

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

May 26, 2026

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
	)	
v.	)	8 U.S.C. § 1324a Proceeding
	)	OCAHO Case No. 2024A00015
	)	
ZARCO HOTELS INCORPORATED,	)	
Respondent.	)	
_____	)	

ORDER GRANTING COMPLAINANT’S MOTION FOR EXTENSION OF TIME TO
RESPOND TO ORDER TO SHOW CAUSE

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

On May 4, 2026, the Court issued an Order Granting Respondent’s Motion for Summary Decision, in Part, and Ordering Complainant to Show Cause. *See United States v. Zarco Hotels Inc.*, 18 OCAHO no. 1518l (2026). That order granted Respondent’s Motion for Summary Decision, in part, with respect to several theories of liability. *See id.* at 10-12. The Court, however, found that the record was unclear as to when the relevant Employment Eligibility Verification Forms (Forms I-9) were presented. *See id.* at 12. As Complainant will bear the burden of proving that Forms I-9 were not timely presented, the Court issued an Order to Show Cause to Complainant ordering Complainant to submit evidence within 14 days of the date of the order that the relevant forms were not included in a batch of 51 Forms I-9 that Respondent provided at the time of inspection. *See id.* at 12-13.

On May 12, 2026, Complainant filed a Motion for Extension of Time to Respond to the Order to Show Cause, requesting until June 8, 2026, to file its response. Respondent filed an Opposition on May 12, 2026. Complainant states its counsel was unavailable for reasons outside her control from May 4, 2026, to May 11, 2026, which adversely impacted her ability to prepare a response to the Court’s Order. Mot. Extension 2.¹ Complainant also notes the individual from whom she

¹ Because Complainant’s motion is unpaginated, citations are to the page numbers of the PDF file of Complainant’s submission.

would seek evidence or information relating to that Order (the HSI auditor) is unavailable until May 20, 2026. *Id.* Complainant asserts that it “may not be feasible” to meet the Court’s deadline given these circumstances. *Id.*

Respondent opposes the motion, contending that Complainant has failed to demonstrate sufficient cause and that further delay is unwarranted. Opp’n. 2.

“OCAHO rules do not provide specific standards for granting extensions, but the standard routinely applied is good cause.” *Tingling v. City of Richmond*, 13 OCAHO no. 1324c, 2 (2021). Good cause requires “a demonstration of good faith on the part of the party seeking an enlargement of time and some reasonable basis for noncompliance within the time specified in the rules.” *Id.* (quoting *U.S. ex rel. Shaw Env’t, Inc. v. Gulf Ins. Co.*, 225 F.R.D. 526, 528 (E.D. Va. 2005)).

Here, Complainant has demonstrated good cause for the short extension requested. Counsel’s unavailability was outside her control, and she informed the Court of the concerns regarding the deadline without delay. Further, in light of the nature of Order to Show Cause (and the foreseeable need to coordinate with the HSI auditor), the requested amount of time is reasonable. While the Respondent opposes the delay, the Court does not find the brief delay prejudices the Respondent, as he is not required to respond to the Order to Show Cause, and his current position in the litigation remains preserved. The Court’s conclusion here is consistent with OCAHO precedent. *See generally United States v. Jin’s Farm, LLC*, 21 OCAHO no. 1623 (2024).

Complainant’s Motion for Extension is GRANTED. Complainant may submit its filing on or before June 8, 2026, as requested.

SO ORDERED.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge