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

November 19, 2020

UNITED STATES OF AMERICA, Complainant,	)	
v.	)	8 U.S.C. § 1324c Proceeding OCAHO Case No. 2020C00020
SANCHITA BHATTACHARYA, Respondent.	)	

ORDER ON MOTION FOR SUMMARY DECISION

I. INTRODUCTION

This case arises under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324c. The U.S. Department of Homeland Security, Immigration and Customs Enforcement (Complainant or the government) filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on November 25, 2019, alleging Respondent, Sanchita Bhattacharya, violated § 1324c when she forged, counterfeited, altered, or falsely made documents to satisfy the employment eligibility verification requirements. The Complaint reflects that on July 23, 2019, the Department served a Notice of Intent to Fine upon Respondent. The Notice of Intent to Fine alleged fifty-seven violations of section 274C(a)(1) of the INA, and sought a fine of $21,375.00. Respondent filed an Answer on December 13, 2019.

On July 9, 2020, Complainant filed a Motion to Accept Late-Filed Motion for Summary Decision and a Motion for Summary Decision. On July 24, 2020, Respondent filed a Response to the motion for Summary Decision. Respondent did not address the Late-Filed Motion. The Motion to Accept Late-Filed Motion for Summary Decision, which was due on July 8, 2020, and was filed one day late, is GRANTED.

II. BACKGROUND

Complainant asserts that Respondent was employed as an IT Staffing Operations Manager for a Virginia-based company called EcomNets. Mot. Summ. Dec. at 3. Raju Kosuri was the owner and operator of EcomNets. *Id.* at 3, 5. Complainant alleges that EcomNets, along with several affiliated shell companies including Unified Systems, United Software Solutions, and United

Technologies, Inc., purported to be staffing companies, but had no legitimate business. *Id.* at 3. Instead, the companies filed H-1B petitions for the benefit of individuals who would not otherwise have work authorization falsely claiming that the beneficiaries would work at a data center in Danville, Virginia, owned by Ecomnets. *Id.* at 3–4. At the time of the filing of the H-1B petitions, there were no actual end clients; the search for employment for the beneficiaries occurred after the petitions were approved. *Id.* at 4.

Complainant asserts that Respondent forged and falsely made thirty-five H-1B petitions with supporting documents on behalf of EcomNets and the shell companies, as well as twenty-two purchase orders. Mot. Summ. Dec. at 4. Complainant asserts that Respondent signed the petitions and supporting documents, which contained fraudulent information, under her own name or used fictitious names. *Id.*

The record reflects that Respondent and five co-defendants were indicted for various offenses related to the H-1B fraud scheme. Ex. 7.[1] Respondent's case went to trial, but was dismissed with prejudice because the government had violated its discovery obligations. *Id.* at 4; Opp'n Ex. 1. One of the co-conspirators, Richa Narang, was found guilty on one count of conspiracy to commit visa fraud and two counts of visa fraud after a bench trial, Ex. 7 at 1, and the findings of fact are part of the record, as well as portions of the trial transcript. *See* Exs. 3, 5–7, 18.

In support of its motion, Complainant submitted twenty exhibits comprised of an offer of employment letter to Respondent (Ex. 2), emails from Complainant to various individuals (Exs. 4, 8, 10–11, 16–17), Reports of Investigation dated March 12, April 12 and June 7, 2019 (Exs. 9, 13–14), transcripts of testimony from the trial (Exs. 3 and 18), Statements of Fact as well as the district court judge's memorandum opinion (Exs. 5–7), admissions request and corresponding answer (Exs. 19–20), and the fifty-seven immigration applications and purchase orders at issue in the case (Ex. 15, 1–57).

Respondent, in a letter (Opp'n), disputes the version of events set forth by Complainant. Respondent also notes that these allegations were the subject of a federal lawsuit, which was dismissed as to Respondent. Opp'n 1. Respondent does not dispute that she worked for EcomNets, but denies that she completed or submitted any immigration petitions. Opp'n 1–3. Respondent submitted only the decision from the Eastern District of Virginia dismissing the indictment. Opp'n Ex. 1.

III. LEGAL STANDARDS

[1] The Complaint designated exhibits with letters, while the motion for summary decision incorporates those exhibits, but refers to the exhibits with numbers and, in some cases, sequential page numbers. The Court will rename the exhibits using numbers.

