

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

November 17, 1999

IN RE CHARGE OF)	
MARIA ELENA CARHUAYO)	
)	
UNITED STATES OF AMERICA)	
Complainant)	
)	
vs.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 99B00037
FAIRFIELD JERSEY, INC.,)	
FAIRFIELD TEXTILES)	
CORPORATION)	
Respondent.)	
_____)	

ORDER GRANTING COMPLAINANT'S MOTION TO FILE A REPLY

On September 7, 1999, respondent requested a subpoena to compel the testimony of Mr. Mejia, the charging party's estranged husband. On September 15, 1999, the Office of Special Counsel (OSC) sought a protective order to prevent the deposition. Respondent opposed OSC's motion for a protective order. On October 1, 1999, OSC sought leave to reply to respondent's opposition.

The pertinent procedural rule states that, "[u]nless the Administrative Law Judge provides otherwise, no reply to a response, counter-response to a reply, or any other responsive document shall be filed." 28 C.F.R. § 68.11(b). The rule begins with the presumption that replies will not be accepted, but allows the Administrative Law Judge to permit a reply in his or her discretion.

In light of the standing issue raised in respondent's opposition, OSC's Motion to File Reply is well taken. Accordingly, the motion is hereby granted.

Joseph E. McGuire
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of November, 1999, I have served copies of the foregoing Order Granting Complainant's Motion to File a Reply on the following persons at the addressees shown, in the manner indicated:

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