



In the Matter of:

**ADMINISTRATOR, WAGE AND HOUR
DIVISION, UNITED STATES
DEPARTMENT OF LABOR,**

ARB CASE NO. 12-104

ALJ CASE NO 2012-LCA-015

PROSECUTING PARTY,

DATE: November 2, 2012

v.

**ABACUSS SOFTWARE
TECHNOLOGIES, LLC,**

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Respondent:

Ravi Padmanabhan, *Abacuss Software Technologies (pro se), Atlanta, Georgia*

Before: Paul M. Igasaki, *Chief Administrative Appeals Judge*; and Luis A. Corchado, *Administrative Appeals Judge*

ORDER DENYING RECONSIDERATION

The Administrative Review Board issued a Notice of Case Closing for Failure to Timely File a Petition For Review in this case arising under the H-1B provisions of the

Immigration and Nationality Act, as amended,¹ on October 18, 2012. The Board closed this case because, after the Board gave the Respondent an ample enlargement time to do so, it failed to timely file a petition for review.²

On October 22, 2012, the Respondents filed a petition for review. This petition was untimely by almost two months from the original due date and twelve days after the second enlargement of time granted to the Respondents. On October 25, 2012, the Board received a motion requesting the Board to reconsider its decision closing the case.

The ARB is authorized to reconsider a decision upon the filing of a motion for reconsideration within a reasonable time of the date on which the Board issued the decision.³ But upon review of the Respondent's motion, we have determined that it has failed to demonstrate any grounds for reconsideration.⁴ Accordingly, we **DENY** the Respondent's motion for reconsideration.

SO ORDERED.

PAUL M. IGASAKI
Chief Administrative Appeals Judge

LUIS A. CORCHADO
Administrative Appeals Judge

¹ 8 U.S.C.A §§ 1101(a)(15)(H)(i)(b), 1182(n), 1184(c) (West 1999 & Thomson Reuters Supp. 2012) (INA).

² A timely petition for review of an Administrative Law Judge's decision under the INA's H-1B provisions must be received by the Board within 30 calendar days of the date of the decision and order. 20 C.F.R. § 655.845(a) (2012).

³ *Henrich v. Ecolab, Inc.*, ARB No. 05-030, ALJ No. 2004-SOX-051, slip op. at 11 (ARB May 30, 2007).

⁴ *See Abdur-Rahman v. DeKalb County*, ARB Nos. 08-003, 10-074; ALJ Nos. 2006-WPC-002, -003; slip op. at 4 (ARB Feb. 16, 2011).