A. Summary Decision

Under the OCAHO rules, the Administrative Law Judge (ALJ) "shall enter a summary decision for either party if the pleadings, affidavits, material obtained . . . show that there is no genuine issue as to any material fact and that a party is entitled to summary decision." Rules of Practice and Procedure, 28 C.F.R. § 68.38(c) (2020). "An issue of material fact is genuine only if it has a real basis in the record" and "[a] genuine issue of fact is material if, under the governing law, it might affect the outcome of the suit." *Sepahpour v. Unisys, Inc.*, 3 OCAHO no. 500, 1012, 1014 (1993) (first citing *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 586–87 (1986); and then citing *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)).[2]

"Once the moving party satisfies its initial burden of demonstrating both the absence of a material factual issue and that the party is entitled to judgment as a matter of law, the nonmoving party must come forward with contravening evidence to avoid summary resolution." *United States v. Four Seasons Earthworks, Inc*., 10 OCAHO no. 1150, 3 (2012) (citing *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986)). "[T]he party opposing the motion for summary decision 'may not rest upon the mere allegations or denials' of its pleadings, but must 'set forth specific facts showing that there is a genuine issue of fact for the hearing.'" *United States v. 3679 Com. Place, Inc.*, 12 OCAHO no. 1296, 4 (2017) (quoting 28 C.F.R. § 68.38(b)). The Court views all facts and reasonable inferences "in the light most favorable to the non-moving party." *United States v. Primera Enters., Inc.*, 4 OCAHO no. 615, 259, 261 (1994) (citations omitted).

B. Civil Money Penalties

In order to establish liability under § 1324c(a)(1), Complainant must prove by a preponderance of evidence that: "1. respondent knowingly forged, counterfeited, altered, or falsely made the [fifty-seven] immigration documents . . . ; 2. after November 29, 1990; and 3. for the purpose of satisfying a requirement of the INA." *United States v. Noriega-Perez,* 5 OCAHO no. 811, 680, 690 (1995). Falsely make is defined as, "to prepare or provide an application or document, with knowledge or in reckless disregard of the fact that the application or document contains a false, fictitious, or fraudulent statement or material misrepresentation[.]" 8 U.S.C. § 1324c(f).

[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 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 "FIM-OCAHO," or in the LexisNexis database "OCAHO," or on the website at http://www.justice.gov/eoir/OcahoMain/ocahosibpage.htm#PubDecOrders.

Unlike § 1324a, which contains five criteria to be considered in determining civil penalties in employer sanction cases, 8 U.S.C. § 1324a(e)(5), § 1324c does not provide similar guidance, *see* 8 U.S.C. § 1324c(d)(3). Prior OCAHO rulings have utilized "a judgmental approach under a reasonableness standard and consider[ed] the factors set forth by Complainant, any relevant mitigating factors provided by Respondent, and any other relevant information of record." *United States v. Remileh*, 6 OCAHO no. 825, 24, 28 (1995) (citations omitted).

The applicable penalty range depends on the date of the violations and the date of assessment. *See* 8 C.F.R. § 274a.10(b)(2); 28 C.F.R. § 85.5. For violations that occurred after November 2, 2015, the adjusted penalty range as set forth in § 85.5 applies. *See* § 85.5. If the penalty is assessed between January 29, 2018, and June 19, 2020, the minimum penalty is $461 and the maximum is $3,695. *Id.*

IV. DISCUSSION

A. Evidence

"In administrative proceedings, the strict technical rules of evidence are somewhat relaxed. 5 U.S.C. § 556(d) excludes only evidence which is irrelevant, immaterial, or unduly repetitious. Thus, if the evidence is reliable, probative, and substantial, it will generally be admitted." *United States v. Tinoco-Medina*, 6 OCAHO no. 890, 720, 738 (1996). The applicable OCAHO rule provides that "[a]ll relevant material and reliable evidence is admissible, but may be excluded if its probative value is substantially outweighed by unfair prejudice or confusion of the issues, or by considerations of undue delay, waste of time, immateriality, or needless presentation of cumulative evidence." 28 C.F.R. § 68.40(b). Evidence provided "to support or resist a summary decision must be presented through means designed to ensure its reliability." *Parker v. Wild Goose Storage, Inc.*, 9 OCAHO no. 1081, 3 (2002). Under the OCAHO rules, "[t]he Federal Rules of Civil Procedure may be used as a general guideline in any situation not provided for or controlled by these rules, the Administrative Procedure Act, or by any other applicable statute, executive order, or regulation." 28 C.F.R. § 68.1.

