

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

UNITED STATES OF AMERICA,	)	
	)	
Complainant,	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	
	)	OCAHO Case No. 2026A00015
LOS JARRONES,	)	
	)	
Respondent.	)	
	)	

Appearances: Hazel L. Gauthier, Esq., for Complainant
Los Jarrones, Respondent

NOTICE AND ORDER TO SHOW CAUSE

I. PROCEDURAL HISTORY

This case arises under the Immigration and Nationality Act (INA), as amended by the Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a. Complainant, the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on January 29, 2026. Complainant alleges that Respondent, Los Jarrones, failed to prepare and/or present the Employment Verification Form (Form I-9) for sixty-seven employees (Count I), failed to prepare or present the Form I-9 for seven employees (Count II), failed to prepare and/or present the Form I-9 for three employees (Count III), and failed to ensure that employees properly completed section 1 and/or failed to properly complete section 2 or 3 of the Form I-9 for 326 employees (Count IV), all in violation of 8 U.S.C. § 1324a(a)(1)(B). Compl. ¶ 3.

Complainant attached to the complaint the Notice of Intent to Fine Pursuant to Section 274A of the INA (NIF) that it personally served on Respondent on October 28, 2024, at a Homeland Security Investigations office in El Paso, Texas, through Mr. Juan M. Isais, who was identified as the business owner. Compl. Ex. A. Through the NIF, DHS sought a fine of \$213,300 for Respondent's alleged violations. *Id.* The NIF

put respondent on notice of its right to contest the fine by submitting a written request for a hearing before an Administrative Law Judge (ALJ) to DHS “within 30 days from the service of this [NIF].” *Id.* Also attached to the complaint was a handwritten letter dated October 28, 2024, signed by Mr. Juan M. Isais, in which he requested a hearing (request for hearing).¹ *Id.* Ex. B. The letter was stamped “received” by DHS on the same date. *Id.* Pursuant to 28 C.F.R. § 68.7(b)(5),² Complainant asked OCAHO to serve the complaint on Mr. Isais at the Los Jarrones business address in El Paso, Texas. *Id.* at 7.

On February 11, 2026, using the United States Postal Service’s (USPS) certified mail service, OCAHO mailed Respondent a Notice of Case Assignment for Complaint Alleging Unlawful Employment (NOCA), the complaint, the NIF, and Respondent’s request for hearing (together, the “Complaint package”). Through the NOCA, OCAHO’s Deputy Chief Administrative Hearing Officer (Deputy CAHO) informed Respondent that these proceedings would be governed by OCAHO’s Rules of Practice and Procedure for Administrative Hearings and applicable case law. Notice of Case Assignment ¶ 2. The NOCA included links to OCAHO’s Rules and its Practice Manual, along with contact information for OCAHO. *Id.* The Deputy CAHO directed Respondent to answer the complaint within thirty days in accordance with 28 C.F.R. § 68.9(a). *Id.* ¶ 4. The Deputy CAHO cautioned Respondent that its failure to file an answer could lead the Court to enter a judgment by default and all appropriate relief pursuant to 28 C.F.R. § 68.9(b). *Id.*

Per its standard practice, OCAHO requested a tracking number for the Complaint package and proof of service through a USPS Domestic return Receipt Form (PS Form 3811) (“return receipt”). The USPS certified mail tracking information for the Complaint package mailed to Respondent’s business address indicated that it was “delivered to the front desk, reception area, or mail room” of the El Paso, Texas, address on February 17, 2026. OCAHO did not receive a return receipt for the delivery. To date, Respondent has not filed an answer to the complaint or communicated with OCAHO.

¹ Should Respondent retain counsel in this matter, its counsel shall file a notice of appearance in accordance with 28 C.F.R. § 68.33(f).

² OCAHO’s Rules of Practice and Procedure for Administrative Hearings, being the provisions contained in 28 C.F.R. part 68 (2025), generally govern these proceedings and are available on the United States Department of Justice’s website. See <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-regulations>.

II. REGULATORY AND LEGAL STANDARDS

OCAHO's Rules of Practice and Procedure for Administrative Hearings generally govern these proceedings. OCAHO's Rules explain that the filing of a complaint commences an adjudicatory proceeding before OCAHO. 28 C.F.R. § 68.2. However, "the formal stage of a case actually does not begin (the time deadlines do not start) until the OCAHO serves the original complaint on the respondent employer." *United States v. Arnold*, 1 OCAHO no. 119, 781, 785 (1989) (internal citations omitted).³

OCAHO's Rules require Complainant to identify "the party or parties to be served by the Office of the Chief Administrative Hearing Officer with notice of the complaint pursuant to [28 C.F.R.] § 68.3." 28 C.F.R. § 68.7(b)(5). Complainant must include this information in a statement accompanying the complaint. *Id.* After receiving this information, OCAHO will serve the complaint through one of the following methods:

- (1) By delivering a copy to the individual, party, partner of a party, officer of a corporate party, registered agent for service of process of a corporate party, or attorney or representative of record of a party;
- (2) By leaving a copy at the principal office, place of business, or residence of a party;
- (3) By mailing to the last known address of such individual, partner, officer, or attorney or representative of record; or
- (4) By delivering a copy or providing notification by email to such individual, party, partner of a party, officer, registered agent for service of process, or attorney or representative of record of a party.

³ 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 after 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 "FIM-OCAHO," the LexisNexis database "OCAHO," or on OCAHO's homepage on the United States Department of Justice's website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

Id. § 68.3(a)(1–4). Whichever method is chosen, “[s]ervice of the complaint . . . is complete upon receipt by the addressee.” *Id.* § 68.3(b).

