

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

MUSTAFA WAHID,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2026B00003
)	
HENGSHUAI AUTOMOTIVE, INC.,)	
Respondent.)	
)	

ORDER TO SHOW CAUSE

I. PROCEDURAL HISTORY

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324b. On November 22, 2024, Complainant Mustafa Wahid filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent Hengshuai Automotive, Inc., alleging it discriminated against him on the basis of his citizenship status and national origin, and that Respondent retaliated against him for his complaints of discrimination, in violation of 8 U.S.C. §§ 1324b(a)(1)(A & B) and (a)(5).

On December 3, 2025, the Deputy Chief Administrative Hearing Officer (Deputy CAHO) mailed a Notice of Case Assignment for Complaint Alleging Unfair Immigration-Related Employment Practices and a copy of the complaint (NOCA) to Respondent and its counsel at the addresses Complainant provided in the complaint. Through the NOCA, the Deputy CAHO informed Respondent that it “has the right to file an answer to the complaint. The answer (and two copies) must be filed within thirty (30) days after receipt of the attached complaint by either Respondent or its attorney (or representative) of record.” Notice Case Assign. ¶ 4 (citing 28 C.F.R. §§ 68.3(b), 68.9). The Deputy CAHO advised that “[i]f the Respondent fails 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)).

Postal service tracking information for the NOCA indicates that it was delivered to Respondent’s counsel and Respondent’s corporate address on December 8, 2025. Accordingly, the answer was due by January 13, 2026.¹ To date, Respondent has not filed an answer or otherwise participated in these proceedings.

¹ Per 28 C.F.R. § 68.8(b), five days are added to the date of compliance with a document transmitted by mail. Per 28 C.F.R. § 68.8(a), the date of the triggering event (in this case, the receipt of the order) is not counted in determining the date of compliance.

II. ORDER TO SHOW CAUSE – ANSWER

Under OCAHO’s Rules of Practice and Procedure, to contest a material fact alleged in the complaint, a respondent must file an answer. 28 C.F.R. § 68.9(c). “If the Respondent fails 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.” Notice Case Assign. ¶ 4 (citing 28 C.F.R. § 68.9(b)). “When default is entered as a result of the respondent’s failure to file an answer, the Court ‘accept[s] as true all of the factual allegations of the complaint[.]’” United States v. Commander Produce, 16 OCAHO no. 1428c, 5 (2022) (quoting United States v. Cont’l Forestry Serv. Inc., 6 OCAHO no. 836, 140, 142 (1996)).

“However, it has long been OCAHO’s practice to issue an order to show cause before entering a default.” United States v. Glen Echo Pharmacy, 18 OCAHO no. 1520, 2 (2024) (citing United States v. Shine Auto Serv., 1 OCAHO no. 70, 444 (1989) (Vacating Order Denying Default Judgment)).

Respondent’s answer was due January 13, 2026, and to date, Respondent has not filed a submission. Accordingly, Respondent is ORDERED to file an answer, pursuant to 28 C.F.R. § 68.9(c), within 21 days of the date of this Order. Respondent is FURTHER ORDERED to file a submission that demonstrates good cause for its failure to timely file an answer within 21 days of the date of this Order.

Should Respondent fail to respond as ordered or if it cannot show good cause, the Court may enter a default judgment against Respondent pursuant to 28 C.F.R. § 68.9(b).

III. ORDERS

Respondent is ORDERED to file an answer, pursuant to 28 C.F.R. § 68.9(c), within 21 days of the date of this Order.

Respondent is FURTHER ORDERED to file a submission that demonstrates good cause for its failure to timely file an answer, within 21 days of the date of this Order.

SO ORDERED.

Dated and entered on January 21, 2026.

Honorable John A. Henderson
Administrative Law Judge