"[T]he proponent of documentary evidence must still authenticate a document by evidence sufficient to demonstrate that the document is what it purports to be, even in administrative proceedings." *United States. v. Carpio-Lingan*, 6 OCAHO no. 914, 1, 5 (1997) (citations omitted). In *United States. v. Villegas-Valenzuela*, 5 OCAHO no. 784, 487, 490 (1995), the respondent argued that the government's evidence was not authenticated. After filing its motion for summary decision with evidence, the government provided an affidavit from the Customs and Border Patrol (CBP) officer and the ALJ found that upon the submission of the affidavit, the respondent's authentication argument was moot. *Id.* at 490, 495. On appeal, the petitioner argued that the ALJ erred in finding that the government's motion for summary decision did not need to be supported by admissible or authenticated evidence. *Villegas-Valenzuela v. United*

States, 103 F.3d 805, 811 n.6 (9th Cir. 1996). The Ninth Circuit explained that it is a "well-established rule that only admissible evidence may be considered by a court in ruling on motions for summary judgment." *Id.* (citations omitted). However, the Ninth Circuit found that the ALJ corrected any error in considering inadmissible or unauthenticated evidence because the ALJ considered the CBP officer's affidavit, which authenticated the evidence. *Id.*

1. Court documents

Several of the exhibits submitted by Complainant are documents or transcripts from the court proceedings, and the Court finds that the evidence has sufficient indicia of authenticity. *See* Fed. R. Evid. 901(b)(7). The first is testimony from *United States v. Bhattacharya*, No. 1:16cr43 LMB (E.D.Va. Oct. 25, 2016) (Ex. 3). The transcript includes a certification from the courtreporter, Ex. 3 at 500, and the Court has no reason to doubt its authenticity or reliability, particularly as Respondent was a party at the time, was present in the courtroom, and had an attorney representing her. *See* Ex. 3. The testimony of Richa Narang includes a cover sheet with caption and the index, but it does not have a certification. Ex. 18. Nonetheless, it has sufficient indicia of authenticity. The Memorandum of Opinion is a legal, public document and will be considered. *See* Ex. 7; Fed R. Evid. 901 (b)(7). The record also contains two Statements of Facts submitted by counsel in the *Narang* case. Ex. 5–6. The Court is cognizant of the fact that Respondent was not a party to the case at this point and did not have an opportunity to object to the statements. Nevertheless, the parties to the case signed the stipulations, averred to the truth of the matters, and submitted the statements to the Court. Ex. 5 at 18; Ex. 6 at 11. These have similar authenticity and reliability as an affidavit and are deemed authenticated and reliable for the purpose of this motion for summary decision.

2. Report of Investigation

Complainant submitted three Reports of Investigation (ROI) dated April 12, June 7, and March 12, 2019 (Exs. 9, 13–14). The authors of the reports are redacted, Exs. 9 at 1; 13 at 1; 14 at 1, and no affidavits were submitted to authenticate or contextualize the creation of the ROIs. The first ROI provides a summary of information apparently gleaned from interviews and the statement of facts in the course of investigating the various companies at issue in this case. *See* Ex. 9. The summaries, however, do not provide any details about how or when the information was gathered, under what conditions, by whom, and also refer to other ROIs. *See id.* "Ordinarily in OCAHO proceedings, authentication of exhibits in support of a motion for summary decision is accomplished by an accompanying affidavit of the investigating agent, setting forth the circumstances under which the evidence was obtained." *Carpio-Lingan*, 6 OCAHO no. 914 at 5 (citations omitted); *see, e.g., United States v. Kumar*, 6 OCAHO 833, 111, 119 (1996) (OCAHO has found Records of Deportable Alien (Forms I-213) to be admissible "while not necessarily affording them great weight or credibility."). Affidavits are not the exclusive means of authenticating documents, many other ways are available. *See Carpio-Lingan*, 6 OCAHO no. 914 at 5. This ROI, however, is not authenticated with an affidavit or a

certification; nor does it provide the names of the investigating agents or the author of the report. The Court finds that it has not been authenticated and, even if it were, is neither reliable nor worthy of weight.

