

U.S. Department of Labor

Office of Administrative Law Judges
11870 Merchants Walk - Suite 204
Newport News, VA 23606

(757) 591-5140
(757) 591-5150 (FAX)



Issue Date: 03 February 2012

OALJ Case No.: 2012-TLC-00015
ETA Case No.: C-11353-30935

In the Matter of
WILLIAM A. NATORP,
Employer.

Certifying Officer: William L. Carlson
Chicago Processing Center

ORDER OF DISMISSAL

This case arises under the temporary agricultural labor provisions of the Immigration and Nationality Act of 1952 (Act), 8 U.S.C.A. § 1101(a)(15)(H)(ii)(a) and §1184(c)(1), as amended, and its implementing regulations found at 20 CFR Part 655, Subpart B.

By the Certifying Officer's (CO) "Notice of Deficiency" of December 22, 2011, the CO found that the Employer's "Application for Temporary Employment Certification" (ETA 9142) and "Agricultural and Food Processing Clearance Order" (ETA 790, Job Order) were deficient based on 20 CFR §655.122(b) & (h) and extended the opportunity for the Employer to correct the noted deficiencies (ETA Case no. C-11349-30884). Employer's counsel filed an appeal of the "Notice of Deficiency" and a request for formal hearing on January 3, 2012. A formal hearing was held January 24 and 25, 2011

On February 2, 2012, Employer's counsel filed a request "to withdraw the pending appeal. [Employer] therefore respectfully requests that his appeal be dismissed."

In view of all the foregoing, the request for hearing is **DISMISSED WITH PREJUDICE.**

A

ALAN L. BERGSTROM
Administrative Law Judge

ALB/jcb
Newport News, Virginia