

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

United States of America, Complainant v. Felipe, Inc., Respondent;
8 U.S.C. § 1324a Proceeding; Case No. 89100151.

ERRATA II

On October 11, 1989, I issued an ``Order for Civil Money Penalty for Paperwork Violations.''

On October 27, 1989, I issued an Errata in this case, the gist of which changed the caption of the October 11, 1989 Order and included a final disposition paragraph.

On October 31, 1989, a brief telephonic conference call was held in this case, and during that call it became clear that Respondent had been confused about the nature and date of the final disposition of this matter. Accordingly, for the sake of the Respondent's clarification, I am issuing this second Errata. In the event that Respondent decides that it would like to appeal this decision and order, the tolling time for effectuating the appeal shall begin as of the date of this Errata.

The following changes shall be incorporated by reference into the October 11, 1989 Order:

1. The caption of the Order which reads, pursuant to the October 27, 1989 Errata, as ``Decision and Order for Civil Money Penalty for Paperwork Violations,''' shall be changed to read ``Final Decision and Order.''

2. After the last sentence of paragraph 2 of page 1 of the October 11, 1989 Order, I add the following:

I find this stipulated agreement, which was signed by both parties on August 10, 1989, and is captioned `Stipulation as to Penalty Amount in Count I,' to be a fair and reasonable way to dispose of the penalty amount regarding Count I. In spite of clause 2 in the `Stipulation,' (`both parties waive any further procedural steps before the Administrative Law Judge in regards to Count I of the Complaint'), I shall incorporate the agreement into this Final Decision and Order consistent with clause 3 of the `Stipulation.' I further note that Respondent agrees, in clause 1 of the `Stipulation,' that it will not contest the \$1000.00 civil monetary penalty assessed for Count I.' Finally, though it is not a part of the `Stipulation' agreed to

by the parties, I Order Respondent, consistent with the regulations governing these proceedings, to cease and desist from any further violations of section 1324a.

3. On page 14, after the first paragraph, I amend the date contained in the Errata of October 27, 1989, from ``October 11, 1989'' to October 31, 1989.

4. On page 14, after the last sentence (``So Ordered . . .'), I add the following:

I further Order that Respondent cease and desist from any further violations of section 1324a of Title 8 of the United States Code.

SO ORDERED: This 31st day of October, 1989, at San Diego, California.

ROBERT B. SCHNEIDER
Administrative Law Judge