The second and third ROIs (Exs. 13–14) identify the documents at issue in this case. The ROIs indicate that the documents were each submitted to United States Citizenship and Immigration Services (USCIS) identifies the allegedly fraudulent nature of the documents, and then provides a chart indicating the receipt number of the document, the date the documents were filed, as well as other pieces of information gleaned from the documents themselves. *Id.* There is no information regarding how the documents were obtained, when they were obtained, the chain of custody, etc. The Court will consider the charts as demonstrative evidence, but will not consider the statements regarding the fraudulent nature of the documents.

3. Petitions and Purchase Orders

The record also contains the documents at issue, twenty-two purchase orders and thirty-five Forms I-129, Petition for Nonimmigrant Worker. Ex. 15. Taking the petitions first, Complainant has not indicated how the documents were obtained, established a chain of custody, or otherwise provided a foundation for the petitions. *See* Ex. 15, 23–57. Each petition, however, contains signatures, a stamp with a date and the word "received[,]" a receipt barcode with a number and date. *Id.* Some also have a stamp that states, "approved[,]" with a date and "United States Citizenship and Immigration Services" or "VSC." *See id.* These indicate that the forms were filed and/or approved and as such, are public records. *See* Fed R. Evid. 901(b)(7). Given the more relaxed standards in administrative proceedings, the Court is willing to assume that these documents were obtained in the ordinary course of the investigation. *See Carpio-Lingan*, 6 OCAHO no. 914 at 8. The Court will consider these documents.

The purchase orders, on the other hand, contain no such markings. *See* Ex. 15, 1-22. There is no indication on the purchase orders that they were submitted. *See id.* They are each labeled Exhibit A, but there is no indication of what they were attached to, or whether or when they were filed. *See id.* There is one exception: during the testimony of Ravinder Kaur, Kaur identifies for the record documents filed on behalf of Sundaram Gautami. Ex. 18 at 174–76. One of those documents is a purchase order which contains the name "Richa Narang" signing for EcomNets and "Sonia Basu" signing for United Technologies. *Id.* at 177. The witness states that Respondent signed this document. *Id.* This appears to authenticate Ex. 15, 16, the Purchase Order. Accordingly, the Court will consider this purchase order, but will not consider the remainder as they are not authenticated and, given the lack of context, are not reliable.

Respondent referred to the emails offered as exhibits, Exs. 8, 10–11, 16–17, and did not dispute their authenticity. *See* Opp'n.

B. Analysis

Complainant contends that it has proven that Respondent knowingly forged and falsely made H-1B visa petitions and supporting documents. Mot. Summ. Decision at 8. As noted by Complainant, the knowledge element can be established through circumstantial evidence. *Carpio-Lingan*, 6 OCAHO no. 914 at 11. The Court finds that Complainant has proven this element by a preponderance of the evidence. Richa Narang testified to observing Respondent signing documents in support of H-1B petitions as the person authorized to sign for Unified Systems under her own name, Sam Bose for United Software Solutions and Sonia Basu for United Technologies. Ex. 3 at 425–26. She testified that both the company head and Respondent told her, "[w]herever it was required somebody to sign for Unified Systems, it would be Sanchita Bhattacharya." Ex. 3 at 426. The same was true for United Software Solution, but Respondent signed as Sam Bose. Ex. 3 at 429, 456. Ms. Narang had seen her sign as Sam Bose. Ex. 3 at 429, 441. Ms. Narang testified that Respondent also signed as Sonia Basu on behalf of United Technologies and that Respondent was the person to provide Sonia Basu's signature. Ex. 3 at 444–45. Respondent told her that Sam Bose is a ghost. Ex. 3 at 443. Ravinder Kaur's testimony further supports that Respondent signed as Sam Bose and Sonia Basu. Ex. 18 at 163, 177.

