

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

July 5, 2023

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	OCAHO Case No. 2022A00051
)	
JS DESIGN AND BUILD, LLC)	
D/B/A SPECTRA KITCHEN AND BATH,)	
Respondent.)	
_____)	

Appearances: James Harmony, for Complainant
Christopher L. Scileppi, Esq., for Respondent

ORDER GRANTING JOINT MOTION TO RESET DISPOSITIVE MOTION DUE DATE

This case arises under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. Complainant, the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), filed a complaint against Respondent, JS Design and Build, LLC, with the Office of the Chief Administrative Hearing Officer (OCAHO) on July 11, 2022.

On April 24, 2023, the Court held a prehearing conference and set a case schedule, directing that dispositive motions were due by June 23, 2023. *See* Order Summarizing Prehr’g Conf.

On June 28, 2023, the parties filed a Joint Motion to Reset Dispositive Motion Due Date. The parties jointly move to extend the dispositive motion deadline by 30 days. Joint Mot. 2. The parties assert they are engaging in positive settlement discussions, and believe that the extension will allow “ample time to explore the resolution of this matter prior to engaging in dispositive motion practice or proceeding to a contested hearing.” *Id.*

“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)

(citations omitted).¹ 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 with the time specified in the rule.” *Id.* (citations omitted).

The Court finds that the parties have demonstrated good cause for an extension of the deadline for dispositive motions, as they are currently in settlement negotiations. Accordingly, the Court will GRANT the parties an extension of time to file dispositive motions until July 24, 2023. Responses to any dispositive motions will be due by August 23, 2023.

SO ORDERED.

Dated and entered on July 5, 2023.

Honorable Jean C. King
Chief Administrative Law Judge

¹ 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 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>.