



In the Matter of:

**ADMINISTRATOR, WAGE AND HOUR
DIVISION, U.S. DEPARTMENT OF LABOR,**

PROSECUTING PARTY,

v.

FRANK SACKS TENNIS CAMPS, INC.,

RESPONDENT.

ARB CASE NO. 11-089

ALJ CASE NO 2010-LCA-026

DATE: January 9, 2012

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

ORDER CLOSING THE CASE

This case arises under the H-1B provisions of the Immigration and Nationality Act, as amended.¹ On October 6, 2011, the Administrative Review Board granted the request of Respondent Frank Sacks Tennis Camps for an extension of time of thirty (30) days in which to file a Petition for Review of the Administrative Law Judge's August 25, 2011 decision in this case. The Board cautioned the Respondent that barring extraordinary circumstances precluding the filing of the Petition for Review, the Board would grant no further enlargements. The Respondent failed to file a Petition for Review as permitted in the Board's October 6th order.

On November 18, 2011, the Administrator filed a Motion to Close the Case Because of Failure to File a Petition for Review. Accordingly, we ordered the

¹ 8 U.S.C.A §§ 1101(a)(15)(H)(i)(b), 1182(n), 1184(c) (West 1999 & Thomson Reuters Supp. 2010) (INA). See 20 C.F.R. § 655.845 (2010). The Secretary of Labor has delegated her authority to issue final agency decisions in cases arising under the INA's H-1B provisions to the Administrative Review Board. See Secretary's Order No. 1-2010, 75 Fed. Reg. 3,924-25 (Jan. 15, 2010).

Respondent to show cause no later than December 19, 2011, why we should not issue an order closing this case because the Respondent has failed to file a petition for review. We cautioned the Respondent that should it fail to timely respond to this order, the Board may close this case without further advance notice.

The Respondent has failed to respond to the Board's show cause order. Accordingly, we **GRANT** the Administrator's motion and **CLOSE** the case as the Respondent has failed to file a petition for review.

FOR THE ADMINISTRATIVE REVIEW BOARD:

Janet R. Dunlop
General Counsel

Note: Questions regarding any case pending before the Board should be directed to the Board's paralegal specialists at (202) 693-6200 (telephone) or (202) 693-6220 (facsimile).