The Statement of Facts states Respondent signed letters as Operations Manager of Unified Systems when she was paid and employed by EcomNets, and had no role at Unified Systems. Ex. 5 at 6. Respondent provided the alias of Sam Bose on documents. *Id.* at 7. In the Memorandum of Opinion, the judge found that Respondent made up the name of Sam Bose, and put the name on documents submitted by United Software Solutions. Ex. 7 at 12. However, no such person existed. Similarly, petitions submitted by United Tech were signed by Sonia Basu, another fictional name Respondent used to sign documents submitted to USCIS. *Id.* The judge found that Respondent would also sign forged documents to "be used to mislead government adjudicators in response to [Requests for Information,]" including "purchase orders designed to convince USCIS officials that there was a bona fide business relationship between the 'shell' company that acted as the I-129 petitioner and EcomNets." Ex. 7 at 13.

A number of emails from Respondent also support the finding that Respondent signed documents using false names on behalf of the fictitious companies. *See* Ex. 8, 10-12. Respondent documents her work as signing on behalf of the various fictitious companies, Ex. 8, and asks which name she should using in signing a document, referring to herself, Sonia Basu or Sam Bose. Ex. 12. Exhibits 11, 12 and 16 likewise show that she was working on paperwork for various individuals, including Purchase Orders.

The evidence shows that the documents contained false and fabricated information. The evidence also shows that Respondent misrepresented the company she worked for (EcomNets), signing instead on behalf of three companies that did not exist with positions that she did not hold, and signed under fictitious names. Exs. 2; 5 at 2, 6–7; 3 at 425–26, 443. Each of the Form I-129 applications contained a description of either Unified Systems, Unified Software Solutions,

or United Technologies, signed by Respondent or one of the aliases, Ex. 15, 23–57, when these companies did not exist.

While there is no direct testimony or affidavits to show that Respondent signed the documents in the record, Exhibits 15, 23–25, 27, 30, 48–57 are signed with Respondent's name. The remainder are signed by Sonia Basu or Sam Bose. Ex. 15, 1–22, 26, 28–29, 31–47. The evidence shows, however, that Respondent was the authorized signer for those names and companies, and only Respondent signed for these companies. Accordingly the Court finds that Complainant has met its burden of proof, by circumstantial evidence, to show that Respondent assisted in preparing and providing a document with knowledge that the documents contained false statements and material misrepresentation. § 1324c(f).

The documents were used to satisfy a requirement under the INA – namely these were H-1-B visa petitions filed on behalf of persons seeking to be employed in the United States. *See* 8 C.F.R. § 214.2(h)(2)(i)(A).

In response, Respondent states that from July 2010 she worked for EcomNets, but denies doing immigration paperwork. Opp'n 1–2. She concedes her list of activities, and says that she received documents that she signed under her name. Opp'n 2. She also states that she did receive documents, but she sent then to Ms. Narang who got them signed, and then she sent them back to the concerned person. *Id.* She states that Ms. Narang's testimony is not true, that she was convicted of making false statements to a federal agent. *Id.* Ravinder Kaur was a co-conspirator and her testimony is not true and her name was forged on documents. *Id.* at 3.

As noted above, "[o]nce the moving party satisfies its initial burden of demonstrating both the absence of a material factual issue and that the party is entitled to judgment as a matter of law, the nonmoving party must come forward with contravening evidence to avoid summary resolution." *Four Seasons Earthworks*, 10 OCAHO no. 1150 at 3 (citing *Celotex*, 477 U.S. at 323). "Factual controversies are thus resolved in favor of the nonmoving party only where an actual controversy exists, that is, when both parties have submitted evidence of contradictory facts." *Curuta v. N. Harris Montgomery Cmty. Coll. Dist.*, 9 OCAHO no. 1099, 5 (2003) (citations omitted). *See also Villegas-Valenzuela*, 5 OCAHO 784 at 491 ("Consistent with § 68.38(b), OCAHO caselaw instructs that the opposing party bears the burden of disputing or contradicting the evidence of the movant on material factual issues with evidence of a substantial nature as distinguished from legal conclusions, and with concrete particulars as opposed to mere formal denials or general allegations which do not show the facts in detail and with precision."). Respondent has not come forward with any evidence; she merely denied the allegations and the testimony in a conclusory fashion. These general denials do not create a genuine issue of material fact.

Accordingly, the Court finds that summary judgment is GRANTED IN PART and the Complaint met its burden of proof to show thirty-six violations of § 1324c(a)(1).

The Complainant did not meet its burden of production as regards twenty one purchase orders. The parties should file supplemental briefing regarding these allegations. Briefs must be filed on or before **December 10, 2020.** Replies are due on or before **December 24, 2020.** The Court will consider the penalties at the conclusion of briefing.

