

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

February 2, 2026

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
	)	
v.	)	8 U.S.C. § 1324a Proceeding
	)	OCAHO Case No. 2026A00006
	)	
	)	
AMERICAN EAGLE STUCCO, LLC,	)	
Respondent.	)	
	)	

Appearances: Peter F. Mather, Esq., for Complainant

NOTICE AND ORDER TO SHOW CAUSE – FAILURE TO FILE ANSWER

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a.

On November 20, 2025, 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 December 4, 2025, this office served Respondent via United States certified mail with the complaint, a Notice of Case Assignment for Complaint Alleging Unlawful Employment (NOCA), the Complaint, and Complainant's Notice of Intent to Fine (collectively the complaint package). The NOCA directed that an answer was to be filed within 30 days of receipt of the Complaint, that failure could lead to entry of default, and that proceedings would be governed by OCAHO's Rules of Practice and Procedure.¹ NOCA 1-4.

The U.S. Postal Service Return Receipt Form 3811 indicates service of the complaint package on Respondent on December 12, 2025. Respondent's answer was therefore due no later than January

¹ 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>.

12, 2026. 28 C.F.R. § 68.9(a); *United States v. TX Pollo Feliz*, 18 OCAHO no. 1503, 3 (2023).² To date, Respondent has not filed an answer.

To contest a material fact alleged in the complaint or a penalty assessment, a respondent must file an answer. 28 C.F.R. § 68.9(c). Failure to file an answer ‘within the time provided may be deemed to constitute a waiver of his or her right to appear and contest the allegations of the complaint. The Administrative Law Judge may enter a judgment by default.’ 28 C.F.R. § 68.9(b). “If a default judgment is entered, the request for hearing is dismissed, and judgment is entered for the complainant without a hearing.” *Nickman v. Mesa Air Grp.*, 9 OCAHO no. 1106, 1 (2004).

Alternatively, Respondent is on notice the Court may find that Respondent has abandoned its request for a hearing and dismiss the case, making the NIF the final agency order. 28 C.F.R. § 68.37(b)(1). *See, e.g., United States v. Steidle Lawn & Landscape, LLC*, 17 OCAHO no. 1457c (2023).

Respondent is ORDERED to file both its answer, and a submission explaining its good cause for its failure to timely file an answer.³ Both must be received by the Court within 21 days of the date of this Order.

SO ORDERED.

Dated and entered on February 2, 2026.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

² Citations to OCAHO precedents reprinted in bound 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 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 “FIMOCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

³ Complainant has filed a motion seeking an entry of default judgment. Any submission filed by Respondent in Response to this Order shall be considered a response or opposition to Complainant’s Motion.