

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	OCAHO Case No. 2026A00035
	)	
	)	
MIN BUFFET INC.,	)	
D/B/A FUJI BUFFET AND GRILL,	)	
Respondent.	)	
	)	

NOTICE AND ORDER TO SHOW CAUSE – FAILURE TO FILE ANSWER

On March 30, 2026, 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).

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>.

The U.S. Postal Service Return Receipt Form 3811 was not returned to OCAHO; however, the USPS website indicates the NOCA was delivered to an individual at Respondent business' address on May 4, 2026. Respondent's answer was due no later than June 3, 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, the 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. Both must be received by the Court within 21 days of the date of this Order. Failure to do so may result in either default judgment or a deemed abandoned hearing request.

SO ORDERED.

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>.