

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

September 29, 2026

UNITED STATES OF AMERICA,	)	
Complainant,	)	
v.	)	8 U.S.C. § 1324a Proceeding
	)	OCAHO Case No. 2026A00056
JOB SOLUTIONS TX, LLC,	)	
Respondent.	)	

NOTICE OF CASE ASSIGNMENT FOR COMPLAINT
ALLEGING UNLAWFUL EMPLOYMENT¹

1. A complaint was filed on July 20, 2026, against Job Solutions TX, LLC (Respondent) by the United States of America (Complainant). Attached to this NOCA is a copy of the complaint, the Notice of Intent to Fine (NIF) issued by the Department of Homeland Security (DHS), and the Respondent's response to the NIF which Complainant has represented constitutes a request for a hearing pursuant to 8 U.S.C. § 1324a(e)(3).² This case is assigned to the Honorable Carol Bell, Chief Administrative Law Judge.

¹ OCAHO does not typically publish a Notice of Case Assignment (NOCA). *United States v. Liberty Constructors, LLC*, 18 OCAHO no. 1495, 1 n.1 (2023). "However, OCAHO will publish a NOCA when it contains an update to the standard information provided in order to enhance transparency and better inform stakeholders with an interest in OCAHO proceedings." *Id.* In the instant case, OCAHO is publishing this NOCA to update its standard NOCA language with a reminder that OCAHO adjudicators may, in certain circumstances, require participation in its electronic filing program even for unrepresented complainants and respondents. *See infra* ¶ 5.

² The Complainant originally attached two documents to the complaint. The first was a copy of the Notice of Intent to Fine (Exhibit A); the second appeared to be a "Response to the Notice of Intent to Fine" (Response) that the Respondent sent to DHS (Exhibit B). Although the Complainant submitted the response as proof that the Respondent requested a hearing, the Response does not actually contain language explicitly requesting a hearing, though it does contain statements requesting a lower civil penalty amount. Due to the absence of an explicit request for hearing in the documents submitted with the Complaint, OCAHO's case management staff contacted DHS counsel and asked DHS to submit documentation of an actual request for hearing in order to further process the complaint. On August 20, 2026, the Complainant submitted a copy of an email from the Respondent's Chief Operating Officer to DHS (Exhibit C), expressing the Respondent's understanding that because the Respondent had not signed an unspecified "agreement," DHS would therefore submit a complaint to OCAHO. A request for a hearing is a prerequisite for OCAHO exercising jurisdiction over a case under 8 U.S.C. § 1324a. *See generally United States v. La Troje Bar & Grill, LLC*, 22 OCAHO no. 1690a, 2-4 (2026) (discussing the request for hearing requirement under 8 U.S.C. § 1324a); *accord United States v. A&D Maint. Leasing and Repairs, Inc.*, 19 OCAHO no. 1568a, 5-6 (2024) (discussing the functions of a request for hearing including its triggering of OCAHO jurisdiction). Although there is not necessarily any talismanic language to be used to request a hearing, an actual intent to

2. Proceedings in this matter will be conducted according to the OCAHO rules appearing at 28 C.F.R. pt. 68 and the applicable case law.³ It is imperative that you obtain a copy of the rules immediately and comply with their requirements in this case. A Portable Document Format (PDF) copy is available on the OCAHO webpage at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-regulations>. If you are unable to access the webpage or print a copy, you may call our office at 703-305-0864 and request that a copy be mailed to you at no charge. Parties may also access an electronic version of OCAHO's procedural regulations reflecting recent changes at <https://www.ecfr.gov/current/title-28/chapter-I/part-68>. Parties are advised that OCAHO's procedural regulations were recently modified to reflect new requirements related to electronic filing. *See* Office of the Chief Administrative Hearing Officer Electronic Filing, 91 Fed. Reg. 9,989 (Mar. 2, 2026) (to be codified at 28 C.F.R. pt. 68).

Attorneys and unrepresented parties are advised to read the relevant rules in their entirety prior to filing documents. Attorneys are advised that the OCAHO rules sometimes differ from the Federal Rules of Civil Procedure.

Additionally, attorneys and unrepresented parties are encouraged to review and consult OCAHO's Practice Manual. OCAHO's Practice Manual is available at the following link, and

request a hearing should be fairly discernible from any writing or communication submitted with the Notice of Intent to Fine. It is facially unclear whether the combination of documents in Exhibits B and C, including Respondent's request for a lower civil penalty amount, is sufficient to constitute a request for hearing and invoke OCAHO's jurisdiction. Further, because "parties cannot waive jurisdiction, nor can they manufacture it by consent, such as agreeing that a request for hearing was filed when one was not actually filed," *A&D Maint.*, 19 OCAHO no. 1568a, at 5 n.6, Complainant's treatment of those documents as a request for hearing is not dispositive. As such a determination may require additional factfinding, however, I find it more appropriate for the presiding Chief Administrative Law Judge to address that issue in the first instance. Accordingly, nothing in this NOCA should be construed as a determination that OCAHO jurisdiction does or does not exist over the instant case.

