

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

September 23, 2026

JOE KUROKAWA,	)	
Complainant,	)	
	)	
	)	
v.	)	8 U.S.C. § 1324b Proceeding
	)	OCAHO Case No. 2026B00055
	)	
INSTACART, ¹	)	
Respondent.	)	
	)	

Appearances: Joe Kurokawa, pro se Complainant
Esther Lander, Esq., for Respondent

ORDER GRANTING EXTENSION TO FILE ANSWER

This matter arises under the antidiscrimination provisions of the Immigration and Nationality Act, as amended by the Immigration Reform and Control Act of 1986 (IRCA), 8 U.S.C. § 1324b.

On July 14, 2026, Complainant filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent.

According to the Respondent, it did not receive a copy of the Complaint until September 1, 2026. Motion to Extend Deadline 2. An answer is due within thirty (30) days after service of the complaint. *See* 28 C.F.R. §§ 68.3(b), 68.9(a).²

On September 9, 2026 the Court received Respondent's Motion to Extend Deadline for Respondent's Answer to Complaint, seeking an extension to November 2, 2026. The Motion did not include any evidence indicating Complainant's position on the extension. After waiting the

¹ Respondent utilizes an alternate name for its business in its Motion. Respondent is invited to provide a filing indicating whether it believes the name in the caption should be formally changed.

² OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

requisite response period and receiving no filing (opposition or otherwise) from Complainant, the Court deems Respondent's Motion unopposed.

As for its proposed good cause, Respondent notes there was a delay in service of the Complaint, and the parties are presently in settlement negotiations. An extension would permit the parties to focus on those negotiations and would account for the time lost due to delayed receipt of the Complaint. Motion 2-4.

"OCAHO's Rules of Practice and Procedure for Administrative Hearings do not provide specific standards for granting extensions, but the standard routinely applied is good cause." *United States v. Space Exploration Techs. Corp.*, 18 OCAHO no. 1499, 5 (2023) (collecting cases and citing, inter alia, Fed. R. Civ. P. 6(b)(1) ("When an act may be or must be done within a specified time, the court may, for good cause, extend the time")).³

The Court finds the Respondent has sufficiently articulated good cause for the extension requested. The Respondent shall file its Answer on or before November 2, 2026.

SO ORDERED.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge

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 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 <http://www.justice.gov/eoir/OcahoMain/ocahosibpage.htm#PubDecOrders>.