

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

May 18, 2023

JACK GRAHAM,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2023B00047
)	
AMERIFLIGHT,)	
Respondent.)	
_____)	

ORDER GRANTING JOINT MOTION TO DISMISS

This case arises under the antidiscrimination provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b. On February 28, 2023, Complainant, Jack Graham, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO), alleging that Respondent, Ameriflight, discriminated against him on account of citizenship status and national origin, in violation of 8 U.S.C. §§ 1324b(a)(1), (a)(6).

On May 9, 2023, the parties filed a Joint Motion to Dismiss, which provides the following: “[I]n consideration of the mutual promises and agreements contained in the Confidential Settlement Agreement and General Release, executed by the Complainant and the Respondent, the Parties jointly move to dismiss the Complaint with prejudice.”

Pursuant to 28 C.F.R. § 68.14(a)(2), where parties have entered into a settlement agreement, they shall “[n]otify the Administrative Law Judge that the parties have reached a full settlement and have agreed to dismissal of the action. Dismissal of the action shall be subject to the approval of the Administrative Law Judge, who may require the filing of the settlement agreement.”

The parties’ Joint Motion to Dismiss provides notice of settlement that comports with 28 C.F.R. § 68.14(a)(2).¹

¹ While the Court may require the filing of a settlement agreement, it declines to do so here.

Accordingly, the parties' Joint Motion to Dismiss is GRANTED, and the case is hereby DISMISSED with prejudice.

SO ORDERED.

Dated and entered on May 18, 2023.

Honorable Andrea R. Carroll-Tipton
Administrative Law Judge