³ Published OCAHO decisions may be accessed on the Executive Office for Immigration Review's (EOIR) website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>, or in the Westlaw database "FIM-OCAHO," or in the LexisNexis database "OCAHO." Hard copy volumes of OCAHO decisions up to and including volume 8 may be located at federal depository libraries nationwide, which may be located at <http://catalog.gpo.gov/fdlpdir/FDLPdir.jsp>. All volumes after 8 are only available online.

provides an outline of the procedures and rules applicable to OCAHO cases: <https://www.justice.gov/eoir/policy-manual-eoir/part-IV/ocaho>.

All representatives and parties are also required to maintain a current address with OCAHO and to timely file a notice of a change of address with the presiding Administrative Law Judge (or with the Chief Administrative Hearing Officer (CAHO) if the case either has not yet been assigned to an Administrative Law Judge or is under administrative review by the CAHO) and must also serve such notice on the opposing party. *See United States v. Cordin Co.*, 10 OCAHO no. 1162, 4 (2012) (“It is the Respondent’s responsibility (indeed, the responsibility of all parties before OCAHO) to file a notice of change of address or other contact information directly with the [Administrative Law Judge], as well as serving that notice on the opposing party.”). If a party is using OCAHO’s electronic filing application, OCAHO will use the email address provided by the parties when they register for the electronic filing application for electronic service. Users must immediately update their electronic filing application account if their email address changes. If a party is using OCAHO’s electronic filing application, OCAHO will consider service completed when the appropriate electronic notification is delivered to the last email address on file provided by the user. *See Office of the Chief Administrative Hearing Officer Electronic Filing*, 91 Fed. Reg. at 9,996.

Parties wishing to appear anonymously (or pseudonymously) or to use their initials in the case caption rather than their name should be aware of applicable law on that issue when making any such request to the presiding OCAHO adjudicator. *See generally United States v. Wallcon, LLC*, 21 OCAHO no. 1630, 3-5 (2025) (discussing OCAHO’s consideration of such requests).

Parties wishing to raise arguments in OCAHO proceedings sounding in constitutional law should be aware of both the expectations and limitations of OCAHO’s consideration of such

arguments. *See generally United States v. ABS Staffing Sols., LLC*, 21 OCAHO no. 1632, 7-17 (2025). Parties should also be aware that such arguments may be waived or forfeited if not timely raised. *See id.* at 16-17.

3. OCAHO does not have authority to appoint counsel. 28 C.F.R. § 68.34. Unrepresented parties are encouraged to seek and obtain representation and, if appropriate, to avail themselves of available pro bono resources. Private parties may be represented by an attorney who is a member in good standing of the bar of the highest court of any state, the District of Columbia, or any territory or commonwealth of the United States. 28 C.F.R. § 68.33(c)(1). Attorneys must file a Notice of Appearance as required by 28 C.F.R. § 68.33(f). In limited circumstances subject to the requirements of 28 C.F.R. § 68.33(c)(2), private parties may be represented by law students. Private parties may also be represented by certain non-attorney representatives in appropriate circumstances, in accordance with the requirements in 28 C.F.R. § 68.33(c)(3). Non-attorney representatives who wish to appear before the Administrative Law Judge on behalf of a party must seek approval from the Administrative Law Judge pursuant to 28 C.F.R. § 68.33(c)(3). Private parties may also represent themselves and should file a Notice of Appearance in accordance with 28 C.F.R. § 68.33(f) if they do so.

4. The Respondent has the right to file an answer to the complaint. The answer (and two copies) must be filed within thirty (30) days after receipt of the attached complaint by either Respondent or its attorney (or representative) of record. 28 C.F.R. §§ 68.3(b), 68.9. The answer is considered filed on the date when OCAHO receives the filing. 28 C.F.R. § 68.8(b). If the Respondent fails to file an answer within the time provided, the Respondent may be deemed to have waived its right to appear and contest the allegations of the complaint, and the Administrative

Law Judge may enter a judgment by default along with any and all appropriate relief. 28 C.F.R. § 68.9(b).

5. All documents filed by either party must be filed as follows:

(i) The Department of Homeland Security, the Department of Justice, and all attorneys and authorized representatives must electronically file all documents with OCAHO through OCAHO's electronic filing application. *See* Office of the Chief Administrative Hearing Officer Electronic Filing, 91 Fed. Reg. at 9,996. OCAHO's electronic filing application can be accessed at the following location: <https://ocaho.eoir.justice.gov/>.

