. § 68.14(a)(2)’s requirements by filing their Joint Motion to Dismiss, which states the parties “have entered into a settlement agreement” and request dismissal of the action. Mot. Dismiss 2. The Court declines to exercise its discretion to require the filing of the settlement agreement.

The parties’ Joint Motion to Dismiss is GRANTED and the complaint is DISMISSED WITH PREJUDICE. *See, e.g., United States v. Muniz Concrete & Contracting, Inc.*, 19 OCAHO no. 1535d, 6–7 (2024) (granting dismissal with prejudice given the parties’ joint request and entry into a full settlement agreement).

The Court’s July 14, 2025 Order to Show Cause is DISCHARGED.

SO ORDERED.

Dated and entered on July 17, 2025.

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Honorable Andrea R. Carroll-Tipton  
Administrative Law Judge

### 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.