

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 28 February 2013

OALJ Case No.: 2013-TLC-00021

ETA Case No.: H-300-13008-608633

In the Matter of:

LAMBLEY FARMS,
Employer

Certifying Officer: Atlanta National Processing Center

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 February 8, 2013, the Certifying Office issued a Denial Letter to Lambley Farms (“Employer”), finding that it had failed to establish a temporary or seasonal need under 20 C.F.R. § 655.103(d). Employer appealed the denial to the Office of Administrative Law Judges on the same day and requested a *de novo* hearing pursuant to 20 C.F.R. § 655.171(b).

Subsequently, on February 26, 2013, counsel for the CO notified this Office that based on additional information received from Employer, the CO agreed to accept a remand of this case for further processing of the H-2A application. Opposing counsel did not object.

In light of the foregoing, it is hereby **ORDERED** that this matter is **REMANDED** to the CO for further processing.

ORDERED this 28th day of February, 2013, at Covington, Louisiana.

PATRICK M. ROSENOW
Administrative Law Judge