

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. 2023A00056
)	
CHAGRIN VALLEY PAVING, INC.,)	
Respondent.)	
)	

Appearances: James M. Rice, Esq., for Complainant
 Rishi P. Oza, Esq., for Respondent

ORDER OF DISMISSAL

This case arises under the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. On April 19, 2023, Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO), alleging that Respondent, Chagrin Valley Paving, Inc., violated 8 U.S.C. § 1324a(a)(1)(B). On May 24, 2023, Respondent, through counsel, filed an answer. On August 1, 2023, the parties voluntarily entered OCAHO’s Settlement Officer Program¹ for a period of sixty days.

On October 17, 2023, the parties filed a Notice of Settlement and Joint Motion to Dismiss. The motion indicates that the parties executed a settlement agreement and have agreed to dismissal of this action. Joint Mot. Dismiss 2 (citing 28 C.F.R. § 68.14(a)(2)). The parties request that “this dismissal [be] entered without filing the settlement agreement” and that “the Court dismiss this action without prejudice.” *Id.*

Pursuant to 28 C.F.R. § 68.14(a)(2), upon receiving notification by the parties of a full settlement and agreement to dismiss the action, the Administrative Law Judge has discretion to approve the dismissal with or without the filing of the settlement agreement. Under the somewhat

¹ See OCAHO Practice Manual Ch. 4.7, available at <https://www.justice.gov/eoir/reference-materials/ocaho/chapter-4/7>; OCAHO Settlement Officer Program, OOD PM 20-16 (Aug. 3, 2020).

unique circumstances of this case, the Court finds a review of the settlement agreement unnecessary.

Accordingly, the parties' motion is GRANTED and the complaint is DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

Dated and entered on October 23, 2023.

Honorable John A Henderson
Administrative Law Judge