

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

April 19, 2023

ZAJI OBATALA ZAJRADHARA,	)	
Complainant,	)	
	)	8 U.S.C. § 1324b Proceeding
v.	)	OCAHO Case No. 2022B00036
	)	
E-SUPPLY ENTERPRISES,	)	
Respondent.	)	
	)	

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Appearances: Zaji Obatala Zajradhara, pro se Complainant  
Tiberius D. Mocanu, for Respondent

ORDER ON NOTICE OF PARTIES' SETTLEMENT  
AND REQUEST FOR DISMISSAL OF ACTION

On March 15, 2023, the Court issued a stay of proceedings in the matter *Zajradhara v. E-Supply Enterprises* (OCAHO Case No. 2022B00036). *See Zajradhara v. E-Supply Enters.*, 16 OCAHO no. 1438b, 8–9 (2023).<sup>1</sup>

On April 12, 2023, the Court received Respondent's "Notice of Parties' Settlement and Request for Dismissal of Action." Respondent states that the parties entered into a settlement agreement. NOS 1. "Based on the parties' settlement, Respondent requests that this matter be dismissed

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<sup>1</sup> 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>.

without prejudice.” *Id.* Complainant did not sign this pleading. Respondent also did not attach a copy of the settlement agreement.

OCAHO regulations require that the *parties* notify the Administrative Law Judge of a settlement agreement and that the *parties* agree to dismissal of the action. *See* 28 C.F.R. § 68.14(a)(2).<sup>2</sup> *See also Jackai v. Frito-Lay, Inc.*, 1 OCAHO no. 188, 1232, 1232–33 (1990) (recognizing that the court has “some discretion in approving a dismissal” pursuant to settlement). Without either a joint motion, or the signed settlement agreement, the filing does not demonstrate that Complainant consented to dismissal. Nor has Complainant filed a separate motion seeking dismissal.

Therefore, the motion is DENIED.

If the parties seek dismissal based on notice of settlement, they shall file a joint submission that comports with 28 C.F.R. § 68.14(a)(2), or attach a copy of the settlement agreement with Complainant’s signature.

SO ORDERED.

Dated and entered on April 19, 2023.

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Honorable Jean C. King  
Chief Administrative Law Judge

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<sup>2</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2023).