

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 25 July 2013

OALJ Case No.: 2013-TLC-00043

ETA Case No.: H-300-13150-147921

In the Matter of:

ANA ROSA PEREZ-QUINTINO,
Employer

Certifying Officer: William L. Carlson
Chicago Processing Center

Before: **LEE J. ROMERO, JR.**
Administrative Law Judge

ORDER OF REMAND
FOR
CONTINUED PROCESSING

This matter arises under the temporary agricultural labor provisions of the Immigration and Nationality Act, 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a) and 1184(c)(1), and the implementing regulations at 20 C.F.R. Part 655, Subpart B. On June 5, 2013, the Certifying Officer (“CO”) issued a *Notice of Deficiency* (“NOD”) to Ana Rosa Perez-Quintino (“the Employer”), and on June 12, 2013, the CO issued a second NOD to the Employer. On June 28, 2013, the CO denied Employer’s application on two grounds: (1) Employer did not provide an assurance signed by Employer that the post office box listed on her Federal Employer Identification Number documentation is the mailing address for her business and (2) Employer did not provide an assurance signed by Employer stating she was not a successor of interest to a debarred employer. The Employer appealed the denial to the Office of Administrative Law Judges (“OALJ” or “Office”) on July 1, 2013.

Subsequently, on July 23, 2013, counsel for the CO notified this Office that the CO has agreed to review additional documentation that resolved the issues and will continue processing the H-2A Application. Therefore, the Solicitor requested that the matter be remanded to the Certifying Officer for further processing. Employer has no objection to the instant request.

Based on the foregoing, it is hereby **ORDERED** that this matter be **REMANDED** to the CO for further processing.

ORDERED this 25th day of July, 2013, at Covington, Louisiana.

Lee J. Romero, Jr.
Administrative Law Judge