

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

May 20, 2026

MICHAEL BROWNE,	)	
Complainant,	)	
	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2026B00020
	)	
	)	
DOORDASH, INC.,	)	
Respondent.	)	
	)	

Appearances: Michael Browne, pro se,¹ Complainant

ORDER DIRECTING COMPLAINANT TO PROVIDE RESPONDENT ADDRESS
(SERVICE OF COMPLAINT)

I. PROCEDURAL HISTORY

On March 2, 2026, Complainant, Mr. Browne, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent, DoorDash, Inc.

On March 19, 2026, the Chief Administrative Hearing Officer sent Respondent a Notice of Case Assignment for Complaint Alleging Unfair Immigration-Related Employment Practices (NOCA) and a copy of the Complaint, via USPS certified mail, to the address provided by Complainant. The NOCA informed Respondent that it had thirty days from the date it received the NOCA to file an answer, and that failure to answer could result in a default judgment. Notice Case Assign. 4 (citing 28 C.F.R. §§ 68.3(b), 68.9).²

While the U.S. Postal Service Domestic Return Receipt Form (Form 3811) was eventually returned to OCAHO, the Form shows no one received the NOCA (no individual provided a name, and no individual signed the Form). As to the address provided by Complainant, OCAHO received (and used) Respondent business' name (DoorDash, Inc.) only. To date, Respondent has not filed an answer.

¹ A Notice of Appearance has yet to be filed or accepted for this case.

² OCAHO's Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2024).

II. LAW & ANALYSIS

As the Court previously explained:

A unique aspect of OCAHO’s Rules of Practice and Procedure is that “[s]ervice of [the] complaint” and “notice of hearing . . . shall be made” by the Court. 28 C.F.R. § 68.3(a). The Court may accomplish service by one of three methods allowed by OCAHO’s Rules. 28 C.F.R. § 68.3(a)(1)-(3). Relevant to this case, OCAHO may effect service “[b]y mailing to the last known address of such individual, partner, officer, or attorney or representative of record.” 28 C.F.R. § 68.3(a)(3). For OCAHO to effect service, it is important that complainants abide by the requirement that the complaint “be accompanied by a statement identifying the party or parties to be served . . .” 28 C.F.R. § 68.7(b)(5). Under the OCAHO 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). A respondent’s 30-day clock to file an answer begin upon service of the complaint. 28 C.F.R. § 68.9(a).

Wang v. Dropbox, Inc., 20 OCAHO no. 1605, 2 (2024).

Analogous to the facts presented in *Wang*, Complainant only provided a general address for the Respondent, without identifying a registered agent, officer, or director for the company. Consequently, “the ‘manner of service was not reasonably calculated to advise Respondent of a matter pending before it (e.g., to the mailroom of a multinational company, rather than directed to the attention of an officer, director, or registered agent of the company).’” *Wang* at 2; *citing Shater v. Shell Oil Co.*, 18 OCAHO no. 1504, 3 (2023). For these reasons, service was not perfected per OCAHO’s regulatory requirements.

When OCAHO “encounters difficulty with perfecting service,” it “may direct that a party execute service of process.” 28 C.F.R. § 68.3(c). Again, here, *Wang* is instructive:

OCAHO’s Rules do not specify the methods by which the party may execute service when OCAHO directs the party to do so. Because the “Federal Rules of Civil Procedure may be used” by the Court “as a general guideline in any situation not provided for or controlled by [OCAHO’s] rule,” the Court turns to Federal Rule 4(h) to clarify. 28 C.F.R. § 68.1. Rule 4(h), which addresses service on a corporation, partnership, or association, includes many of the same methods of service provided for by 28 C.F.R. § 68.3, including “delivering a copy of . . . the complaint to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process” Fed. R. Civ. P. 4(h)(1)(B). Service may also be effected by any method identified in Rule 4(e)(1), which allows any method allowed by the state law of the state in which the district court is located or in which service is effected. Fed. R. Civ. P. 4(h)(1)(A), 4(e)(1).

Wang at 2.

According to the Complaint, the Respondent is located in California. Compl. 4. The California Code of Civil Procedure, Part 2, Title 5, Chapter 4 at paragraph 416.10 explains service may be completed by “any of the following methods: to the person designated as agent for service of process... to the president, chief executive officer, or other head of the corporation, a vice president, a secretary or assistant secretary, a treasurer or assistant treasurer, a controller or chief financial officer, a general manager, or a person authorized by the corporation to receive service of process.”

The address submission by Complainant, thus, does not conform to guidance outlined in the California Code of Civil Procedure. 28 C.F.R. §§ 68.7(b)(2), 68.7(b)(5), 68.3(a)-(b).

The Court now offers Complainant options for resolving the deficiency, to wit: Complainant may submit a supplement to the Complaint, identifying an appropriate individual on whom the Complaint package may be served, or stating that the address previously identified for the Respondent is incorrect and providing a working mailing address for Respondent. Alternatively, Complainant may request that the Court permit Complainant to serve Respondent. If the Complainant requests to effect service, service must be performed in a manner that satisfies Federal Rule of Civil Procedure 4(h).

Complainant must consider himself on notice that, in this forum, “[w]hen a complaint cannot be served, the case may be dismissed without prejudice.” *US Tech Workers et al. v. Cast 21*, 19 OCAHO no. 1571, 2 (2024) (citing *Ramirez v. Sam’s Club*, 18 OCAHO no. 1525, 2 (2024)); see also *Zajradhara v. Blossom Corp.*, 18 OCAHO no. 1523, 2 (2024), *United States v. DJ’s Transport*, 18 OCAHO no. 1488, 5 (2023) (“Should service not be accomplished, the Court may consider dismissal sua sponte.”).

Failure to respond to this Order as outlined above within 30 calendar days of issuance may result in dismissal without prejudice. See *Heath v. VBeyond Corp. & an Anon. Empl’r*, 14 OCAHO no. 1368a, 3-4 (2020).

Separately, Complainant’s motion for default judgment is DENIED as proper service has yet to occur.³

SO ORDERED.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

³ Future motions filed by attorneys who have yet to file a Notice of Appearance may be rejected for this reason.