



In the Matter of:

DONGSHENG HUANG,

ARB CASE NO. 2019-0047

PROSECUTING PARTY,

ALJ CASE NO. 2008-LCA-00011

v.

DATE: APR 18 2019

ULTIMO SOFTWARE SOLUTIONS, INC.,

RESPONDENT.

Appearances:

For the Complainant:

Dongsheng Huang; *pro se*; Houston, Texas

Before: William T. Barto, *Chief Administrative Appeals Judge*, James A. Haynes and Daniel T. Gresh, *Administrative Appeals Judges*

NOTICE OF DETERMINATION TO DECLINE REVIEW

The Administrative Review Board (ARB) received a Petition for Review on April 10, 2019, from Dongsheng Huang requesting that the Board review a Department of Labor Administrative Law Judge's Order Denying Motion To Renew Judgment, ALJ No. 2008-LCA-00011 (Feb. 2013, 2019) and Order Denying Reconsideration, ALJ No. 2008-LCA-00011 (Mar. 19, 2019), in connection with a case arising out of the Immigration and Nationality Act, as amended (INA).¹ The Secretary of Labor has delegated to the ARB the authority to act in review or on appeal of final decisions of an Administrative Law Judge (ALJ) under the INA.²

¹ 8 U.S.C. §§ 1101(a)(15)(H)(i)(b)(2014), 1182(n)(2013) and its implementing regulations at 20 C.F.R. Part 655, subparts H and I (2018).

² Secretary's Order 01-2019 (Delegation of Authority and Assignment of Responsibility to the Administrative Review Board), 84 Fed. Reg. 13072 (April 3, 2019).

The INA's implementing regulations provide that the ARB must notify the parties, the ALJ, and the Office of Administrative Law Judges (OALJ) "within 30 calendar days" if it determines that it will review the ALJ's decision(s).³ The ARB hereby notifies the parties, the ALJ, and the OALJ that the ARB does not accept this case for review.⁴

Accordingly, the Petition for Review is **DISMISSED** with prejudice.

SO ORDERED.

³ 20 C.F.R. § 655.845(c).

⁴ "Except as provided in [20 C.F.R.] §655.807, the Administrator [Wage and Hour Division] shall perform all the Secretary's investigative and enforcement functions under sections 212(n) and (t) of the INA (8 U.S.C. § 1182(n) and (t)) and this subpart I and subpart H of this part." 20 C.F.R. § 655.800(a).