V. CONCLUSION

The Court finds that Respondent is liable for one count of violating § 1324c(a)(1) because she falsely made thirty-six documents knowing the information in the documents was false to obtain a benefit under the Act, namely to obtain employment authorization on behalf of non-citizens.

VI. FINDINGS OF FACT

1. On July 23, 2019, the Department of Homeland Security, Immigration and Customs Enforcement served Sanchita Bhattacharya with a Notice of Intent to Fine.

2. On November 25, 2019, the Department of Homeland Security, Immigration and Customs Enforcement filed a complaint with the Office of the Chief Administrative Hearing Officer against Sanchita Bhattacharya.

3. Sanchita Bhattacharya was employed as an IT Staffing Operations Manager for a company called EcomNets.

4. Unified Systems, United Software Solutions and United Technologies, Inc. purported to be staffing companies, but had no legitimate business.

5. Complainant signed Form I-129 Petitions for Nonimmigrant Workers and supporting documentation for the Form I-129 as an employee of Unified Systems, United Software Solutions and United Technologies, Inc.

6. Complainant used the name Sam Bose to sign petitions on behalf of United Software Solutions.

7. Complainant used the name Sonia Basu to sign petitions on behalf of United Technologies, Inc.

8. Complainant knew the information provided on the forms was false.

VII. CONCLUSIONS OF LAW

1. All conditions precedent to the institution of this proceeding have been satisfied.

2. An Administrative Law Judge "shall enter a summary decision for either party if the pleadings, affidavits, material obtained . . . show that there is no genuine issue as to any material fact and that a party is entitled to summary decision." 28 C.F.R. § 68.38(c).

3. "An issue of fact is genuine only if it has a real basis in the record" and "[a] genuine issue of fact is material if, under the governing law, it might affect the outcome of the suit." *Sepahpour v. Unisys, Inc.*, 3 OCAHO no. 500, 1012, 1014 (1993) (first citing *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 586–87 (1986); and then *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)).

4. "Once the moving party satisfies its initial burden of demonstrating both the absence of a material factual issue and that the party is entitled to judgment as a matter of law, the nonmoving party must come forward with contravening evidence to avoid summary resolution." *United States v. Four Seasons Earthworks, Inc*., 10 OCAHO no. 1150, 3 (2012) (citing *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986)).

5. "[T]he party opposing the motion for summary decision 'may not rest upon the mere allegations or denials' of its pleadings, but must 'set forth specific facts showing that there is a genuine issue of fact for the hearing.'" *United States v. 3679 Commerce Place, Inc.*, 12 OCAHO no. 1296, 4 (2017) (quoting 28 C.F.R. § 68.38(b)).

6. The Court views all facts and reasonable inferences "in the light most favorable to the non-moving party." *United States v. Primera Enters., Inc.*, 4 OCAHO no. 615, 259, 261 (1994) (citations omitted).

7. Complainant met its burden of proving, by a preponderance of the evidence, that Respondent: 1. Knowingly forged, counterfeited, altered, or falsely made the fifty-six immigration documents; 2. after November 29, 1990; and 3. for the purpose of satisfying a requirement of the INA. 8 U.S.C. § 1324c(a)(1).

The Government's motion for summary decision is GRANTED in part.

SO ORDERED.

Dated and entered on November 19, 2020.

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Jean C. King
Chief Administrative Law Judge

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

December 17, 2020

UNITED STATES OF AMERICA, Complainant,	)	
	)	8 U.S.C. § 1324c Proceeding
v.	)	OCAHO Case No. 2020C00020
SANCHITA BHATTACHARYA, Respondent.	)	

ERRATA

In the Order on Motion for Summary Decision issued November 19, 2020. This order is hereby amended to correct the following error:

1. On page 10, conclusion of law number 7 is corrected to read, "Complainant met its burden of proving, by a preponderance of the evidence, that Respondent: 1. Knowingly forged, counterfeited, altered, or falsely made the thirty-six immigration documents; 2. after November 29, 1990; and 3. for the purpose of satisfying a requirement of the INA. 8 U.S.C. § 1324c(a)(1)."

SO ORDERED.

Dated and entered on, December 17, 2020.

Jean C. King
Chief Administrative Law Judge