

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

December 6, 2021

ANA MARIA RAVINES DE SCHUR,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
EASTER SEALS-GOODWILL NORTHERN)	OCAHO Case No. 2020B00093
ROCKY MOUNTAIN, INC.,)	
)	
Respondent.)	
_____)	

Appearances: Ana Maria Ravines de Schur, pro se, for Complainant
Jean E. Faure, Esq., for Respondent

ORDER REJECTING COMPLAINANT’S SUBMISSION

I. PROCEDURAL HISTORY

On September 24, 2021, the Court issued an Order Denying Complainant’s Motion for Restraining Order against Respondent’s Counsel. *Ravines de Schur v. Easter Seals-Goodwill No. Rocky Mountain, Inc.*, 15 OCAHO no. 1388c, 1 (2021).¹ Complainant requested the Court serve as a communication conduit between the parties. *Id.* at 3–4. The Court denied the request, noting the prohibition against ex parte communications. 28 C.F.R. § 68.35(b). *Id.* at 4 & n.5.

¹ 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>.

On September 30, 2021, Complainant filed Complainant's Submission Rejecting Correspondence from Respondent's Counsel (Complainant's Submission).

II. COMPLAINANT'S SUBMISSION

Complainant "request[s] that no further communications from [Respondent's counsel] be forwarded to the attention of Complainant or her family in any written or verbal forms." Complainant's Submission 1. Additionally, Complainant forwarded an unopened package allegedly from Respondent's counsel addressed to Complainant that Complainant received on September 18, 2021. *Id.* at 2.

III. DISCUSSION

A motion is "an oral or written request, made by a person or a party, for some action by an Administrative Law Judge." 28 C.F.R. § 68.2. Here, it is unclear what action Complainant seeks as Complainant has not explicitly requested the undersigned take a specific action. As such, the Court REJECTS Complainant's Submission.

Moreover, the Court will not open the sealed package that appears to have been sent by Respondent's counsel to Complainant, which Complainant forwarded, unopened, to the Court. *See Ravines de Schur*, 15 OCAHO no. 1388c, 3–4 (declining to act as a conduit between the parties). Doing so may constitute ex parte communications, which are prohibited by 28 C.F.R. § 68.35(b). *See Ravines de Schur*, 15 OCAHO no. 1388c, 4 n.5 (citations omitted) (defining ex parte communication as "[a] communication between counsel or a party and the court when opposing counsel or party is not present").

The original, unopened package is returned to Complainant as an attachment to this Order. A photocopy of the envelope will be attached to the Order served on Respondent. The contents of the package were not reviewed and do not form a part of the record.

Complainant is ordered to cease forwarding to the Court communications that Respondent sent to Complainant.

SO ORDERED.

Dated and entered on December 6, 2021.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge