

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
)	8 U.S.C. § 1324a Proceeding
v.)	OCAHO Case No. 2024A00112
)	
MAYA DEL SOL, LLC)	
d/b/a MAYA DEL SOL,)	
Respondent.)	
)	

Appearances: Ellen J. Krupp, Esq., for Complainant
Amy L. Peck, Esq., Sarah J. Millsap, Esq., and David A. Calles Smith, Esq., for
Respondent

ORDER GRANTING MOTION FOR EXTENSION

This case arises under the employer sanctions provisions of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1324a. Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement, filed a Complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) on June 14, 2024, alleging that Respondent, Maya Del Sol, LLC, violated 8 U.S.C. §§ 1324a(a)(1)(B) and (a)(2).

On August 1, 2024, the Court issued an Order Setting Prehearing Conference and General Litigation Order, directing the parties to file an initial prehearing statement with the Court within 21 days of receipt of the Order.

On August 26, 2024, Complainant filed a Motion for Extension of Time to File Prehearing Statement. Complainant writes that it did not receive the Court's August 1, 2024, Order until Respondent provided it with a copy on August 22, 2024.¹ Mot. Extension 1. Complainant expresses its intent to file its prehearing statement before the prehearing conference, and asks for an extension to do so. Id.

¹ The Court notes that this order was mailed to the address for Complainant listed on the Complaint. If the parties' addresses have changed they are directed to notify the Court expeditiously. The parties are also encouraged to register for participation in OCAHO's Electronic Filing Pilot Program.

“OCAHO’s Rule of Practice and Procedure for Administrative Hearings do not provide specific standards for granting extensions, but the standard routinely applied is good cause.” United States v. Space Expl. Techs., 18 OCAHO no. 1499, 5 (2023) (citing United States v. Exim, 3 OCAHO no. 591, 1925, 1929 (1993); United States v. Four Star Knitting, Inc., 5 OCAHO no. 815, 711, 714 (1995))²; *see also* Talebinejad v. Mass. Inst. Tech., 17 OCAHO no. 1464, 2 (2022) (citing Tingling v. City of Richmond, 13 OCAHO no. 1324c, 2 (2021)).

Complainant asks for an extension because it did not receive the Court’s Order Setting Prehearing Conference and General Litigation Order. The Court has previously found good cause for extension of deadlines due to mail delays or concerns regarding service. *See, e.g.,* Zajradhara v. HDH Co., Ltd., 16 OCAHO no. 1417b, 3 (2022). Although the Court has not received a filing from Respondent indicating whether it opposes the motion, the extension is relatively short and the case is still in its early stages. The Court finds no prejudice would arise from an extension of time to file a prehearing statement. *See* Space Exploration Techs., 18 OCAHO no. 1499, at 3.

The Court therefore GRANTS Complainant’s motion for an extension of time to file an its prehearing statement. Complainant must file its prehearing statement by September 11, 2024.

SO ORDERED.

Dated and entered on September 4, 2024.

John A. Henderson
Administrative Law Judge

² Citations to OCAHO precedents reprinted in bound Volumes 1 through 8 reflect the volume number and the case number of the particular decision, followed by the specific page in that volume where the decision begins; the pinpoint citations which follow are thus to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents subsequent to Volume 8, where the decision has not yet been reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1, and is accordingly omitted from the citation. Published decisions may be accessed in the Westlaw database “FIMOCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.