

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

July 9, 2024

ZAJI OBATALA ZAJRADHARA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324b Proceeding
)	OCAHO Case No. 2024B00107
)	
EFG PACIFIC HOLDINGS, LLC.,)	
Respondent.)	
_____)	

ORDER OF INQUIRY

I. BACKGROUND

This case arises under the employment discrimination provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324b.

On May 17, 2024, Complainant file a complaint alleging that Respondent violated 8 U.S.C. §§ 1324b(a)(1)(A), (B) and (a)(5) by discriminating against him based on national origin, citizenship status, and by retaliating against him. To date, Respondent has not filed an Answer.

In his complaint, Complainant provided an address of EM #104, MBP, Nauru Loop, Saipan, MP, 96950, for Respondent.

On June 11, 2024, the Court attempted to served Respondent at the Nauru Loop address via United States Postal Service certified mail with a copy of the complaint and the Notice of Case Assignment for Complaint Alleging Unfair Immigration-Related Employment Practices (NOCA) (collectively, the complaint package). The Court requested a tracking number for the complaint package. The mail tracking information for the complaint package indicates that it arrived at the post office in Saipan on June 28, 2024, but that there was an “insufficient address.”

II. ORDER OF INQUIRY – WORKING ADDRESS

Under OCAHO’s Rules of Practice and Procedure, 28 C.F.R. part 68 (2023), this Court must serve the original complaint on the respondent. 28 C.F.R. § 68.3(a). OCAHO’s Rules also require the

Complainant to include in the complaint “[t]he names and address of the respondents” and “a statement identifying the party or parties to be served” by OCAHO. 28 C.F.R. §§ 68.7(b)(2), 68.7(b)(5). The complaint is served “upon receipt by addressee.” *Id.* § 68.3(b). When OCAHO experiences difficulties in perfecting service, it may seek the assistance of the parties. 28 C.F.R. § 68.3(c).

Here, Complainant provided OCAHO with an address in Saipan, MP for Respondent. However, when the Court attempted to serve Respondent with the complaint package at that address, the address was insufficient. When the Court is unable to serve Respondent, the Court’s practice is to issue an order of inquiry for Complainant to provide a working address for Respondent or Respondent’s registered agent. *Heath v. Euclid Innovations*, 16 OCAHO no. 1418, 2 (2022); *see also Yeung v. Wash. State Dept. Licensing*, 17 OCAHO no. 1473, 2 (2023).¹

The Court now ORDERS Complainant to provide a working mailing address for Respondent or Respondent’s registered agent. Complainant may wish to confer with the Immigrant and Employee Rights Section, or obtain a copy of a corporation report.

The Court puts Complainant on notice that typically “when a [§ 1324b] complaint cannot be effectively served, it is dismissed without prejudice.” *Zajradhara v. Blossom Corp.*, 18 OCAHO no. 1523, 2 (2024) (citing *Heath v. VBeyond Corp.*, & *an Anon. Empl’r*, 14 OCAHO no. 1368a, 3-4 (2020)).

SO ORDERED.

Dated and entered on July 9, 2024.

Honorable Jean C. King
Chief Administrative Law Judge

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 been 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 “FIMOCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.