(ii) Unrepresented (or "pro se") complainants and respondents may either: (a) file documents electronically through OCAHO's electronic filing application; or (b) file documents by sending an original and two copies of the document to the ALJ at the address provided on the attached Service List. If an unrepresented complainant or respondent chooses to use OCAHO's electronic filing application for a case, the individual must electronically file all documents through OCAHO's electronic filing application for the duration of the case, unless the presiding ALJ or CAHO directs otherwise. *See id.*

Unrepresented complainants and respondents should also be aware that "OCAHO adjudicators may, in certain circumstances, require [them] in a particular case to electronically file documents even if" they have otherwise chosen not to participate in electronic filing. *See Wallcon*, 21 OCAHO no. 1630, at 7-8; *see also A&D Maint.*, 19 OCAHO no. 1568a, at 9 (decision by the CAHO noting that pursuant to an Administrative Law Judge's authority to "[t]ake other appropriate measures necessary to enable him or her to discharge the duties of the office," 28 C.F.R. § 68.28(a)(8), an Administrative Law Judge may, "in certain circumstances," require parties to file

documents electronically even if their case is not enrolled in OCAHO's electronic filing program); *Zajradhara v. Kang Corp.*, 19 OCAHO no. 1555 (2024) (converting a case to electronic filing absent objection from the parties due to “significant delays inherent with mail filing” between the parties' location and OCAHO's offices).

6. All documents filed with OCAHO must be served on all other parties of record in the case and must include a certificate of service indicating the manner and date of service of the documents on all other parties. Service must be accomplished in one of the following ways, depending upon whether all parties in the case are using OCAHO’s electronic filing application:

(i) If all parties of record in this case are using OCAHO’s electronic filing application, the OCAHO electronic filing application will effectuate service by providing a notification of all electronically filed documents on all parties to the case by email. The filing party must include a certificate of service stating that all parties are using OCAHO’s electronic filing application and, therefore, no separate service was completed. *See id.*

(ii) If one or more parties of record in this case are not using OCAHO’s electronic filing application (or when the electronic filing application is unavailable), parties must serve a copy of all documents filed with OCAHO on all parties of record either:

- by personal delivery;
- by mailing a copy to the last known address of the party or representative; or
- by email, if the party being served has consented to receive electronic service of documents.

The filing party must include a certificate of service that specifies the date and manner of service on the other party or parties. When a party is represented by an attorney, service must be made upon the attorney. *See id.*

7. Procedures for conducting discovery are governed by OCAHO rules and applicable case law. *See generally* 28 C.F.R. §§ 68.18–68.23. The parties should not initiate discovery until the presiding Administrative Law Judge has set a discovery schedule or otherwise authorized the start of discovery. *See Ferrero v. Databricks*, 18 OCAHO no. 1505, 4-8 (2023). Should either party believe it is necessary to begin discovery prior to that time, it may seek leave from the presiding Administrative Law Judge to do so through the filing of a motion. *See id.*

8. OCAHO operates a Settlement Officer Program, which is a voluntary program through which the parties can use a settlement officer to mediate settlement negotiations as a means of alternative dispute resolution. The settlement officer may convene and oversee settlement conferences and negotiations, may confer with the parties jointly and/or individually, and will seek voluntary resolution of issues. The parties may request that the presiding Administrative Law Judge refer the case to a settlement officer at any time while proceedings are pending, up to thirty days before the date scheduled for a hearing in the matter. More information about the Settlement Officer Program can be found in the OCAHO Practice Manual: <https://www.justice.gov/eoir/policy-manual-eoir/part-IV/ocaho/chapter-4-7>.

9. Should the Administrative Law Judge determine that a hearing is required, the Respondent would have the right to appear in person and give testimony at the place and time fixed for the hearing. 28 C.F.R. § 68.39. The hearing shall be held at the nearest practicable place to the place where the Respondent resides or the place where the alleged violation occurred. *See* 8 U.S.C. § 1324a(e)(3)(B); 28 C.F.R. § 68.5(b). Due regard shall also be given to the convenience and

necessity of the parties or their representatives in selecting a time and place for the hearing. *See* 5 U.S.C. § 554(b).

10. All parties in OCAHO proceedings are expected to act with integrity and in an ethical manner and shall conform their conduct to the Standards of Conduct. 28 C.F.R. § 68.35. Consistent with this expectation, parties and attorneys appearing before OCAHO who elect to use technological tools such as generative artificial intelligence in preparing their filings should be mindful of the ethical and professional responsibility implications of using such tools. *See generally Wallcon*, 21 OCAHO no. 1630, at 9-14 (discussing ethical and professional considerations regarding the use of generative artificial intelligence in OCAHO proceedings). The presiding ALJ may also provide further direction regarding the use of generative artificial intelligence in individual cases. *See id.* at 14 n.10.

Notice Given By:

James McHenry
Chief Administrative Hearing Officer
5107 Leesburg Pike, Suite 2500
Falls Church, VA 22041

Attachments