III. DISCUSSION AND ANALYSIS

As an initial matter, the Court addresses the issue of service of the Complaint package on Respondent. Using the address provided by Complainant, OCAHO sent the Complaint package to Respondent via USPS certified mail at its business address to the attention of its owner, Mr. Juan M. Isais. Although the Complaint package was directed to Mr. “Isaias,” being the spelling that DHS provided in its 28 C.F.R. § 68.7 attachment to the complaint, *see* Compl. at 7, instead of Mr. “Isais,” being the spelling used in the NIF’s certificate of service and Respondent’s handwritten request for hearing, *see id.* Exs. A–B, the Court finds that the Complaint package was mailed to the proper “last known address” of Mr. Isais and the Respondent-business.⁴ *See* 28 C.F.R. § 68.3(a)(3). While no return receipt was received, the USPS tracking information confirmed that the Complaint package was “delivered to the front desk, reception area, or mail room” of Respondent-business on February 17, 2026. Therefore, the Court finds that OCAHO perfected service of the Complaint package on Respondent on February 17, 2026, in accordance with 28 C.F.R. §§ 68.3(a)(3), 68.3(b).

After service of the complaint, OCAHO’s Rules provide a respondent thirty days to file an answer. *See* 28 C.F.R. § 68.9(a). The Deputy CAHO explained this requirement to Respondent in the NOCA. *See* Notice of Case Assignment ¶ 4. As service was perfected on February 17, 2026, Respondent’s answer was due no later than March 19, 2026. *See* 28 C.F.R. §§ 68.3(b), 68.9(a). Respondent has failed to file an answer to the complaint and has not contacted OCAHO regarding the case.

In the NOCA, the Deputy CAHO warned Respondent that if it failed to file a timely answer, the Court could deem it to have waived its right to appear and contest the allegations of the complaint and that a judgment by default and other appropriate relief could follow. *See* Notice of Case Assignment ¶ 4 (citing 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). The “long-established practice” of OCAHO is “to issue an order to show cause before entering a default.” *United States v. Road Masters IG, LLC*, 22 OCAHO no. 1694, 4 (2026); *see also United States v. Shine Auto Serv.*, 1 OCAHO no. 70, 444 (1989). In *Shine Auto Service*, the acting CAHO explained:

⁴ Unless Respondent directs otherwise, OCAHO shall issue all orders in this case to Respondent to the attention of “Juan M. Isais,” being the spelling of the business owner’s name reflected in the NIF’s certificate of service and Respondent’s request for hearing. *Id.* Exs. A–B.

Respondent must justify [in its response to the order to show cause] its failure to respond in a timely manner. Based on the Respondent's reply, the [ALJ] shall determine whether the respondent has met the threshold for good cause. If the [ALJ] determines that the Respondent possessed the requisite good cause for failing to file a timely answer, then the [ALJ] may allow the Respondent to file a late answer.

Shine Auto Serv., 1 OCAHO no. 70, at 445–46. The Court will follow the same practice in this case and will now issue this Notice and Order to Show Cause.⁵

The Court now “orders Respondent to file a response to this Notice and Order to Show Cause in which it must proffer facts sufficient to show good cause for its failure to file a timely answer to the complaint.” *Road Masters IG, LLC*, 22 OCAHO no. 1694, at 5. The Court also orders Respondent to file an answer to the complaint along with its filing showing good cause. *See id.* The answer must comport with 28 C.F.R. § 68.9. *See id.* The Court will determine if Respondent has demonstrated the requisite good cause for failing to file a timely answer upon receipt of Respondent's filings and will decide whether to allow the untimely answer. *See id.*

If Respondent does not file an answer and response, the Court may find that Respondent has waived its right to appear and contest the allegations raised in the complaint. 28 C.F.R. § 68.9(b). The Court may also enter a default judgement. *Id.*

If Respondent fails to respond to the Court's orders, “the Court will find that it has abandoned its request for hearing and dismiss its request pursuant to 28 C.F.R. § 68.37(b)(1).” *See Road Masters IG, LLC*, 22 OCAHO no. 1694, at 5; *see also United States v. Steidle Lawn & Landscape, LLC*, 17 OCAHO no. 1457c, 2 (2023) (finding that the respondent abandoned its request for a hearing when it failed to respond to the ALJ's orders). “A final order of dismissal based on abandonment is analogous to entry of a default judgment under the Federal Rules of Civil Procedure.” *United States v. Vilarado Vineyards*, 11 OCAHO no. 1248, 4 (2015). “Abandonment will result in DHS's NIF becoming the final order.” *United States v. DJ's Transp.*, 18 OCAHO no. 1488a, 5 (2024).

⁵ OCAHO shall serve this Notice and Order to Show Cause on Respondent at the address Complainant provided in the complaint. *See* Compl. 7.

IV. ORDERS

IT IS ORDERED that, within twenty-one days of the date of this Order, Respondent, Los Jarrones, shall file a response with the Court in which it must provide facts sufficient to show good cause for its failure to answer the complaint in this case.

IT IS FURTHER ORDERED that, within twenty-one days of the date of this Order, Respondent shall file with the Court an answer to the complaint that comports with 28 C.F.R. § 68.9.

The Court puts Respondent on notice that its failure to file an answer and a response to this Notice and Order to Show Cause “may be deemed to constitute a waiver of his or her right to appear and contest the allegations of the complaint” and the Court may enter a default judgment against Respondent as to both liability and penalties. 28 C.F.R. § 68.9(b). If Respondent fails to respond to the Court’s orders, the Court shall conclude that Respondent has abandoned its request for a hearing and issue an order of dismissal. *Id.* § 68.37(b). The NIF will be rendered the final agency order.

SO ORDERED.

Dated March 23, 2026.

Honorable Carol A. Bell
Acting Chief Administrative Law Judge