

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

UNITED STATES OF AMERICA,)	
Complainant,)	
)	8 U.S.C. § 1324a Proceeding
v.)	
)	OCAHO Case No. 2021A00049
CHINESE BACK RUB D/B/A)	
CHINESE MASSAGE,)	
Respondent.)	
)	

Appearances: Samuel Yim, Esq., for Complainant
Frederick Sproull, Esq., for Respondent

ORDER REJECTING FILING

This case arises under the employer sanctions provisions of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1324a. On July 12, 2021, Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement, filed a complaint with the Office of the Chief Administrative Hearing Officer. Complainant alleged that Respondent, Chinese Back Rub d/b/a Chinese Massage, failed to prepare or present Forms I-9 for four individuals, in violation of § 1324a(a)(1)(B).

On February 23, 2022, the Complainant sent a document to the Court via e-mail entitled “Department of Homeland Security’s Motion to Dismiss.” Complainant moves for dismissal of this matter and represents that the parties have executed a written settlement agreement. Complainant attached a copy of the settlement agreement to its motion.

The Court REJECTS Complainant’s attempted filing because this case is not currently approved for electronic filing. The Court welcomes the electronic filing of documents, but only after both parties provide completed certification forms and the Court grants an order for electronic filing, pursuant to the OCAHO electronic filing pilot program directive of 2014, 79 Fed. Reg. 31143 (May 30, 2014). Absent the parties’ mutual consent as evidenced by their submission of the e-filing registration and certification forms, documents in this case may only

be filed with the Court via mail or fax. Any party who faxes a document must simultaneously send the original of the document by first class mail. 28 C.F.R. § 68.6(c).

The parties may re-file their submission in a manner consistent with OCAHO's rules.

SO ORDERED.

ENTERED:

Honorable John A. Henderson
Administrative Law Judge

DATE: April 29, 2022